



CITY OF  
**West Linn**

**STAFF REPORT  
FOR THE HISTORIC REVIEW BOARD**

**FILE NUMBER:** DR-21-11

**HEARING DATE:** March 1, 2022

**REQUEST:** Class I Design Review (DR-21-11), Alteration of a Nonconforming Structure (MISC-21-14), and Sign Permit (SGN-21-20)

**APPROVAL CRITERIA:** Community Development Code (CDC) Chapters 19, 48, 52, 55, 58, 66, and 99.

**STAFF REPORT PREPARED BY:** John Floyd, Associate Planner

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Planning Manager's Initials DSW

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## GENERAL INFORMATION

**OWNER/APPLICANT:** Willamette Garage, LLC  
John Stromquist, Contact  
1674 5<sup>th</sup> Ave.  
West Linn, Oregon 97068

**CONSULTANT:** Iselin Architects, PC  
Jessica Iselin, Contact  
1307 7<sup>th</sup> Street  
Oregon City, OR 97045

**SITE LOCATION:** 1590 Willamette Falls Drive

**LEGAL DESCRIPTION:** Clackamas County Assessor's Map 31E02BB, Tax Lot 5800  
Portion of Lot 49, Willamette Tracts 1-64

**SITE SIZE:** 10,500 square feet

**ZONING:** GC, General Commercial  
Willamette Falls Drive Commercial Design District

**COMP PLAN DESIGNATION:** Commercial

**120-DAY PERIOD:** This application became complete on February 2, 2022. The 120-day maximum application-processing period ends on June 2, 2022

**PUBLIC NOTICE:** Public notice was mailed to the Willamette neighborhood association and affected property owners on February 4, 2022. The property was posted with a notice sign on February 4, 2022. The notice was published in the West Linn Tidings on February 16, 2022. The notice requirements of CDC Chapter 99 have been met.

## EXECUTIVE SUMMARY

**Site Conditions:** The project site is approximately 10,500 square feet in size and located at the northwest corner of Willamette Falls Drive and Dollar Street. The site is zoned General Commercial (GC) and has formed the westernmost boundary of the Willamette Falls Drive Commercial Design District since its creation in 1992 (Ordinance No. 1321).



Two structures currently occupy the site and are related to its former use as a gas station and automotive service center (Stein Oil Station / Russ Auto Care). These include a fuel dispenser canopy near the front property line, and a service building containing three automotive repair bays, retail/office space, and a bathroom. Both structures date to the early 1970s and are mid-century in style.



The site is covered in a mixture of concrete, asphalt, and gravel with minimal landscaping. Vehicular access is limited to the Dollar Street frontage as a result of the Willamette Falls Drive Streetscape project.

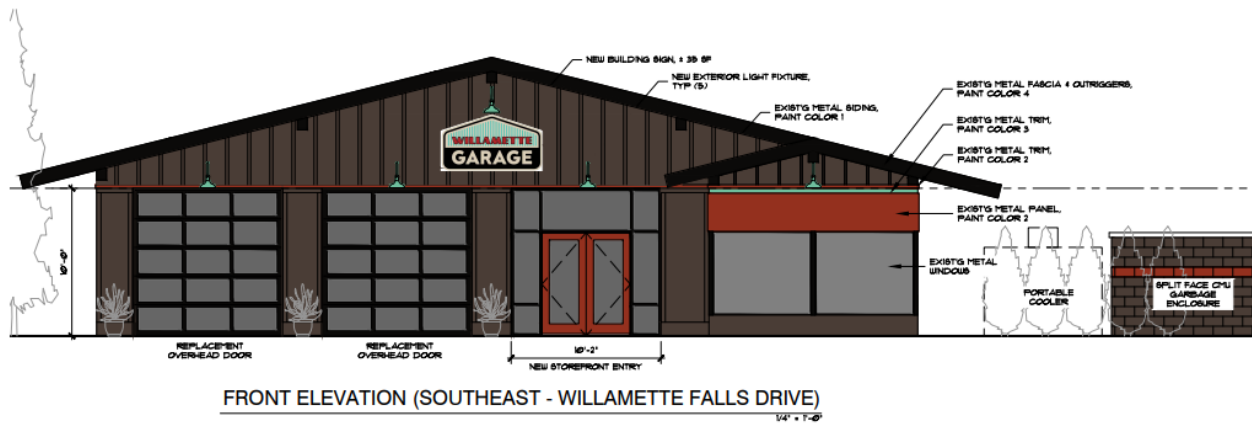


**Project Description:**

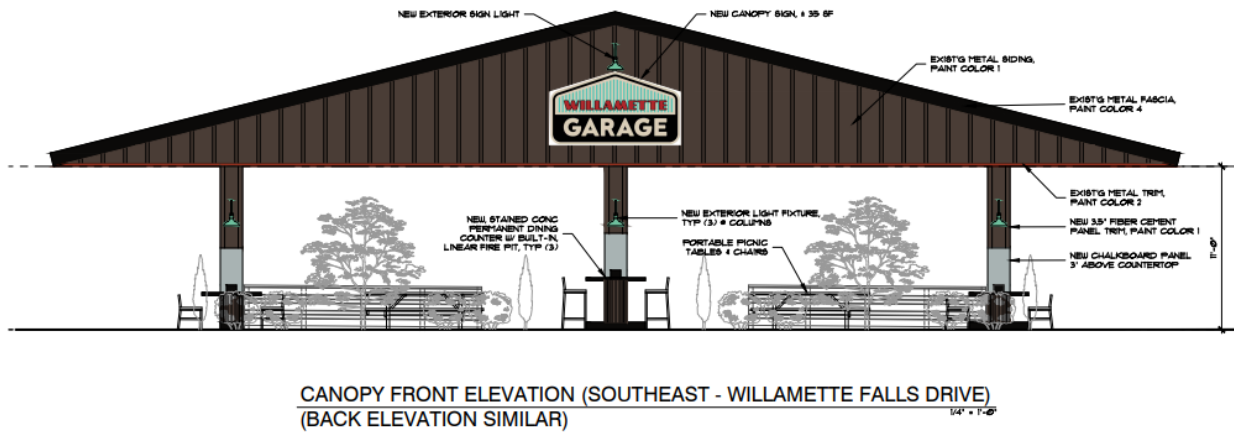
As described in the applicant's materials contained in Exhibit HRB-01, the applicant is proposing adaptive reuse of the site as a dining venue to include eight licensed mobile food units (aka food carts), an indoor pub in the former garage building, and indoor and outdoor seating.

The service building will be remodeled to include new glazed overhead doors, new storefront entries at the front and west side, a new utility access door on the rear of the building, new ADA bathrooms, new signage and lighting, and a new paint scheme.





The existing canopy will be retained and used as a cover for outdoor seating. Proposed alterations include new paint, new signage and lighting, and the addition of permanent dining counters.

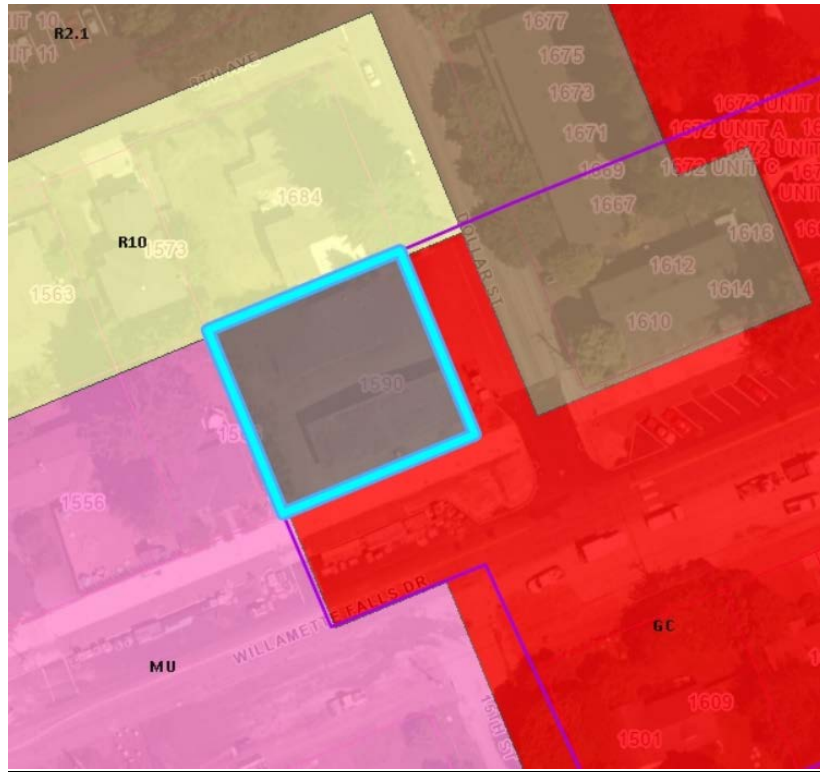


Site improvements to include utility upgrades, concrete and asphalt repair, a walk-in cooler, a new garbage and recycling enclosure, new perimeter fencing, the addition of artificial turf within the primary seating area, and a new pedestrian pathway along the back of the service building.

**Surrounding Land Use and Zoning:**

The site is zoned General Commercial (GC) and within the Willamette Falls Drive Commercial Design District. Adjacent zoning and land uses include:

Direction From Site	Zoning	Land Use
North	R-10	Single-Family Residential
East (across Dollar Street)	R-2.1	Multi-Family Residential
West	MU	Single-Family Residential
South (across Willamette Falls Drive)	MU/GC	Single-Family Residential and Commercial



**Applicable Community Development Code Approval Criteria:**

- Chapter 19, General Commercial, R-10;
- Chapter 48, Access, Egress and Circulation;
- Chapter 52, Signs;
- Chapter 55, Design Review;
- Chapter 58, Willamette Falls Drive Commercial Design District;
- Chapter 66, Nonconforming Structures; and
- Chapter 99, Procedures for Decision Making: Quasi-Judicial.

**Public Comments:**

Three public comments have been submitted and all are attached as Exhibit HRB-02.

The first is an email from Shannen Knight supporting the application.

The second is a letter from Lance and Carol Earle expressing concern regarding the lack of on-site parking in comparison to the previous occupant of the site. As discussed in Staff Finding 5, properties located within the Willamette Falls Drive Commercial Design District are exempt from minimum parking requirements in order to further the objectives the Design District. Comparisons to the former use must take into account the Willamette Falls Drive Streetscape Project that increased on-street parking capacity along this block by providing 22 paved and striped parking spaces between Dollar and 16<sup>th</sup> Street where none existed previously.

The third is a letter from Tualatin Valley Fire & Rescue indicating the proposal meets all fire access and water supply requirements. The letter encourages the city to require premises identification as stipulated in the Oregon Fire Code. In consulting with the West Linn Building Department, premises identification requirements are enforced prior to final building occupancy as part of normal permit administration.

## RECOMMENDATION

Staff recommends the Historic Review Board make a recommendation to the Planning Commission to approve DR-21-11 et. Al., based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met. The conditions are as follows:

1. **Approved Plans.** All alterations and improvements shall substantially conform to all submitted tentative plan sheets and supporting materials contained in Exhibit HRB-01 (See Staff Finding 3, 8, 10, 17, 18, 32 through 63).
2. **Engineering Standards.** All public improvements and facilities associated with the approved site design, including but not limited to street improvements, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to the City Engineer's review, modification, and approval. These must be designed, constructed, and completed prior to the issuance of the final building certificate of occupancy. The City may partner with the applicant to fund additional improvements as part of the project. (See Staff Finding 8, 25).
3. **Additional Improvements.** The City may partner with the applicant to fund additional improvements as part of the project.

# ADDENDUM

## HISTORIC REVIEW BOARD STAFF REPORT

MEETING DATE: MARCH 1, 2022

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

I. CHAPTER 19, GENERAL COMMERCIAL, GC  
19.020 PROCEDURES AND APPROVAL PROCESS

(...)

C. A use permitted outright, CDC 19.030, is a use which requires no approval under the provisions of this code. If a use is not listed as a use permitted outright, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.

(...)

**Staff Finding 1: The applicant proposes an eating and drinking establishment which is a permitted use in the GC zone as discussed in Staff Finding 2. This standard is met.**

19.030 PERMITTED USES

The following uses are permitted outright in this zone:

(...)

10. Eating and drinking establishments.

(...)

**Staff Finding 2: The proposed indoor pub and food carts meet the definition of eating and drinking establishments in CDC 02.030, which was written expansively to include a broad variety of service models: "Establishments or places of business that are not drive-through restaurants and primarily engage in the sale of prepared or produced food and beverages for on-premises consumption, on-premises sale, or take out service. On-premises sales do not include sales to secondary retailers or wholesalers. Typical uses include, but are not limited to: fast food establishments, restaurants, delicatessens, brew-pubs, coffee shops, taverns, bars and lounges." This standard is met.**

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

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

1. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.

2. The average minimum lot width shall be 50 feet.

3. The average minimum lot depth shall not be less than 90 feet.



4. *Where the use abuts a residential district, except as provided in CDC 58.090(C)(1), the setback distance of the residential zone shall apply.*
5. *The maximum lot coverage shall be 50 percent, except as provided in CDC 58.090(C)(1)(d).*
6. *The maximum building height shall be two and one-half stories or 35 feet for any structure located within 50 feet of a low or medium density residential zone, and three and one-half stories or 45 feet for any structure located 50 feet or more from a low or medium density residential zone.*
7. *For lot lines that abut an arterial, there shall be no minimum yard dimensions or minimum building setback area, and the maximum building setback shall be 20 feet. The front setback area between the street and the building line shall consist of landscaping or a combination of non-vehicular hardscape areas (covered with impervious surfaces) and landscaped areas. If there are not street trees within the public right-of-way, the front setback area shall include such trees per the requirements of the City Arborist.*

**Staff Finding 3: Staff accepts the applicant's findings in Exhibit HRB-01. Neither the existing lot lines nor the existing buildings are being expanded, and the dimensional setbacks of 58.090(C)(1) control in regards to setbacks and lot coverage. New structures include the trash enclosure and walk-in cooler which are in compliance with dimensional requirements. The trash enclosure will have a zero setback with Dollar Street, and both the trash enclosure and walk in cooler are set back from the property so as to allow a new walkway to be constructed per CDC 58.090(C)(1)(b). These standards are met.**

## *II. CHAPTER 42, CLEAR VISION AREAS*

### *42.030 EXCEPTIONS*

*The following described area in Willamette shall be exempt from the provisions of this chapter. The units of land zoned General Commercial which abut Willamette Falls Drive, located between 10<sup>th</sup> and 16<sup>th</sup> Streets. (...)*

**Staff Finding 4: The subject property is zoned General Commercial and abuts Willamette Falls Drive between 14<sup>th</sup> and 16<sup>th</sup> Streets. Therefore, this chapter is not applicable.**

## *III. CHAPTER 46, OFF-STREET PARKING, LOADING AND RESERVOIR AREAS*

### *46.140 EXEMPTIONS TO PARKING REQUIREMENTS*

*To facilitate the design requirements of Chapter 58 CDC, properties in the Willamette Falls Drive Commercial Design District, located between 10th and 16th Streets, shall be exempt from the requirements for off-street parking as identified in this chapter. Any off-street parking spaces provided shall be designed and installed per the dimensional standards of this code.*

**Staff Finding 5: The subject property is located within the Willamette Falls Drive Commercial Design District between 14<sup>th</sup> and 16<sup>th</sup> Streets. Therefore, the proposal is exempt from minimum off-street parking standards. The application is not proposing any voluntary off-street parking or maneuvering for staff or visitors, and the mobile food units will remain in place for weeks or months at a time. This criterion does not apply.**

#### IV. CHAPTER 48, ACCESS, EGRESS AND CIRCULATION

##### 48.020 APPLICABILITY AND GENERAL PROVISIONS

- A. *The provisions of this chapter do not apply where the provisions of the Transportation System Plan or land division chapter are applicable and set forth differing standards.*
- B. *All lots shall have access from a public street or from a platted private street approved under the land division chapter.*
- C. *No building or other permit shall be issued until scaled plans are presented to the City and approved by the City as provided by this chapter, and show how the access, egress, and circulation requirements are to be fulfilled. Access to State or County roads may require review, approval, and permits from the appropriate authority.*
- D. *Should the owner or occupant of a lot, parcel or building enlarge or change the use to which the lot, parcel or building is put, resulting in increasing any of the requirements of this chapter, it shall be unlawful and a violation of this code to begin or maintain such altered use until the provisions of this chapter have been met, and, if required, until the appropriate approval authority under Chapter 99 CDC has approved the change.*
- E. *Owners of two or more uses, structures, lots, parcels, or units of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the requirements as designated in this code; provided, that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases, or contracts to establish joint use. Copies of said instrument shall be placed on permanent file with the City Recorder.*
- F. *Property owners shall not be compelled to access their homes via platted stems of flag lots if other driveways and easements are available and approved by the City Engineer.*

**Staff Finding 6: Staff accepts the applicant's findings in Exhibit HRB-01. The site contains an existing access drive off of Dollar Street that was retained by the city during the Willamette Falls Drive Streetscape Improvement project. As discussed in Staff Finding 5, the property is exempt from off-street parking and loading requirements. No shared access exists or is proposed. These standards are met or are not applicable.**

##### 48.025 ACCESS CONTROL

###### B. Access Control Standards

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

**Staff Finding 7: A traffic impact study has not been requested by the City. This standard does not apply.**

2. *The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure*

*the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.*

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

*(...)*

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

**Staff Finding 8: Staff accepts the applicant’s findings in Exhibit HRB-01. The applicant proposes to use the single, existing access point onto Dollar Street that was retained during the Willamette Falls Drive Streetscape project, when historic access to Willamette Falls Drive was removed. This standard is met.**

*4. Subdivisions fronting onto an arterial street.*

*(...)*

**Staff Finding 9: The applicant is not proposing a subdivision. These standards do not apply.**

*5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. When a lot or parcel has frontage opposite that of the adjacent lots or parcels, access shall be provided from the street with the lowest classification.*

*(...)*

**Staff Finding 10: The project site has frontage along two streets, and access is currently restricted to Dollar Street which is the lower classification. No change in access location is proposed. This standard is met.**

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

*(...)*

**Staff Finding 11: Shared driveways are not feasible due to the adjacency of single-family dwellings and the existing building configuration. This standard is not applicable.**

*C. Street connectivity and formation of blocks required.*

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

*1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial.*

**Staff Finding 12: The applicant's proposal does not create any new blocks. This standard is not applicable.**

*2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP.*

*(...)*

**Staff Finding 13: The applicant is not required to make any improvements to Willamette Falls Drive. Willamette Falls Drive is consistent with the provisions of the West Linn Community Development Code and the West Linn Transportation System Plan. Street improvements are not required along Dollar Street pursuant to Staff Finding 64. This standard is met.**

#### *48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES*

*Access, egress, and circulation system for all non-residential uses shall not be less than the following:*

*A. Service drives for non-residential uses shall be fully improved with hard surface pavement:*

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

*2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.*

*3. Meet the requirements of CDC 48.030(E)(3) through (6).*

*4. Pickup window driveways may be 12 feet wide unless the Fire Chief determines additional width is required.*

*B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.*

*C. All on-site maneuvering and/or access drives shall be maintained pursuant to CDC 46.130.*

*D. Gated accessways to non-residential uses are prohibited unless required for public safety or security.*

**Staff Finding 14: Staff adopts the applicant's findings in Exhibit HRB-01. These standards are met.**

#### *48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS*

*A. Minimum curb cut width shall be 16 feet.*



B. Maximum curb cut width shall be 36 feet, except along Highway 43 in which case the maximum curb cut shall be 40 feet. For emergency service providers, including fire stations, the maximum shall be 50 feet.

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

1. On an arterial when intersected by another arterial, 150 feet.

(...)

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

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

1. On an arterial street, 150 feet.

2. On a collector street, 75 feet.

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

E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.

F. Curb cuts shall be kept to the minimum, particularly on Highway 43. Consolidation of driveways is preferred. The standard on Highway 43 is one curb cut per business if consolidation of driveways is not possible.

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

**Staff Finding 15: Staff adopts the applicant's findings in Exhibit HRB-01. These standards are met.**

(...)

48.080 BICYCLE AND PEDESTRIAN CIRCULATION

(...)

c. Bicycle and pedestrian ways at commercial or industrial sites shall be provided according to the provisions of Chapter 55 CDC, Design Review.

**Staff Finding 16: Staff adopts the applicant's findings in Exhibit HRB-01. This standard does not apply.**

V. CHAPTER 52, SIGNS

52.210 APPROVAL STANDARDS

All signs shall meet the following standards:

(...)

K. Signs in the Willamette Falls Drive Commercial Design District.

1. Signs shall not exceed 10 percent of the square footage of the front elevation. The calculation of allowable signage is explained in CDC 52.300. The sign(s) shall be proportionate to buildings and signs on adjacent buildings. The "10 percent" shall be broken up into multiple signs. The sign(s) shall be mounted or painted on the second floor, on the valance of the awning, on the windows at pedestrian level, or on four-by-four awning posts. Signs shall not be of the internally lit can type or channel light type. No backlit awnings are allowed. Illumination by spotlight is permitted. Neon signs are permitted only inside the windows. No flashing signs are

allowed. By temporary sign permit only, neon colored lettering or designs painted on windows or on paper or banners in the windows are allowed, but discouraged. Small signs or plaques which describe the building in a historical sense are exempt from the allowable square footage restrictions.

2. Sign type face. Antique lettering as shown in the illustration is required. Variations are permitted where the lettering would not clash with the predominant font or style. "Gay Nineties" or "P.T. Barnum" type styles and other exaggerated styles are discouraged. Lettering may be horizontal, vertical, or slanting up from lower left to upper right. Semi-circle designs on windows are permitted. Window lettering should be white, black, or gold with black shading.

3. Temporary signs. Temporary A-frame signs are allowed without a permit; however, they shall be designed to be consistent with the sign and type face provisions.

**Staff Finding 17: Staff adopts the applicant’s findings in Exhibit HRB-01. The applicant proposes two signs, 26 and 45 square feet respectively, or approximately 3% of the service building front elevation and 9.5% of the canopy front elevation. Both will be mounted above the ground floor on the front gable and will be externally illuminated by low gooseneck lighting. The proposed font is in keeping with the mid-century style of the building. No temporary A-Frame signs are proposed in the application. These standards are met.**

52.310 TEMPORARY SIGN DESIGN STANDARDS

	City Appvl. Reqd.	Illumination	FREESTANDING SIGNS				ON WALL SIGNS		
			No. Allwd.	Max. Sq. Ft.	Max. Ht. (ft.)	ROW setback (ft.) See Figure 52-8 if ROW location unknown	No. Allwd.	Max. Sq. Ft.	Max. Ht. (ft.)
(...)									
Commercial/Industrial Uses including religious institutions (signs per each business) in: Non-Business Center or GC/OBC/NC zones (less than 4-acre shopping center)	Yes	No	1	32 total*	5	1	1	32	25
(...)									

NOTES FOR TEMPORARY SIGN DIMENSIONAL STANDARDS

\*TOTAL SQUARE FOOTAGE OF ALL SIGNS ON SITE.

1TEMPORARY SIGNS ARE LIMITED TO 60 DAYS PER CALENDAR YEAR. THE 60-DAY PERIOD FOR TEMPORARY SIGNS MEANS THAT A BUSINESS, FOR EXAMPLE, ONLY HAS 60 DAYS IN TOTAL, DURING THE CALENDAR YEAR, FOR ANY AND ALL TEMPORARY SIGNS. YOU MAY NOT HAVE ONE SIGN FOR 60 DAYS AND THEN A DIFFERENT TEMPORARY SIGN FOR YET ANOTHER 60 DAYS. ALSO, THE 60 DAYS MAY BE BROKEN INTO SHORTER PERIODS OF TIME (E.G., 30 DAYS AT CHRISTMAS AND 30 DAYS IN MID-SUMMER). THE SPECIFIC DATES MUST BE ON THE APPLICATION.

*FREESTANDING TEMPORARY SIGNS SHALL BE LOCATED WITHIN 10 FEET OF THE BUSINESS STRUCTURE. FOR BUSINESS CENTERS, A MAXIMUM OF TWO TEMPORARY SIGNS MAY BE LOCATED OUTSIDE OF THE 10-FOOT LIMIT, BUT MUST BE LOCATED ON THE SAME TAX LOT AS THE BUSINESS. FREESTANDING TEMPORARY SIGNS MAY REMAIN IN PLACE UNTIL THE CLOSE OF THE EVENT (E.G., SALE OR LEASE OF THE BUILDING, AN OPEN HOUSE, OR AN ELECTION, ETC.).*

*(...)*

**Staff Finding 18:** The application includes a 24 square foot temporary sign to be mounted on the front gable of the canopy until such time as the permanent sign is installed. The 3' by 8' sign complies with all dimensional requirements. These standards are met.

#### *VI. CHAPTER 54, LANDSCAPING*

##### *54.010 PURPOSE*

*The purpose of this chapter is to provide for the design, selection (...)*

**Staff Finding 19:** The applicant's proposal is exempt from Chapter 54 per CDC Chapter 58.090.C(2). Please see Staff Finding 67.

#### *VII. CHAPTER 55, DESIGN REVIEW*

##### *55.020 CLASSES OF DESIGN REVIEW*

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

*1. Modification of an office, commercial, industrial, public or multi-family structure for purposes of enhancing the aesthetics of the building and not increasing the interior usable space (e.g., covered walkways or entryways, addition of unoccupied features such as cupolas, clock towers, etc.).*

*(...)*

**Staff Finding 20:** As demonstrated in Exhibit HRB-01, the applicant is proposing to modify two existing commercial structures on the site, with no increase in interior usable space. Therefore, a Class I Design Review is appropriate. The application includes a request and necessary materials for a Class I Design Review. Therefore, this standard is met.

##### *55.030 ADMINISTRATION AND APPROVAL PROCESS*

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

**Staff Finding 21:** A pre-application conference was conducted by the City on June 3, 2021 and the application is in substantial conformance with the development plan submitted for the conference. A copy of the pre-application meeting summary notes prepared by the city is included in Exhibit HRB-01. This standard is met.

*B. The application shall be submitted by the record owner(s) of the property, authorized agent, or condemnor.*

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

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

*(...)*

**Staff Finding 22: The Class I Design Review Application is being considered by the Planning Commission as the application is also proposing alteration of a nonconforming structure. Per CDC 99.070(A), the applications have been consolidated into a single proceeding for the Planning Commission to consider in a combined action. This standard is met.**

*55.090 APPROVAL STANDARDS – CLASS I DESIGN REVIEW*

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

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

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

**Staff Finding 23: The site is fully developed with no natural features remaining. The adjoining properties and right of way are fully developed at this time with no natural features that could be impacted. Therefore, the provisions of CDC 55.100(B)(1) through (4) do not apply. These standards are not applicable.**

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

*(...)*

4. *The design standards or requirements identified in the base zone shall apply.*

**Staff Finding 24: The proposal includes exterior architectural remodeling, therefore, the provisions of CDC 55.100(B)(5) and (6) apply and are addressed in subsequent findings. The Planning Director has not requested any additional information, and as detailed above the requirements of the base zone were addressed in previous findings. These approval standards are met.**

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

*(...)*

**Staff Finding 25: Water, sanitary sewer, storm sewer, electricity, and gas service are present and will be verified and inspected as part of normal building permit review. The standard is met.**

*55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW*

*(...)*



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

**Staff Finding 26: Staff incorporates applicant findings contained in HRB-01. The two primary buildings are existing and are not being expanded in size. No change in access is being proposed. Tualatin Valley Fire and Rescue has reviewed the application and determined that it meets their requirements for fire access (see Exhibit HRB-02). These criteria are met.**

6. Architecture.

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

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

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

d. *Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally.*

e. *The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency...*

f. *Variations in depth and roof line are encouraged for all elevations.*

*To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.*

g. *Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.*

- h. The vision statement identified a strong commitment to developing safe and attractive pedestrian environments with broad sidewalks, canopied with trees and awnings*
- i. Sidewalk cafes, kiosks, vendors, and street furniture are encouraged. However, at least a four-foot-wide pedestrian accessway must be maintained per Chapter 53 CDC, Sidewalk Use.*

**Staff Finding 27: Staff incorporates applicant findings contained in Exhibit HRB-01. Additionally, the project site is located within the Willamette Falls Drive Commercial Design District (CDC Chapter 58), therefore the proposal is subject to review by the West Linn Historic Review Board which will make a recommendation to the Planning Commission. Staff findings related to CDC Chapter 58 are below. This criterion is met.**

#### *55.125 TRANSPORTATION ANALYSIS*

*Certain development proposals required that a Traffic Impact Analysis (TIA) be provided which may result in modifications to the site plan or conditions of approval to address or minimize any adverse impacts created by the proposal. The purpose, applicability and standards of this analysis are found in CDC 85.170(B)(2).*

**Staff Finding 28: The proposed alterations and change of use does not appear to be meeting any of the thresholds of CDC 85.170(B)(2) as it is not expected to increase traffic volumes by more than 250 average daily trips above that generated by the previous land use, will not increase use of adjacent streets by heavy truck traffic by 10 or more vehicles a day, will not be altering the existing driveway nor change internal traffic patterns in a way that will cause safety problems. This standard does not apply.**

#### *VIII. CHAPTER 58, WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT*

##### *58.010 PURPOSE*

- A. Implement the goals and policies of the economic element of the Comprehensive Plan relating to the rehabilitation and revitalization of the Willamette Commercial District.*
- B. Enhance the historic and aesthetic quality of the Commercial District.*
- C. Increase the attractiveness of the commercial areas to tourists, customers, tenants, business owners, and City residents.*
- D. Reinforce the commitment to existing commercial buildings of the 1880 – 1915 period and complement the adjacent residential historic district.*
- E. Encourage a sense of historic identity for the Willamette area and West Linn as a whole.*

**Staff Finding 29: Staff incorporates applicant findings contained in HRB-01. The purpose of the overlay district is met.**

##### *58.090 STANDARDS*

- A. Standards are needed to provide a clear and objective list of design elements that are needed to bring new construction and remodels into conformance with 1880 – 1915 architecture. Buildings of the period saw relatively few deviations in design. Consequently, the Historic Review Board will require conformance with the standards. Deviations or deletions from the standards are addressed in the variance procedure of this chapter.*

**Staff Finding 30: Staff incorporates applicant findings contained in HRB-01. Deviations from these standards is addressed in findings pertaining to Chapter 66 Non-Conforming Structures contained later in this report. As modified through the non-conforming approval, this standard will be met.**

*B. The use of neo-designs or simply contextual designs which only attempt to capture the basic or generalized elements such as building line, massing and form, etc., is not acceptable.*

**Staff Finding 31: Staff incorporates applicant findings contained in HRB-01. This standard is met.**

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

*1. Dimensional standards.*

*a. Front: zero-foot setback. Building may not be set back from the property line unless it is consistent with predominant building line.*

*b. Side and side street: zero-foot setback. Building may not be set back from the side property line except for side passageway, accessway, or stairway unless fire codes dictate otherwise. The setback shall not exceed six feet. The setback should be consistent with the rhythm of adjacent structures, or at least not deleterious to it.*

*c. Rear: 20-foot setback. Setbacks between zero and 20 feet are permitted only if the applicant can demonstrate that he can successfully mitigate any impacts associated with the building in current and future uses as they would relate to abutting residential and other properties.*

**Staff Finding 32: Staff incorporates applicant findings contained in HRB-01. This standard is met.**

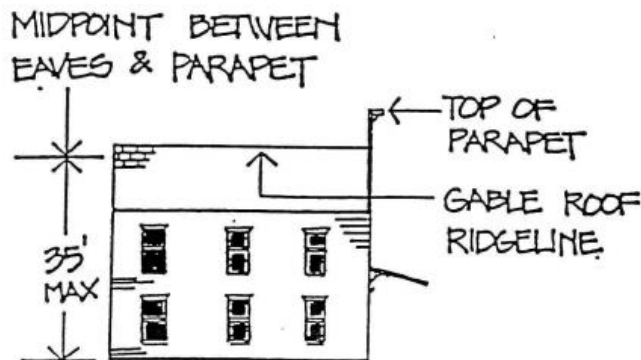
*d. Lot coverage: up to 100 percent of lot may be developed depending upon ability to mitigate impacts upon abutting residential and other uses.*

**Staff Finding 33: Staff incorporates applicant findings contained in HRB-01. This standard is met.**

*2. Minimum landscaping required. Sites in this district are exempt from landscaping requirements as identified in Chapter 54 CDC, Landscaping, with the exception of parking areas.*

**Staff Finding 34: Staff incorporates applicant findings contained in HRB-01. The applicant is not required to provide parking and does not propose to add any new off-street parking save for spaces dedicated to eight mobile food units (food carts). The applicant submitted a combined site plan and landscaping plan as Sheet A1.0 of the plan set contained in Exhibit HRB-01. This standard is met.**

3. Building height limitations. Maximum building height shall be 35 feet (as measured by this code), and two stories. False fronts shall be considered as the peak of the building if it exceeds the gable roof ridgeline.



(...)

5. Roof form. Flat or pitched roofs. Pitched roof ridgeline shall run from the front of the building to the back.

**Staff Finding 35:** Staff incorporates applicant findings contained in HRB-01. The existing canopy is approximately 21.5 feet in height and the existing service building is approximately 19 feet in height. Existing rooflines are pitched and run from the front of the building and to the back, and neither will be altered as part of this project. This standard is met.

6. Building form, scale and depth. Building shall emphasize the vertical through narrow, tall windows (especially on second floor), vertical awning supports, engaged columns, and exaggerated facades creating a height-to-width ratio of 1.5:1. Building depth shall be flat, only relieved by awning and cornice projections and the indented doorway.

**Staff Finding 36:** Staff incorporates the applicant's findings in Exhibit HRB-01. The existing buildings are nonconforming with the form, scale, and depth criteria as the existing style is more horizontal in orientation due to its originally intended use as an automotive fueling and repair facility. This horizontal orientation is an integral part of the architectural integrity of the buildings. To the degree possible, the application proposes to bring the structure close to compliance through alterations that will enhance the verticality of the building through replaced roll-up doors. Relief from this standard has been requested through a nonconforming approval which is discussed later in this report in staff finding 63.

7. Spacing and rhythm. Buildings shall follow a regular rhythm. Strong vertical breaks or lines should be regularly spaced every 25 to 50 feet.

**Staff Finding 37:** Staff incorporates applicant findings contained in HRB-01. Both of the existing structures provide regular, repeated vertical elements in the form of spacing between the glazed garage doors, supports for the canopy, and the projecting retail space on the service building. This standard is met.



8. Facades. No gables, hipped, or pitched roofs shall be exposed to the street at the front. The “Western false front” shall be the preferred style although variations shall be allowed.
9. Cornice. Cornices shall be broad and may include regularly spaced supporting brackets. A cornice is not required, but preferred.

**Staff Finding 38: Staff incorporates applicant findings contained in HRB-01. The existing structures do not comply with the façade and cornice criteria, nor would it be feasible or architecturally appropriate to alter a mid-century building into a western false-front style. The applicant has applied for relief from this standard through a nonconforming approval which is discussed in staff finding 63.**

10. Building materials and orientation. Wood shall be the principal building material. Horizontal wood siding in one-inch by eight-inch dimensions shall be used for siding. Brick and certain concrete configurations are permitted only by a variance under CDC [58.090](#).

**Staff Finding 39: Staff incorporates applicant findings contained in HRB-01. The applicant has applied for relief from this standard through a nonconforming approval which is discussed later in this report.**

11. Awnings. All buildings shall have awnings extending out from building face. Awnings are preferred for micro-climate benefits. Ideally, the building will have both transom and awnings, although transoms are not required.

*Awnings shall be either canvas or vinyl, or similar approved material, supported by an internal metal framework or metal or wood supported by a curved metal support, either attached to the building or a simple four-inch by four-inch wood post extending down to the outside of the sidewalk.*

*Awnings shall, therefore, extend beyond the front property line to the outside edge of the sidewalk, and shall possess a seven-foot clearance to the valance or any other part. The pitch of the awning shall be 10 to 40 degrees. No “bubble-type” awnings are permitted. No backlit awnings are permitted. Canvas or matte-finish vinyl, or similar approved material awnings, may be one-color or striped and shall have a free-hanging plain or crenelated valance. Canvas or matte-finish vinyl, or similar approved material awnings, should not be shared between two structures. Each structure should have its own awning.*

12. Extruded roofs. As a substitute for an awning, extruded roofs have a 10- to 40-degree pitch and extend one to two feet from the building face just above the transom windows where the first and second stories meet. The roof runs along the entire building frontage. Standard roofing materials are used. Transoms are required with extruded roofs.

**Staff Finding 40: No awnings or extruded roofs exist on the current structures and none are proposed. The purpose of awnings and extruded roofs is to provide shade and weather protection for pedestrians within the public sidewalk, and the existing setbacks prohibit their**

installation to achieve this function. User shelter will be alternatively provided under the existing fuel canopy. This standard does not apply.

13. Doors and entryways. *The entryway shall be centered in the middle of the building at grade. The buildings on street corners may position their doors on the corner at an angle as depicted in the illustration. The doors may be single or double doors. The doors shall be recessed three to five feet back from the building line. Doors shall have glazing in the upper two-thirds to half of the door. Panels should decorate the lower portions. The entryway shall have windows all the way around at the same level as the other display windows. Wood doors are preferable although alternatives with a dark matte finish may be acceptable.*

**Staff Finding 41:** Staff incorporates applicant findings contained in HRB-01. The proposal includes a new storefront entrance within one of the existing rollup garage door bays, which is roughly centered in the middle of the building, to provide greater visibility from Willamette Falls Drive. The doors will be surrounded by glazing and of black anodized aluminum. The application includes a nonconforming approval to provide relief from the setback requirement, as discussed in Staff Finding 63. This standard is met.

14. Glazing. *Clear glass only. No mirrored or tinted glass. No films applied to glass. Lettering on glass is permitted (see subsection (C)(25)(b) of this section).*

**Staff Finding 42:** The applicant has proposed clear glass with no glazing for all windows and doors. This criterion is met.

15. Display or pedestrian level windows. *Shall extend across at least 80 percent of building front. The windows shall start one and one-half to two and one-half feet above grade to a height of seven to eight feet, and shall be level with the top of the height of the adjacent entryway area, excluding transom. A single sheet of glass is not permitted. The window shall be broken up into numerous sections, also known as lights. From 1880 onwards, the number of lights was generally no more than six in a pedestrian-level window. The frames may be wood or vinyl-clad wood, or other materials so long as a matte finish is possible.*

**Staff Finding 43:** Staff incorporates applicant findings contained in HRB-01. With 44 feet of glazing along a 55.5 foot wide building, approximately 80% of the building front will have windows that extend to within 1.5 feet of the ground to a height of 10 feet. This standard is met.

16. Second floor and other windows. *Double- and single-hung windows proportionately spaced and centered should be used. Smaller square shaped windows may be permitted (one and one-half feet to two feet per side). A typical window should have a 3:1 height to width ratio for the glass area. There should be a minimum of two lights: "one over one" of equal size. "Two over one" or "four over one" is appropriate.*

**Staff Finding 44: The existing buildings do not have a second floor. This standard does not apply.**

17. Wainscotting. *Wainscotting shall be consistent with primary material of the building, typically wood.*

**Staff Finding 55: Staff incorporates the applicant's findings contained in Exhibit HRB-01. This standard is met.**

18. Shutters. *Shutters are not allowed.*

19. Balconies. *No balconies are permitted except on rear of building.*

20. Exterior stairs. *Simple stairs are permitted on the rear or side of the building only.*

21. Roof mounted mechanical equipment. *Equipment shall be screened from view on all sides by normal and consistent architectural features of the building. CDC [55.100\(D\)](#), Privacy and noise, shall apply.*

22. Air conditioning. *No window types on avenue or street side are permitted. Window-mounted air conditioners are not allowed at rear where abutting residential.*

**Staff Finding 56: None of the above features exist or are proposed. These standards are not applicable.**

23. Exterior lighting fixtures. *Any lighting fixtures that can be traced to 1880 – 1915 period are permitted. Simple modern fixtures that are screened and/or do not attract attention are acceptable. Overly ornate fixtures of the Victorian era are to be discouraged.*

**Staff Finding 57: Staff incorporates the applicant's findings contained in Exhibit HRB-01. Existing fluorescent lighting under the canopy and eaves will be retained. New gooseneck LED lighting of a simple design are proposed for illumination of signage and general outdoor use. This standard is met.**

24. Transoms. *Transom windows are required with extruded roofs and optional with awnings. Transom windows shall cover the front of the building above, but not beyond, the main display windows and the entryway area. Transoms should be broken up into sections every six inches to three feet in a consistent and equal pattern. Height should not exceed three feet. Transoms may or may not open. False ceilings are allowed behind the transoms.*

**Staff Finding 58: Staff incorporates the applicant's findings contained in Exhibit HRB-01. This standard is met.**

25. Planters. *No planters are allowed.*

**Staff Finding 59: No planters or planter boxes exist or are proposed. This standard is met.**

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

**Staff Finding 60: Staff incorporates the applicant’s findings contained in Exhibit HRB-01. This standard is met.**

27. Ornamental or advertising flags, pennants, or banners. Not permitted on buildings.

**Staff Finding 61: No flags, pennants, or banners exist or are proposed. This standard is met.**

28. New materials. Permitted where it is demonstrated that new material visually replicates originally required material, except siding, which must be wood.

**Staff Finding 62: Staff incorporates the applicant’s findings contained in Exhibit HRB-01. These criteria are met.**

#### 58.100 VARIANCE PROCEDURES

*In those circumstances where a design proposal cannot meet the standards, or proposes an alternative to the standard, the Historic Review Board may grant a variance in those cases where one of the following criteria is met:*

- A. *The applicant can demonstrate by review of historical records or photographs that the alternative is correct and appropriate to architecture in the region, and especially West Linn, in 1880 – 1915.*
- B. *The applicant is incorporating exceptional 1880 – 1915 architecture into the building which overcompensates for an omission. The emphasis is upon superior design, detail, or workmanship.*

**Staff Finding 63: Staff incorporates the applicant’s findings contained in Exhibit HRB-01. The areas where the alterations to the existing structure cannot comply with the standards of the WFDCDD are addressed below in findings pertaining to CDC 66 – Non-Conforming Structures.**

#### IX. CHAPTER 66, NON-CONFORMING STRUCTURES

##### 66.080 ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS

(...)

B. *An enlargement or alteration to a non-conforming structure containing a conforming use may be permitted subject to the following:*

(...)

- 2. *If the enlargement, in and of itself, does not meet all provisions of the code, review and approval by the Planning Director for single-family structures, and by the Planning Commission*

*for non-single-family structures under the provisions of CDC 99.060(B) is required subject to the following standards.*

- a. The enlargement or alteration will not change the non-conformity; and*
- b. All other applicable ordinance provisions will be met.*

**Staff Finding 63: Staff incorporates the applicant's findings contained in Exhibit HRB-01. As demonstrated in the findings above and project description below, the proposed alterations meet the code where possible with the following exceptions.**

- *The use of metal siding in areas where patching is to occur.***
- *The new entry doors are not recessed as they are part of a larger storefront entry system to be located within an existing roll-up door opening.***
- *The new entry doors will be full glazed rather than with partial lites with lower panels. The intention is to keep within the existing architectural style of the building.***

**None of these alterations substantially change or increase the nonconformity of the existing buildings and preserve the stylistic integrity of the existing structure which cannot be easily converted to a western false front building. Moreover, the alterations are related to the adaptive reuse and revitalization of a vacant building and will further the purpose and goals of the Willamette Falls Drive Commercial Design District as set forth in CDC 58.010. These standards are met.**

#### *X. CHAPTER 96, STREET IMPROVEMENT CONSTRUCTION*

##### *B. Remodeling of an existing building.*

- 1. Building permits shall not be issued for the remodeling and conversion of any existing building or structure which results in an increase in size or includes a change of use excepting building permits for the alteration or addition to an existing single-family dwelling, unless:*
  - a. The applicant for said building permit agrees to construct street improvements; and*
  - b. The City Manager or the Manager's designee determines that the remodeling of a structure or change of use is sufficient to cause construction of street improvements.*
- 2. The determination of whether the remodeling of an existing building or structure is sufficient to cause the property owner to construct street improvements, shall be made by the City Manager or the Manager's designee. This determination shall be based upon finding that the increase in building size or change of use results in either:*
  - a. An increase in floor area which creates the need for additional on-site parking in accordance with the Community Development Code; or*
  - b. A change in use that results in a need for additional on-site parking; or*
  - c. An increase in the dwelling unit density on the site; or*
  - d. A change in the type, number, or location of accessways where off-site traffic will be affected.*

**Staff Finding 64: The proposal involves a remodel to allow a change of use from automotive fueling and repair to an eating and drinking establishment. No increase in floor area is proposed. The remodel is not sufficient to cause street improvements as no additional on-site parking is proposed or required by the CDC, no dwelling units exist or are proposed on the site, and the existing accessway is not changing in type, number, or location and off-site**

**traffic will not be affected by the site changes adjacent to the driveway. This standard does not apply.**

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

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

*(...)*

*B. Pre-application conferences.*

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

*(...)*

*e. Design review (Class I and Class II).*

*(...)*

**Staff Finding 65: As discussed in staff finding 21, the applicant attended a pre-application conference with City staff on June 3, 2021. These criteria are met.**

*99.060 APPROVAL AUTHORITY*

*A. Planning Director authority. The Planning Director shall have the authority to:*

*1. Approve, deny, or approve with conditions the following applications:*

*(...)*

*I. Design Review, Class I (Chapter 55 CDC).*

*(...)*

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

*(...)*

*d. Enlargement or alteration of a non-single-family residential non-conforming use (Chapter 66 CDC).*

*(...)*

*D. Historic Review Board authority. The Historic Review Board shall review an application for compliance with Chapters 25 and 58 CDC, as applicable. The Historic Review Board shall have the authority to:*

*(...)*

*2. Make recommendations to the approval authority specified in this section regarding the following:*

*(...)*

*c. Class I or Class II design review on a property within the Willamette Falls Drive Commercial Design District that is not a historic landmark or within the Willamette Historic District;*

*(...)*

**Staff Finding 66: The application is being presented to the Historic Review Board for a recommendation of compliance with CDC Chapter 58. This recommendation will be forwarded to the Planning Commission for consideration as part of a consolidated proceeding pursuant to CDC 99.070.**

*99.080 NOTICE*

*Notice shall be given in the following ways:*

A. *Class A Notice. (...)*

**Staff Finding 67: The applicant proposal has been properly noticed by the City per Exhibit HRB-05 below. These criteria are met.**



**EXHIBIT PC-1: APPLICANT SUBMITTAL**

## DEVELOPMENT REVIEW APPLICATION

**For Office Use Only**

STAFF CONTACT <b>John Floyd</b>	PROJECT NO(S). <b>DR-21-11/MISC-21-14/SGN-21-20</b>	PRE-APPLICATION NO. <b>PA-21-12</b>
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

**Type of Review** (Please check all that apply):

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

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

**Site Location/Address:**

1590 Willamette Falls Drive

**Assessor's Map No.:**

Tax Lot(s): 31E02BB05800

Total Land Area: 10,500 SF

**Brief Description of Proposal:**

Adaptive re-use and remodel of an existing vehicle gas and service station for use as a dining venue including food carts, an indoor pub and indoor and outdoor seating

**Applicant Name:** Willamette Garage, LLC  
(please print)  
**Address:** John Stromquist, Contact  
1674 5th Ave  
**City State Zip:** West Linn, OR 97068

**Phone:** 503-964-2440  
**Email:** jstromquist@cascdiamotion.com

**Owner Name** (required): Willamette Garage, LLC  
(please print)  
**Address:** John Stromquist, Contact  
1674 5th Ave  
**City State Zip:** West Linn, OR 97068

**Phone:** 503-964-2440  
**Email:** jstromquist@cascdiamotion.com

**Consultant Name:** Iselin Architects, PC  
(please print)  
**Address:** Jessica Iselin, Contact  
1307 7th Street  
**City State Zip:** Oregon City, OR 97045

**Phone:** 503-656-1942  
**Email:** jessica@iselinarch.com

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. The permit approval will not be effective until the appeal period has expired.
4. The City accepts electronic (.pdf) land use applications and project submissions from applicants. Applicants should submit this form and supporting documents through the [Submit a Land Use Application](https://westlinnoregon.gov/planning/submit-land-use-application) web page:  
<https://westlinnoregon.gov/planning/submit-land-use-application>

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 John H. Stromquist

11/01/2021  
Date

  
Owner's signature (required)

11/01/2021  
Date

Received Jan 4 2022

## SIGN REVIEW PERMIT APPLICATION

For Staff Completion		
BUSINESS DISTRICT:	FEE: <span style="font-size: 1.2em; font-weight: bold;">\$ 250</span>	PROJECT NO.: <span style="font-size: 1.2em; font-weight: bold;">SG-</span>

<b>Business Name of Sign Location:</b> Willamette Garage Food Carts & Pub		<b>Address of Sign Location:</b> 1590 Willamette Falls Drive West Linn, OR 97068	
<b>Business Owner Name &amp; Address:</b> Willamette Garage, LLC John Stromquist, Contact 1674 5th Ave West Linn, OR 97068	<input checked="" type="checkbox"/> <b>Check if this is the applicant.</b>	<b>Phone:</b> 503-964-2440	<b>Email:</b> jstromquist@cascadiamotion.com
<b>Property Owner Name &amp; Address:</b> Willamette Garage, LLC John Stromquist, Contact 1674 5th Ave West Linn, OR 97068	<input checked="" type="checkbox"/> <b>Check if this is the applicant.</b>	<b>Phone:</b> 503-964-2440	<b>Email:</b> jstromquist@cascadiamotion.com
<b>Contractor Name &amp; Address:</b>  Not yet identified	<input type="checkbox"/> <b>Check if this is the applicant.</b>	<b>Phone:</b>	<b>Email:</b>
<b>Contractor's License #:</b>	<b>City or Metro Business License #:</b>		


**Wall mounted signs:** Provide a scale drawing showing the sign dimensions, height, materials, source of illumination, and showing where on the building elevation the sign will be mounted. Applicant must provide information concerning color of sign, size and style of lettering, and show any signs that were previously approved and their dimensions. Also show dimensions of the wall(s) that the sign(s) will be attached to.

**Freestanding signs:** Show location of the sign relative to property lines, and sidewalks, height of sign and base treatment. Show sign colors including text font and style. Show any existing freestanding sign by location and size.

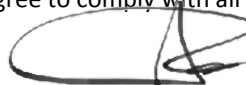
For signs in the Willamette Falls Drive Commercial Overlay Zone, see City Planning staff and CDC Chapter 58. For signs in the Mixed Use Zone, see City Planning staff and CDC Chapter 59.

Sign regulations can be found in the Community Development Code Chapter 52 at <http://westlinnoregon.gov/cdc>.

I/We hereby submit this application for approval of a sign permit and if approved, hereby certify that the sign will be installed and operated in compliance with the CDC Chapter 52:

  
 \_\_\_\_\_ 11/01/2021  
 Signature of Applicant    John H. Stromquist    Date

The undersigned property owner(s) hereby authorize(s) the filing of this application, and authorize(s) on-site review by authorized staff. I/We hereby agree to comply with all code requirements applicable to my/our application.

  
 \_\_\_\_\_ 11/01/2021  
 Signature of Business Owner(s)    John H. Stromquist    Date

\_\_\_\_\_  
Signature of Business Owner(s)    Date

\_\_\_\_\_  
Signature of Property Owner(s)    Date

\_\_\_\_\_  
Signature of Property Owner(s)    Date

Application for  
**Class I Design Review**

**Willamette Garage**

Pub & Food Carts

Approvals Requested:

- Class I Design Review
- Sign Permit

November 16, 2021

**\*January 4, 2022 (Amended)**

City of West Linn  
Planning Department  
22500 Salamo Road  
West Linn, OR 97068

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  - Chapter 52 - Signs
  - Chapter 55 - Design Review
  - Chapter 58 - Willamette Falls Drive Commercial Design District
  - Chapter 66 - Nonconforming Structures

## **B. Supplemental Information**

1. Site Renderings
2. Exterior Materials and Finishes
3. Exterior Light Fixture Cutsheet
4. Pre-Application Meeting Minutes
5. Sign Drawing
6. **\*Civil Stormwater Report**

## **C. Drawings**

### Architectural

Architectural Site Plan, Landscape Plan, General Info  
Building Floor Plans  
Building & Canopy Elevations

### Civil

Civil Cover Sheet  
Existing Conditions and Removals  
**\*Site and Composite Utility Plan**  
Grading and Erosion Control Plan and Notes  
Erosion Control Notes  
Construction Details

## **Project Information:**

### **Project Team**

Owner: Willamette Garage, LLC  
Contact: John H. Stromquist, [jstromquist@cascdiamotion.com](mailto:jstromquist@cascdiamotion.com)  
1674 5<sup>th</sup> Ave.  
West Linn, OR 97068  
503-964-2440

Architect: Iselin Architects, PC  
1307 7<sup>th</sup> Street  
Oregon City, OR 97045  
503-656-1942  
Jessica Iselin, Project Architect, [jessica@iselinarch.com](mailto:jessica@iselinarch.com)

Civil Engineer: TCC & Associates Inc  
5821 SE 82nd Ave, Suite 111  
Portland, Oregon 97266  
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Edmund Tawiah, PE, [etawiah@tccengr.com](mailto:etawiah@tccengr.com)

### **Project Location:**

Site Address: 1590 Willamette Falls Drive  
West Linn, OR 97068  
Tax Lot 31E02BB05800

Site Area: 10,500 sf

Zone: General Commercial  
Willamette Falls Drive Commercial Design District

### **Project Description:**

Adaptive re-use of an existing, vacant vehicle fueling and service station for use as a dining venue including food carts, an indoor pub and indoor and outdoor seating.

The existing garage building will be remodeled on the interior to provide additional bathrooms and a bar counter. The exterior improvements will include new glazed overhead doors, new storefront entries at the front and to a side patio, a new utility access door on the back of the building, a new roof, new signage, new wall mounted lighting, minor repair and patching of exterior finishes and painting.

The existing canopy will be retained and used as a cover for outdoor seating. Exterior improvements to the canopy will include a new roof, new permanent dining counters, new signage, new wall mounted sign lighting, minor patching and repair of exterior finishes and painting.

Site improvements will include utility upgrades, concrete repair and patching, a new garbage/recycling enclosure, new concrete flatwork for a pedestrian access on the back of the building, new concrete pad for an outdoor cooler, artificial turf at the primary seating area, perimeter and accent fencing and new landscaping.



## Chapter 19 GENERAL COMMERCIAL, GC

### Sections:

- 19.010** PURPOSE
- 19.020** PROCEDURES AND APPROVAL PROCESS
- 19.030** PERMITTED USES
- 19.040** ACCESSORY USES
- 19.050** USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS
- 19.060** CONDITIONAL USES
- 19.070** DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS
- 19.080** DIMENSIONAL REQUIREMENTS, CONDITIONAL USES
- 19.090** OTHER APPLICABLE DEVELOPMENT STANDARDS

### 19.010 PURPOSE

The purpose of this zone is to provide for the concentration of major retail goods and services at centers. The intent is to provide for the provision of a variety of goods and services and for comparison shopping, to accommodate new businesses and employment opportunities, to promote a suitable mix of commercial uses, to contribute to community identity and to assure that the commercial development is scaled to blend with nearby residential areas, and that the residential areas are protected from noise, glare of lights, traffic congestion and other possible adverse effects. This zone is intended to implement the policies and locational criteria set forth in the Comprehensive Plan.

### 19.020 PROCEDURES AND APPROVAL PROCESS

- A. A use permitted outright, CDC 19.030, is a use which requires no approval under the provisions of this code. If a use is not listed as a use permitted outright, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.
- B. A use permitted under prescribed conditions, CDC 19.050, is a use for which approval will be granted provided all conditions are satisfied, and:
  - 1. The Planning Director shall make the decision in the manner provided by CDC 99.060(A)(2), Administrative Procedures, except that no notice shall be required; and
  - 2. The decision may be appealed by the applicant to the Planning Commission as provided by CDC 19.060.
- C. A conditional use, CDC 19.060, is a use the approval of which is discretionary with the Planning Commission. The approval process and criteria for approval are set forth in Chapter 60 CDC, Conditional Uses. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.
- D. The following code provisions may be applicable in certain situations:
  - 1. Chapter 65 CDC, Non-conforming Uses Involving a Structure.
  - 2. Chapter 66 CDC, Non-conforming Structures.
  - 3. Chapter 67 CDC, Non-conforming Uses of Land.
  - 4. Chapter 68 CDC, Non-conforming Lots, Lots of Record.
  - 5. Chapter 75 CDC, Variance.

### 19.030 PERMITTED USES

The following uses are permitted outright in this zone:

1. Agricultural sales.
2. Agricultural services.
3. Animal sales and services, grooming.
4. Building maintenance services.
5. Business equipment sales and services.
6. Business support services.
7. Communications services.
8. Consumer repair services.
9. Convenience sales and personal services.
10. Eating and drinking establishments.
11. Drive-through restaurants.
12. Family day care.
13. Financial, insurance and real estate services.
14. Food and beverage retail sales.
15. General retail services.
16. Hotel/motel, including those operating as extended hour businesses.
17. Laundry services.
18. Senior center.
19. Medical and dental services.
20. Parking facilities.
21. Participant sports and recreation, indoor.
22. Personal service facilities.
23. Professional and administrative services.
24. Research services.
25. Utilities, minor.
26. Cultural exhibits and library services.
27. Extended-hour businesses that do not include the construction of a new building or expansion of an existing structure.
28. Transportation facilities (Type I).
29. Lodge, social, community center, and civic assembly within the commercial districts along Highway 43, Salamo Road or Blankenship Road.
30. Religious institutions within the commercial districts along Highway 43, Salamo Road, or Blankenship Road. (Ord. 1226, 1988; Ord. 1411, 1998; Ord. 1590 § 1, 2009; Ord. 1622 § 23, 2014; Ord. 1655 § 2, 2016)

**Eating and drinking establishments are an allowed use in the zone.**

#### 19.040 ACCESSORY USES

1. Manufacture or repackaging of goods for on-site sale. (Ord. 1686 § 2, 2018)

#### 19.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS

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

1. Single-family residential unit and attached single-family units above a permitted use or a commercial use or place of assembly authorized as a conditional use (e.g., children's day care center, superstore, amusement enterprise, transient lodging, religious institution, school, lodge or community center), and multiple-family units: as a mixed use in conjunction with commercial development, only above the first floor of the structure, except in the Willamette Falls Drive Commercial Design District where dwellings may also occupy a portion of the ground floor pursuant to CDC [58.050](#).

2. Animal sales and services: kennels, as prescribed with no exterior runs or storage.
3. Animal sales and services: veterinary (small animals), as prescribed with no exterior runs or storage.
4. Signs, subject to the provisions of Chapter 52 CDC.
5. Temporary use, subject to the provisions of Chapter 35 CDC.
6. Home occupations, subject to the provisions of Chapter 37 CDC.
7. Wireless communication facilities, subject to the provisions of Chapter 57 CDC. (Ord. 1192, 1987; Ord. 1385, 1996; Ord. 1565, 2008; Ord. 1613 § 3, 2013; Ord. 1638 § 3, 2015)

#### 19.060 CONDITIONAL USES

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

1. Certified child care center.
2. Automotive and equipment:
  - a. Cleaning.
  - b. Repairs, heavy equipment.
  - c. Repairs, light equipment.
  - d. Sales/rentals, heavy equipment.
  - e. Sales/rentals, light equipment.
  - f. Storage, recreation vehicles and boats.
3. Construction, sales and services.
4. Heliports.
5. Hospitals.
6. Light industrial, manufactured.
7. Light industrial, finished products.
8. Spectator sports facilities.
9. Vehicle fuel sales.
10. Utilities, major.
11. Wholesale storage and distribution:
  - a. Mini-warehouse.
  - b. Light.
12. Single-family homes, which were non-conforming structures and were damaged, whereby the cost of rebuilding the damaged portions would exceed 50 percent of the then current replacement cost of the entire building. Determination of rebuilding costs shall be per CDC 66.070(A).
13. Household hazardous waste depot.
14. Super stores.
15. Amusement enterprises.
16. Public agency administration.
17. Public safety facilities.
18. Public support facilities.
19. Recycle collection center.
20. *Repealed by Ord. 1622.*
21. Postal services.
22. Religious institutions not listed as permitted uses in CDC 19.030.
23. Schools (with under 200 students).
24. Transportation facilities (Type II). See CDC 60.090 for additional approval criteria.

25. Lodge, fraternal, community center and civic assembly not listed as permitted uses in CDC 19.030.

26. Extended hour businesses that include a new building or expansion of an existing structure. (Ord. 1192, 1987; Ord. 1339, 1992; Ord. 1463, 2000; Ord. 1523, 2005; Ord. 1590 § 1, 2009; Ord. 1604 §§ 16, 17, 2011; Ord. 1622 § 23, 2014; Ord. 1675 § 27, 2018)

**19.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS**

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

1. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.

The front lot width is 100'.

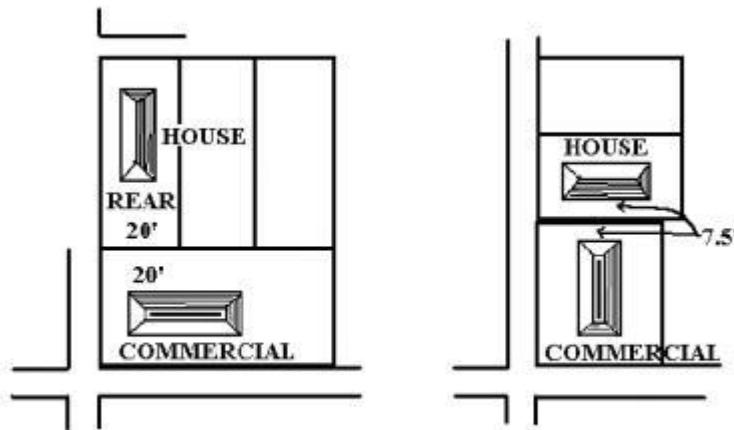
2. The average minimum lot width shall be 50 feet.

The lot width is consistently 100'.

3. The average minimum lot depth shall not be less than 90 feet.

The lot depth is 105'.

4. Where the use abuts a residential district, except as provided in CDC 58.090(C)(1), the setback distance of the residential zone shall apply.



**SETBACK OF ABUTTING HOUSE  
DICTATES COMMERCIAL SETBACK**

The north side of the property abuts a residential property in the R-10 zone, which has a 7.5' side yard setback. The existing building has a setback at this property line of approximately 8.25.' Refer to item 7 below for setbacks at lots fronting arterial streets.

5. The maximum lot coverage shall be 50 percent, except as provided in CDC 58.090(C)(1)(d). The building and canopy roof area is a total of 4,013 sf, for approximately 38% lot coverage.

6. The maximum building height shall be two and one-half stories or 35 feet for any structure located within 50 feet of a low or medium density residential zone, and three and one-half

stories or 45 feet for any structure located 50 feet or more from a low or medium density residential zone.

The peak height of the single-story building is 19' and the peak height of the canopy is 21'-6"

7. For lot lines that abut an arterial, there shall be no minimum yard dimensions or minimum building setback area, and the maximum building setback shall be 20 feet. The front setback area between the street and the building line shall consist of landscaping or a combination of non-vehicular hardscape areas (covered with impervious surfaces) and landscaped areas. If there are not street trees within the public right-of-way, the front setback area shall include such trees per the requirements of the City Arborist.

Willamette Falls Drive is classified as a minor arterial, requiring no minimum yard dimensions. The canopy gable wall is approximately 12' from the front property line and the support posts are approximately 24' from the property line.

The front setback area includes landscaping and non-vehicular hardscaping for pedestrian seating. Three street trees are planted in the ROW in front of this property and two additional trees are proposed on the property along this frontage.

B. The requirements of subsections (A)(1) through (5) of this section may be modified for developments under the planned unit development provisions of Chapter 24 CDC. (Ord. 1401, 1997; Ord. 1425, 1998; Ord. 1614 § 5, 2013; Ord. 1622 § 24, 2014)

#### 19.080 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). (Ord. 1636 § 15, 2014)

No Conditional Use is requested.

#### 19.090 OTHER APPLICABLE DEVELOPMENT STANDARDS

A. The following standards apply to all development including permitted uses:

1. Chapter 34 CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.
2. Chapter 35 CDC, Temporary Structures and Uses.
3. Chapter 38 CDC, Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards.
4. Chapter 41 CDC, Building Height, Structures on Steep Lots, Exceptions.
5. Chapter 42 CDC, Clear Vision Areas.
6. Chapter 44 CDC, Fences.
7. Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.
8. Chapter 48 CDC, Access, Egress and Circulation.
9. Chapter 52 CDC, Signs.
10. Chapter 54 CDC, Landscaping.

B. The provisions of Chapter 55 CDC, Design Review, apply to all uses except detached single-family dwellings and approved conditional use applications pursuant to CDC 60.030(C).

## Chapter 42 CLEAR VISION AREAS

Sections:

- [42.020](#) CLEAR VISION AREAS REQUIRED, USES PROHIBITED
- [42.030](#) EXCEPTIONS
- [42.040](#) COMPUTATION; STREET AND ACCESSWAY 24 FEET OR MORE IN WIDTH
- [42.050](#) COMPUTATION; ACCESSWAY LESS THAN 24 FEET IN WIDTH

### 42.020 CLEAR VISION AREAS REQUIRED, USES PROHIBITED

- A. A clear vision area shall be maintained on the corners of all property adjacent to an intersection as provided by CDC [42.040](#) and [42.050](#).
- B. A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction (except for an occasional utility pole or tree) exceeding three feet in height, measured from the top of the curb, or, where no curb exists, from the street centerline grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed. (Ord. 1192, 1987)

### 42.030 EXCEPTIONS

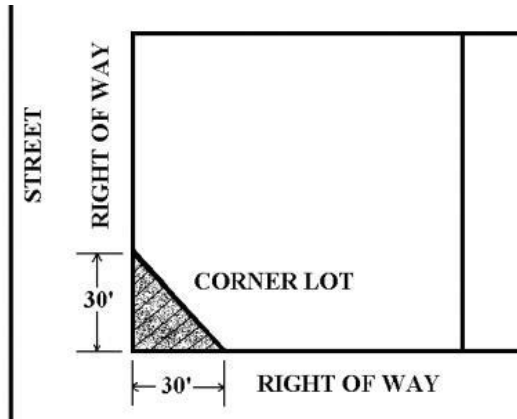
The following described area in Willamette shall be exempt from the provisions of this chapter. The units of land zoned General Commercial which abut Willamette Falls Drive, located between 10th and 16th Streets. Beginning at the intersection of Willamette Falls Drive and 11th Street on 7th Avenue to 16th Street; on 16th Street to 9th Avenue; on 9th Avenue to 14th Street to the Tualatin River; following the Tualatin River and Willamette River to 12th Street; on 12th Street to 4th Avenue; on 4th Avenue to 11th Street; on 11th Street to Willamette Falls Drive. This described area does not include the northerly side of Willamette Falls Drive. (Ord. 1636 § 29, 2014)

The property is located on Willamette Falls Drive between 10<sup>th</sup> Street and 16<sup>th</sup> Street. As clarified by city staff, the site qualifies for the clear vision area exception.

### 42.040 COMPUTATION; STREET AND ACCESSWAY 24 FEET OR MORE IN WIDTH

The clear vision area for all street intersections and street and accessway intersections (accessways having 24 feet or more in width) shall be that triangular area formed by the right-of-way or property lines along such lots and a straight line joining the right-of-way or property line at points which are 30 feet distant from the intersection of the right-of-way line and measured along such lines.

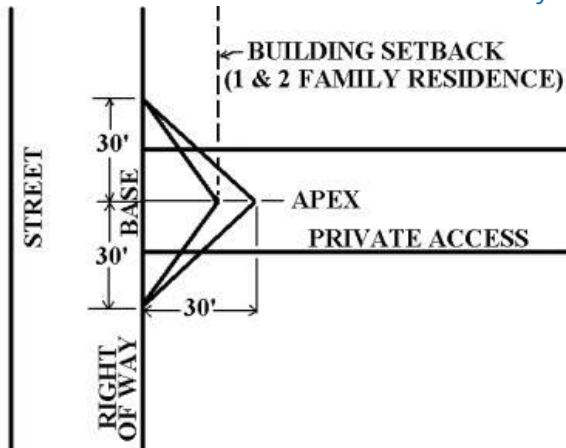
Clear vision area for corner lots and driveways 24 feet or more in width:



### 42.050 COMPUTATION; ACCESSWAY LESS THAN 24 FEET IN WIDTH

The clear vision area for street and accessway intersections (accessways having less than 24 feet in width) shall be that triangular area whose base extends 30 feet along the street right-of-way line in both directions from the centerline of the accessway at the front setback line of a single-family and two-family residence, and 30 feet back from the property line on all other types of uses.

Clear vision area for corner lots and driveways less than 24 feet in width:



## Chapter 48 ACCESS, EGRESS AND CIRCULATION

Sections:

- [48.010](#) PURPOSE
- [48.020](#) APPLICABILITY AND GENERAL PROVISIONS
- [48.025](#) ACCESS CONTROL
- [48.030](#) MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES
- [48.040](#) MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES
- [48.050](#) ONE-WAY VEHICULAR ACCESS POINTS
- [48.060](#) WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS
- [48.070](#) PLANNING DIRECTOR'S AUTHORITY TO RESTRICT ACCESS APPEAL PROVISIONS
- [48.080](#) BICYCLE AND PEDESTRIAN CIRCULATION

### 48.010 PURPOSE

The purpose of this chapter is to ensure that efficient, safe, and well-directed vehicular, bicycle, and pedestrian access, circulation, and egress are designed into development proposals. Access management seeks to balance mobility, the need to provide efficient, safe and timely travel with the ability to allow access to individual properties. Proper implementation of access management techniques should guarantee reduced congestion, reduced accident rates, less need for roadway widening, conservation of energy, and reduced air pollution. (Ord. 1584, 2008)

Based on the property location within the WFDCDD, no onsite parking or loading is required or provided. Ingress/egress of the food carts will be limited as most carts are anticipated to remain in place for many months at a time. Refer to individual sections for specific information.

### 48.020 APPLICABILITY AND GENERAL PROVISIONS

A. The provisions of this chapter do not apply where the provisions of the Transportation System Plan or land division chapter are applicable and set forth differing standards.



The provisions of this chapter are met as applicable to limited access of food carts and pedestrian circulation as addressed in specific sections.

B. All lots shall have access from a public street or from a platted private street approved under the land division chapter.

The property has an existing access drive off of Dollar Street, which will be retained.

C. No building or other permit shall be issued until scaled plans are presented to the City and approved by the City as provided by this chapter, and show how the access, egress, and circulation requirements are to be fulfilled. Access to State or County roads may require review, approval, and permits from the appropriate authority.

A preliminary site plan and civil drawings have been provided as part of the Design Review application. Final drawings will be submitted with the building permit application and will reflect design input received from the city through the Design Review process.

D. Should the owner or occupant of a lot, parcel or building enlarge or change the use to which the lot, parcel or building is put, resulting in increasing any of the requirements of this chapter, it shall be unlawful and a violation of this code to begin or maintain such altered use until the provisions of this chapter have been met, and, if required, until the appropriate approval authority under Chapter 99 CDC has approved the change.

The property is located within the WFDCDD and is exempt from any parking and loading requirements.

E. Owners of two or more uses, structures, lots, parcels, or units of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the requirements as designated in this code; provided, that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases, or contracts to establish joint use. Copies of said instrument shall be placed on permanent file with the City Recorder.

No shared access is proposed.

F. Property owners shall not be compelled to access their homes via platted stems of flag lots if other driveways and easements are available and approved by the City Engineer. (Ord. 1584, 2008; Ord. 1636 § 32, 2014)

The proposed property is not residential and is not a flag lot.

#### 48.025 ACCESS CONTROL

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

B. Access control standards.

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

2. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of

traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

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

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

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

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

The change in use of the site will result in significantly fewer vehicular trips than the previous gas station use. With the reduction in vehicular access, a traffic report is not warranted and was not identified as a requirement at the pre-application meeting.

As part of the city of West Linn frontage improvements, previous vehicular access from the site directly onto Willamette Falls Drive was eliminated, leaving just one access to the site from Dollar Street. This single access will only be utilized for the placement of food carts. Regular deliveries of supplies for the individual food carts will be small quantities that will be hand carried onto the site. Supplies for the pub will be delivered in small panel trucks. These vehicles will typically park along Dollar Street and utilize hand trucks to bring items in through the rear service door.

4. Subdivisions fronting onto an arterial street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes).

The proposed development is not a residential subdivision.

5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. When a lot or parcel has frontage opposite that of the adjacent lots or parcels, access shall be provided from the street with the lowest classification.

The property has frontage on both Willamette Falls Drive and Dollar Street, and has access only from Dollar Street, which has a lower classification.

6. Access spacing.

a. The access spacing standards found in the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-

traversable medians. Deviation from the access spacing standards may be granted by the City Engineer if conditions are met as described in the access spacing variances section in the adopted TSP.

b. Private drives and other access ways are subject to the requirements of CDC [48.060](#).

**The existing access on Dollar Street will be maintained. The edge of this access closest to Willamette Falls Drive exceeds the 35' requirement identified in 48.060.**

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

**The site currently has a single access point located on Dollar Street, which will be retained.**

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

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

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

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

**The site is bordered by two residential properties, making the possibility for a shared access infeasible.**

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

1. [Block length and perimeter](#). The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial.

2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP.
3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of CDC 85.200(C), Pedestrian and Bicycle Trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges. (Ord. 1635 § 25, 2014; Ord. 1636 § 33, 2014; Ord. 1650 § 1 (Exh. A), 2016; Ord. 1675 § 40, 2018)

The site is a small, existing property bordered by existing streets and residential properties. The formation of new blocks and/or streets is not applicable.

#### 48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

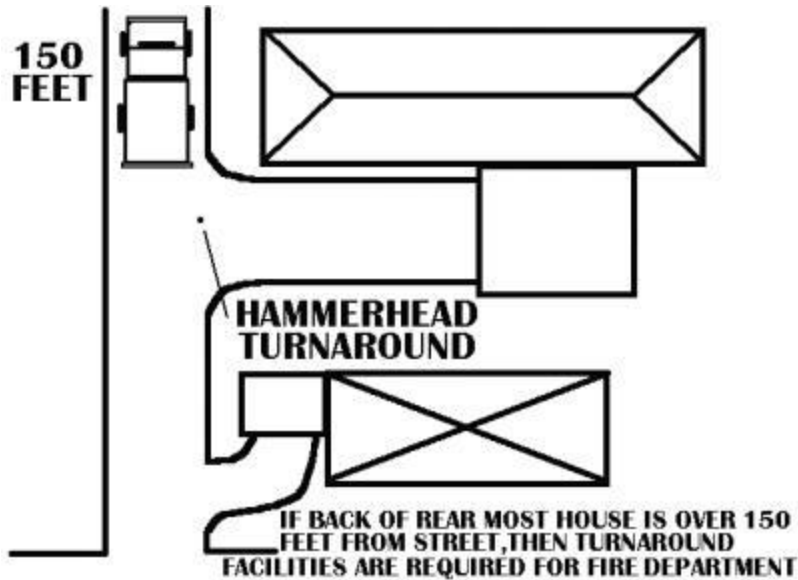
A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected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

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

1. Topography.
2. Traffic volume to be generated by development (i.e., trips per day).
3. Traffic volume presently carried by the street to be accessed.
4. Projected traffic volumes.
5. Safety considerations such as line of sight, number of accidents at that location, emergency vehicle access, and ability of vehicles to exit the site without backing into traffic.
6. The ability to consolidate access through the use of a joint driveway.
7. Additional review and access permits may be required by State or County agencies.

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

1. One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged.
2. Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes.
3. Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75 CDC. Regardless, the last 18 feet in front of the garage shall be under 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply.
4. The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way.



- C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.
1. A turnaround may be required as prescribed by the Fire Chief.
  2. Minimum vertical clearance for the driveway shall be 13 feet, six inches.
  3. A minimum centerline turning radius of 45 feet is required unless waived by the Fire Chief.
  4. There shall be sufficient horizontal clearance on either side of the driveway so that the total horizontal clearance is 20 feet.
- D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance.
- E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement:
1. With a minimum of 24-foot width when accommodating two-way traffic; or
  2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.
  3. Minimum vertical clearance of 13 feet, six inches.
  4. Appropriate turnaround facilities per Fire Chief's standards for emergency vehicles when the drive is over 150 feet long. Fire Department turnaround areas shall not exceed seven percent grade unless waived by the Fire Chief.
  5. The grade shall not exceed 10 percent on average, with a maximum of 15 percent.
  6. A minimum centerline turning radius of 45 feet for the curve.
- F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and 48 CDC.
- G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible.
- H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site.
- I. Gated accessways to residential development other than a single-family home are prohibited. (Ord. 1408, 1998; Ord. 1463, 2000; Ord. 1513, 2005; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1636 § 34, 2014)
- The proposed development is not residential in use.

#### 48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

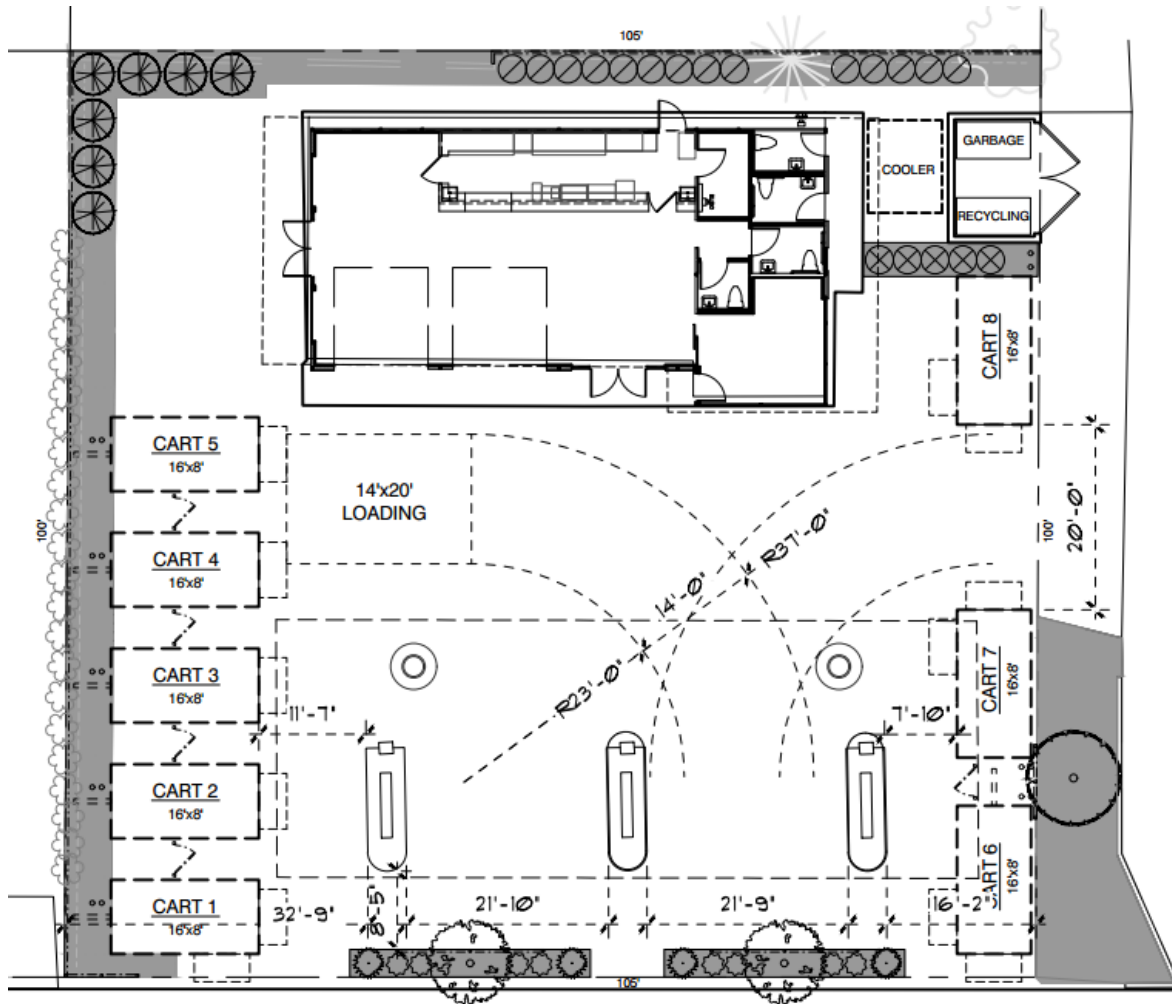
Access, egress, and circulation system for all non-residential uses shall not be less than the following:

- A. Service drives for non-residential uses shall be fully improved with hard surface pavement:
  - 1. With a minimum of 24-foot width when accommodating two-way traffic; or
  - 2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.
  - 3. Meet the requirements of CDC 48.030(E)(3) through (6).
  - 4. Pickup window driveways may be 12 feet wide unless the Fire Chief determines additional width is required.
- B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.
- C. All on-site maneuvering and/or access drives shall be maintained pursuant to CDC 46.130.
- D. Gated accessways to non-residential uses are prohibited unless required for public safety or security. (Ord. 1408, 1998, Ord. 1463, 2000)

The existing access along Dollar Street is approximately 60' wide, starting 36' from the front property line and running almost to the rear property line. This access width will be permanently reduced to 36'-9" as part of the proposed development by the construction of the new garbage/recycling enclosure and adjacent landscaping.

A minimum of twenty feet of clear width will be provided between food carts to allow potential access for emergency vehicles onto the site. Depending on the design of the individual food carts, retractable awnings could temporarily reduce the accessway further, but would be in a closed position when the carts are not open and could be easily and quickly closed if needed.

Although it is not anticipated that supply or service vehicles would be driving onto the site on a regular basis, a standard 14' x 20' loading space and maneuvering clearances could easily be accommodated by the temporary relocation of portable furnishings as indicated in the diagram below:



A typical food cart size of 16' x 8' has been planned for, with some flexibility to accommodate slightly longer carts in some locations. It is anticipated that these food carts will remain in place for extended periods of many months or years. The ability to park and move a food cart can typically be accommodated based on the fact that they are designed to be mobile. The more constrained cart locations (#1 and #8) would require the use of a trailer jack dolly and possibly the temporary relocation of the adjacent cart for relocation.

#### 48.050 ONE-WAY VEHICULAR ACCESS POINTS

Where a proposed parking facility plan indicates only one-way traffic flow on the site, it shall be accommodated by a specific driveway serving the facility, and the entrance drive shall be situated closest to oncoming traffic, and the exit drive shall be situated farthest from oncoming traffic. No one-way access is proposed.

#### 48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

- A. Minimum curb cut width shall be 16 feet.
- B. Maximum curb cut width shall be 36 feet, except along Highway 43 in which case the maximum curb cut shall be 40 feet. For emergency service providers, including fire stations, the maximum shall be 50 feet.



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

1. On an arterial when intersected by another arterial, 150 feet.
2. On an arterial when intersected by a collector, 100 feet.
3. On an arterial when intersected by a local street, 100 feet.
4. On a collector when intersecting an arterial street, 100 feet.
5. On a collector when intersected by another collector or local street, 35 feet.
6. On a local street when intersecting any other street, 35 feet.

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

1. On an arterial street, 150 feet.
2. On a collector street, 75 feet.
3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet.

E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.

F. Curb cuts shall be kept to the minimum, particularly on Highway 43. Consolidation of driveways is preferred. The standard on Highway 43 is one curb cut per business if consolidation of driveways is not possible.

G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway. (Ord. 1270, 1990; Ord. 1584, 2008; Ord. 1636 § 35, 2014)

The curb on Dollar Street extends approximately 32' from property line (back of sidewalk) at Willamette Falls Drive, with the asphalt paving starting a few feet beyond that, providing an existing paved width of approximately 57'. The addition of landscape areas and the construction of a garbage/recycling enclosure will reduce the width of the access to approximately 36'. The placement of a food cart along the northwestern side of the access will further reduce the paved access aisle to approximately 20'.

The total distance from the closest edge of the driveway to the driving lane at Willamette Falls Drive is approximately 81'.

#### 48.070 PLANNING DIRECTOR'S AUTHORITY TO RESTRICT ACCESS APPEAL PROVISIONS

A. In order to provide for increased traffic movement on congested streets and eliminate turning movement problems, the Planning Director and the City Engineer, or their designee, may restrict the location of driveways on said street and require the location of driveways on adjacent streets upon the finding that the proposed access would:

1. Provide inadequate access for emergency vehicles; or
2. Cause or increase hazardous conditions to exist which would constitute a clear and present danger to the public health safety and general welfare.

B. A decision by the Planning Director may be appealed to the Planning Commission as provided by CDC 99.240(B).

The only access driveway to the site is located such that no hazardous conditions would occur, particularly as little to no onsite vehicular access is anticipated.

#### 48.080 BICYCLE AND PEDESTRIAN CIRCULATION

A. Within all multi-family developments (except two-family/duplex dwellings), each residential dwelling shall be connected to vehicular parking stalls, common open space, and recreation facilities by a pedestrian pathway system having a minimum width of six feet and constructed of an all-



weather material. The pathway material shall be of a different color or composition from the driveway. (Bicycle routes adjacent to the travel lanes do not have to be of different color or composition.)

The development is not multi-family.

B. Bicycle and pedestrian ways within a subdivision shall be constructed according to the provisions in CDC [85.200\(A\)\(3\)](#).

The development is not a subdivision.

C. Bicycle and pedestrian ways at commercial or industrial sites shall be provided according to the provisions of Chapter [55](#) CDC, Design Review.

No onsite parking is required per the exemption for the Willamette Falls Drive Commercial Design District.

## Chapter 52 SIGNS

Sections:

- [52.010](#) PURPOSE
- [52.020](#) *REPEALED*
- [52.101](#) PROCEDURES AND APPROVAL PROCESS
- [52.102](#) TIME LIMIT ON SIGN APPROVAL
- [52.103](#) PERMIT
- [52.104](#) APPLICATION
- [52.105](#) BUSINESS LICENSE
- [52.106](#) SIGN IDENTIFICATION
- [52.107](#) MAINTENANCE AND SAFETY
- [52.108](#) NON-CONFORMING SIGNS
- [52.109](#) EXEMPTIONS
- [52.110](#) VARIANCES
- [52.200](#) PROHIBITED SIGNS
- [52.210](#) APPROVAL STANDARDS
- [52.300](#) PERMANENT SIGN DESIGN STANDARDS
- [52.310](#) TEMPORARY SIGN DESIGN STANDARDS
- [52.400](#) NEWLY ANNEXED LAND

### 52.010 PURPOSE

The purpose of this chapter is to maintain or improve the aesthetic quality of the City's residential and business environment; to prevent the proliferation of signs and sign clutter; to minimize adverse visual safety factors to travelers on public roadways and private areas open to public vehicular travel; to provide for safe construction, location, erection and maintenance of signs; and to improve the effectiveness of signs in identifying and advertising businesses, all by classifying and regulating signs. (Ord. 1276, 1990)

The proposed signage provides aesthetically appealing and interesting signage that will create no adverse effects to neighbors or traffic, will be safely installed and properly maintained and will help to promote the business and neighboring businesses in a positive manner.

## 52.020 DEFINITIONS

*Repealed by Ord. 1604.* (Ord. 1248, 1989; Ord. 1276, 1990; Ord. 1377, 1995; Ord. 1378, 1995; Ord. 1385, 1996; Ord. 1514, 2005; Ord. 1539, 2006; Ord. 1599 § 2, 2011)

## 52.101 PROCEDURES AND APPROVAL PROCESS

- A. A sign exempt from City approval does not require application with the City but shall conform to all other applicable provisions of this chapter.
- B. A sign subject to City approval is a sign for which approval will be granted by the Planning Director provided all conditions are satisfied; and
  - 1. The Planning Director shall make the decision in the manner provided by CDC [99.060](#).
  - 2. The decision may be appealed to the City Council as prescribed by CDC [99.240\(A\)](#).
- C. The following code provisions may be applicable in certain situations:
  - 1. Chapter [42](#) CDC, Clear Vision Area.
  - 2. Chapter [75](#) CDC, Variance. (Ord. 1474, 2001)

## 52.102 TIME LIMIT ON SIGN APPROVAL

- A. Approval of a sign by the Planning Director shall be void after 90 days if:
  - 1. The sign has not been installed within that 90-day period; or
  - 2. The sign is a departure from the approval plan.
- B. The Planning Director shall, upon written request by the applicant, grant an extension of the approval period not to exceed 30 days; provided, that:
  - 1. No changes are made on the original sign as approved by the Director.
  - 2. The applicant can show intent of initiating placement of the sign on the site within the 30-day extension period.
  - 3. There have been no changes in the applicable policies and ordinance provisions on which the approval was based.

Once the signs have been approved, it is the owners' intention to install the temporary sign within 30 days and the permanent signage within 90 days.

## 52.103 PERMIT

- A. No sign shall be erected, structurally altered, relocated, or replaced, except for maintenance of signs that conform with this chapter, without first obtaining a permit from the Community Development Department, paying the requisite fee, and otherwise complying with all applicable provisions of this chapter, unless a provision of this chapter specifically exempts a sign from the permit requirement.
- B. A copy of each sign permit, including the permit number, shall be kept by the Planning Director, business owner, person contracting for the erection of the sign, and by the sign company. (Ord. 1621 § 25, 2014)

## 52.104 APPLICATION

- A. Permanent sign permits.
  - 1. An application for a permanent sign permit shall be initiated by the property owner or the owner's authorized agent.
  - 2. An application for a sign permit shall be made on a form prescribed by the Planning Director and shall be filed with the Community Development Department. The application shall include one copy of a sketch drawn to scale indicating the following:
    - a. Name, address, and telephone number of the applicant.

- b. Location by street number and legal description of the building, structure or lot to which or upon which the sign is to be installed or affixed.
  - c. A drawing approximately to scale showing design of the sign including dimensions, height, sign area, materials, method of attachment, source of illumination, and showing the relationship to any building or structure to which it is or is proposed to be installed or affixed or to which it relates. For purposes of this section, "design" does not include text or copy, but an applicant may provide information concerning color, size and style of lettering.
  - d. A site plan drawn to scale indicating the location of the sign relative to property lines, structures, other signs on premises, streets and sidewalks; and the location of any structures and freestanding signs on abutting properties.
3. The applicant shall pay the required fee. When a sign is erected or placed prior to approval of a required sign permit, the sign permit application fee shall be doubled. Payment of the double fee shall not relieve an applicant from fully complying with the requirements of this chapter or from any penalties prescribed herein.
  4. After the applicant has installed their sign, they shall inform the Community Development Department of the sign's completed installation.

A completed sign permit application for both permanent and temporary signage is included in this Design Review application, along with scaled drawings of the proposed signs. The sign locations are noted on the architectural Site Plan.

B. Temporary sign permits. An application for a temporary sign shall include the appropriate fee, as set by City Council resolution. The fee is nonrefundable. (Ord. 1276, 1990; Ord. 1378, 1995; Ord. 1539, 2006; Ord. 1547, 2007; Ord. 1590 § 1, 2009; Ord. 1621 § 25, 2014; Ord. 1622 § 13, 2014)

A completed sign permit application for both permanent and temporary signage is included in this Design Review application, along with scaled drawings of the proposed signs. The sign locations are noted on the architectural Site Plan.

#### 52.105 BUSINESS LICENSE

Any person or firm in the business of hanging, rehangng, placing, constructing, installing, structurally altering, relocating, or painting any on premises signs, except those signs which do not require permits, shall have obtained a City of West Linn business license.

Willamette Garage, LLC will have a City of West Linn business license in place prior to the installation of any signage.

#### 52.106 SIGN IDENTIFICATION

Each electrical sign shall have affixed to the sign the name of the sign fabricator or installer and the electrical power consumption stated in volts and amperes. Such information shall be in sufficient size and contrast to be readable upon close inspection.

Upon final approval of any temporary sign permit application, the City will issue an approval decal to be affixed to the sign. This decal shall be affixed in any corner of the approved sign and shall not be transferable to unapproved signs. (Ord. 1378, 1995)

The temporary sign will attach the approval decal as required by the city.

#### 52.107 MAINTENANCE AND SAFETY

A. Each electrical sign shall be constructed to meet the requirements of the State Electrical Code.

B. All signs, together with all of the supports, braces, guys, and anchors, shall be kept in good repair and be maintained in a safe, neat, clean, and attractive condition, free from rust, corrosion, peeling paint, or other surface deterioration.

C. No sign shall be erected or maintained in such a manner that any portion of its surface or its supports will interfere in any way with the free use or access to any fire escape, exit, or standpipe. No sign shall be erected or maintained so as to obstruct any window so that light or ventilation is reduced below minimum standards required by any applicable law or building code.

D. The Building Official may order the removal of any sign erected or maintained in violation of this chapter. The Building Official shall give written notice, sent by certified mail, to the owner of the sign, or if the sign owner cannot be located, to the property owner. If the sign has not been removed or corrected within a 30-day period, the Building Official may requisition the removal of the sign and the charge for removal shall become a lien on the property. If the Building Official finds that any sign is in violation of this section to the extent that they deem it an immediate and serious danger to the public, they may order its immediate removal.

The proposed signs will be a lightweight aluminum material which can be securely attached to the wall panels with standard screws and washers. The mounting locations will not obstruct any critical access areas or windows and all signs will be regularly cleaned and maintained.

#### 52.108 NON-CONFORMING SIGNS

A. An existing sign shall be brought into conformance with this chapter if a change is made in design of the sign frame or supporting structure. A change in plastic face plate of a non-conforming sign will not require replacement of the total sign, but the new sign face shall conform as fully as possible to the standards of this chapter.

**There are no signs on the site that will be retained**

B. Any sign which is structurally altered, relocated, or replaced shall immediately be brought into compliance with all the provisions of this chapter, except the signs that are temporarily removed to allow remodeling of the premises and shall be allowed to be relocated upon the completion of remodeling.

**There are no existing signs that will be retained or altered in any way.**

#### 52.109 EXEMPTIONS

A. Signs placed inside windows are exempt from the provisions of this chapter.

B. Parking lot signs up to three square feet in area with a maximum height no greater than five feet above grade and directed to the interior of a parking lot and not to a right-of-way shall not require a sign permit.

C. City signs are exempt from the provisions of this chapter.

D. Sunday signs are allowed within City right-of-way in any residential district on Sundays between the hours of 8:00 a.m. and 6:00 p.m., subject to the following standards:

1. Sunday signs shall conform to the following design standards:
  - a. Each sign face shall be no larger than five square feet in area;
  - b. The sign, including the support structure, shall be no taller than 30 inches;
  - c. The sign owner's name, address and telephone number shall be placed on the sign; and
  - d. The sign shall not be attached or anchored in any way to trees, other objects or public property, including, but not limited to, utility or light poles or parking meters, with the exception of stake signs which can be placed in the ground.
2. Sunday signs shall conform to the following locational standards:

- a. The sign shall be located entirely outside the paved roadway and any shoulder, median or traffic island;
  - b. The sign shall be located entirely outside the area of a right-of-way that is between the lines created by extending the edges of any curb ramp to the property line. Where no curb exists, the sign shall be placed outside the roadway at least five feet from the edge of the roadway;
  - c. The sign shall maintain a continuous pedestrian passageway of at least four feet in width;
  - d. The sign shall not obstruct pedestrian and wheelchair access from the sidewalk to transit stops, designated disabled parking spaces, or building exits, including fire escapes;
  - e. The sign shall not be placed in parking spaces or bicycle paths;
  - f. The sign shall not be placed on any driveway; and
  - g. The sign shall not be placed in any portion of the right-of-way abutting real property owned or controlled by the City or another public agency.
- E. Signs that are oriented toward spectators at athletic fields or the interior of community recreation facilities are exempt; provided, that signs that are incidentally visible from the public right-of-way shall be no larger than 32 square feet in size. The signs shall be the same height, and the top of the signs shall be aligned horizontally to form a banner like appearance; the back side of such signs visible from the right-of-way shall be a uniform white, black, or earth tone color.
- F. A-Frame Signs.
- 1. Signs in the Willamette Falls Drive Commercial Design District shall comply with standards in CDC [52.210\(K\)](#).
  - 2. All other A-frame signs for businesses are subject to the following standards:
    - a. The business is located in the General Commercial (GC) zoning district;
    - b. The sign is professionally manufactured, maintained and in good repair. No attachments to the sign are permitted;
    - c. No part of the sign may exceed 32 inches in width and 36 inches in height;
    - d. The sign shall only be displayed during times that the business is open to the public;
    - e. The location of the sign must maintain four feet of unobstructed sidewalk width per CDC [53.030\(A\)](#);
    - f. One A-frame sign is permitted per business; and
    - g. The sign must be located within 25 feet of an entrance to business being advertised. (Ord. 1276, 1990; Ord. 1378, 1995; Ord. 1514, 2005; Ord. 1539, 2006; Ord. 1599 § 3, 2011; Ord. 1613 § 7, 2013; Ord. 1622 § 22, 2014; Ord. 1638 § 3, 2015)

No sign exemptions are requested.

#### 52.110 VARIANCES

- A. Sign height and sign area variances shall be a Class II variance, and shall be reviewed pursuant to the provisions of subsection C of this section and Chapter [75](#) CDC.
- B. All other sign variances shall be treated as Class I variance, and shall be reviewed pursuant to the provisions of subsection C of this section and CDC [75.050](#).
- C. The granting authority may grant a variance from the requirements of this chapter if it is established that:
  - 1. The architectural design of a building, the location of a building site or location of building thereon, or some other circumstance relating to the sign proposal, is unusual or unique and that, because of this, a hardship will be created in that the applicant will be denied an opportunity to identify their business or location relatively equal to the opportunity accorded

other members of the community not burdened with such unusual or unique architectural design, building site, or other circumstance;

2. The design is consistent with the request and will not be injurious to the neighborhood in which the property is located or to property established to be affected by the request; and
3. The request is the minimum variance necessary to provide reasonable signage for the property affected. (Ord. 1276, 1990)

No sign variances are requested.

#### 52.200 PROHIBITED SIGNS

##### **The following signs are prohibited:**

- A. Signs in right-of-way. Signs shall not be located in or extended onto public rights-of-way. Traffic control signs and devices installed by the governmental entity responsible for the right-of-way and City signs are exempt from this prohibition.
- B. Mobile or portable signs. Mobile or portable signs are prohibited, except as specifically authorized by this chapter.
- C. Signs on roofs or above eaves. Signs mounted on roofs or that project above eaves or parapet walls of a building are prohibited.
- D. Traffic safety risks. Signs that imitate an official traffic sign or signal are prohibited in locations where they create a risk that they may be perceived as actual traffic signs or signals.
- E. Signs that obstruct passage. Signs may not be placed in locations where they may obstruct or substantially limit emergency egress from a building or may obstruct or substantially limit passage to or through any exit, door or window that may be used in case of fire or emergency.
- F. Noise-emitting signs. Signs that emit sounds audible from within a vehicle are prohibited as traffic safety risks.
- G. Moving devices. Signs that contain or consist of banners, posters, pennants, ribbons, streamers, balloons, strings of light bulbs, or spinners or other similar moving devices are prohibited, except as specifically permitted on temporary signs.
- H. Signs with movement. Signs that have blinking, flashing, or fluttering lights, reflectors, or other illuminating devices that have a changing light intensity, brightness, or color, other than permitted electronic changeable copy signs, are prohibited.
- I. Beacon lights. Beacon lights are prohibited. (Ord. 1539, 2006)

No prohibited signs are proposed.

#### 52.210 APPROVAL STANDARDS

All signs shall meet the following standards:

- A. The scale of the sign and its components shall be appropriate for its location and consistent with the applicable design standards.

The sizes of the two permanent signs are 26 sf and 45 sf, for a total sign area of 71 sf. The area of the street facing building wall is 804 sf, as measured from the bottom of the fascia to grade, which is less than the 10% allowed in the WFDCDD. The scale of the signs is appropriate to the gable walls in which they are located and the angle of the top of the graphic reflects the building and canopy roof pitches.

- B. The size, location, or manner of illumination shall not create a traffic hazard and shall not hide from view any traffic or street sign or signal.

Both permanent signs will be illuminated by separate, low level gooseneck type lighting that will not cast measurable light on the street.

C. The sign shall be located in compliance with Chapter 42 CDC, Clear Vision Area.  
No signs are located in the clear vision area.

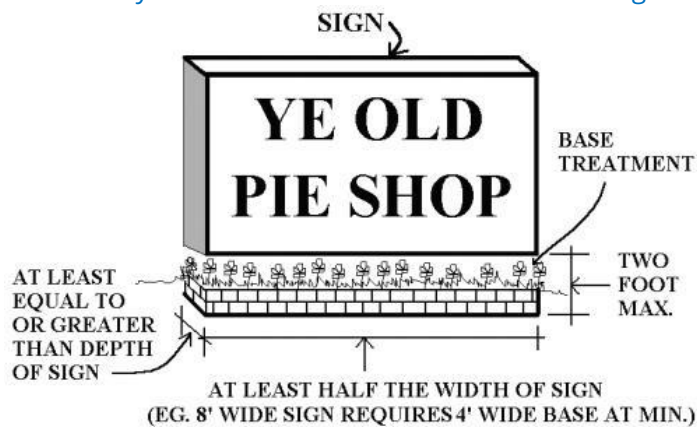
D. Signs and sign structures located over vehicular driveways and pedestrian walkways shall allow at least 15 feet of clearance over driveways and eight feet of clearance over walkways.  
The signs are not located over driveways or walkways. They will be mounted on existing building and canopy walls.

E. The light from any illuminated sign shall be shaded, fully shielded such that no light is emitted above the horizontal plane, and directed or reduced so that glare is minimized.  
No illuminated signs are proposed.

F. Signs shall be located to preserve existing trees, topography and natural drainage, to the extent possible consistent with the installation of the sign.  
The proposed signs will be mounted on existing structures and will not impact trees, topography or drainage.

G. All permanent signs shall be located within a landscaped area or installed on a wood, stone, or other base structure that meets the following standards:

1. Signs shall be installed on a base with a maximum height of two feet, a minimum width at least one-half as wide as the sign face, and a depth equal to or greater than the depth of the sign. The sign height includes any portion of the base located above street grade (also refer to Sign Definitions – Grade).
2. In the event a sign is erected on a multiple-pole or piling structure, the base required by subsection (G)(1) of this section shall be apportioned among each of the upright members.
3. Any wood used in a base shall be treated against water damage and insect assault.



The proposed signs will be wall mounted on the face of the existing building structures. They will be constructed out of lightweight aluminum and will be weather and insect resistant.

H. Manual changeable copy signs shall be designed to minimize the opportunity for unauthorized personnel to change the sign copy.  
No manual, changeable copy signs are proposed.



I. Electronic changeable copy signs are permitted in business centers only, either as separate signs or as part of a larger sign. The approval authority may impose conditions of approval regarding the frequency of copy change, the hours of operation, and the methods by which the message is changed in order to assure compliance with the standards of this section and this chapter. Electronic changeable copy signs are subject to the following requirements:

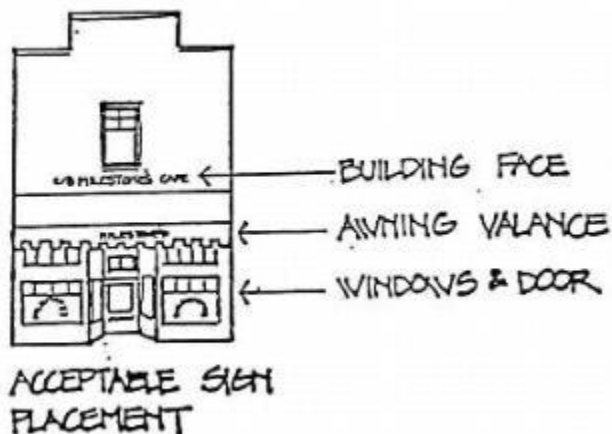
1. The sign face for the electronic changeable copy sign or portion of a sign may not exceed 24 square feet; provided, however, that electronic changeable copy signs with greater than 24 square feet may be approved through the conditional use process.
2. The design and placement of the sign shall not adversely affect vehicular and pedestrian safety.
3. The sign shall comply with all other requirements of this chapter.

No electronic, changeable copy signs are proposed.

J. Where both sides of a sign may be viewed from a right-of-way, the signs shall be double-faced. None of the signs will be viewable from two sides.

K. Signs in the Willamette Falls Drive Commercial Design District.

1. Signs shall not exceed 10 percent of the square footage of the front elevation. The calculation of allowable signage is explained in CDC [52.300](#). The sign(s) shall be proportionate to buildings and signs on adjacent buildings. The "10 percent" shall be broken up into multiple signs. The sign(s) shall be mounted or painted on the second floor, on the valance of the awning, on the windows at pedestrian level, or on four-by-four awning posts. Signs shall not be of the internally lit can type or channel light type. No backlit awnings are allowed. Illumination by spotlight is permitted. Neon signs are permitted only inside the windows. No flashing signs are allowed. By temporary sign permit only, neon colored lettering or designs painted on windows or on paper or banners in the windows are allowed, but discouraged. Small signs or plaques which describe the building in a historical sense are exempt from the allowable square footage restrictions.



The combined area of the permanent signage is 71 sf, which is less than 10% of the front elevation of the building, not including the area of the canopy. The signs are located on the gable walls above the height of the main building level. They are proportional and appropriately sized for the walls on which they are mounted.



Both signs will be externally illuminated by low-level gooseneck type lighting that will cast light at the sign face with very little distribution beyond the area of the sign.

2. Sign type face. Antique lettering as shown in the illustration is required. Variations are permitted where the lettering would not clash with the predominant font or style. "Gay Nineties" or "P.T. Barnum" type styles and other exaggerated styles are discouraged. Lettering may be horizontal, vertical, or slanting up from lower left to upper right. Semi-circle designs on windows are permitted. Window lettering should be white, black, or gold with black shading.

**BROKER SHADED**

Caslon Antique

**Antique Bold**

**BETON OPEN**

Century Shaded

**ENGRAVERS**

The fonts selected for the proposed signs are not traditional antique fonts, but they are more appropriate and well suited for the unique character of this property, reflecting the mid-century style that was common during the general era when the buildings were constructed.

3. Temporary signs. Temporary A-frame signs are allowed without a permit; however, they shall be designed to be consistent with the sign and type face provisions. (Ord. 1539, 2006; Ord. 1604 § 48, 2011; Ord. 1613 § 8, 2013; Ord. 1622 § 22, 2014; Ord. 1638 § 3, 2015; Ord. 1675 § 41, 2018)

No temporary A-frame signs are proposed.

52.300 PERMANENT SIGN DESIGN STANDARDS

	FREESTANDING SIGNS						ON-WALL SIGNS			PROJECTING SIGNS <sup>4</sup>	
	City Appvl. Reqd.	Illumination	No. Allowed	Max. Sq. Ft.	Max Ht. (ft.)	ROW Setback (ft.)	No. Allowed	Max Sq. Ft.	Max Ht. (ft.)	No. Allowed	Max Sq. Ft.
Residential Uses Including Home Occupations	No	No	1	2	4	5	or 1 <sup>^</sup>	2	12	n/a	n/a
Multi-family Complex	Yes	Yes	2	24 total*	8	5	or 2 <sup>^</sup>	24 total*	12	n/a	n/a

Subdivision Monument	Yes	Yes	5 per subdivision	32 total*	8	5	n/a	n/a	n/a	n/a	n/a
Industrial Zone Uses	Yes	Yes	10	32	8	5	3	10%	25	n/a	n/a
Commercial Uses in Residential Zone	Yes	Yes	1	16	8	10	2	5%*	12	n/a	n/a
Commercial Zone	Yes	Yes	1 <sup>1</sup>	32 <sup>2</sup>	8	5	3	10%*	25	1 sign per each business frontage with a customer entrance <sup>4</sup>	12
Business Center	Yes	Yes	1	150 <sup>3</sup>	20	15	3	10%*	25	1 sign per each business frontage with a customer entrance <sup>4</sup>	12
Business Center Entryway	Yes	Yes	1 per entry	4	3	5	n/a	n/a	n/a	n/a	n/a
Public Uses	Yes	Yes	1 <sup>5</sup>	24	20	5	No limit	18 total	25	n/a	n/a

Notes for Permanent Sign Design Standards

\* To calculate maximum area, numbers followed with the word "total" are the maximum total area of all signs combined. Standards expressed as a percentage represent the allowed percentage of area on a single building face that may be used as a wall sign. For example, a wall 10 feet tall by 30 feet wide has 300 square feet. If the standard is 10 percent, signs totaling 30 square feet are permitted. The maximum percentage is for the building – a building with multiple occupants is restricted to the stated percentage per building, not per occupant.

^ For number of signs allowed, "or 1" and "or 2" designate that the total number of freestanding and wall signs cannot exceed the number stated. If the standard is "or 1," the applicant may have one freestanding sign or one wall sign, but not both.

<sup>1</sup>Gas stations may have two freestanding signs.

<sup>2</sup>Restaurants with drive-through or take-out windows may have an additional 32 square feet.

<sup>3</sup>Up to 35 percent of the total sign area may be used as a changeable copy sign. Where business centers are located within 200 feet of I-205 right-of-way, the freestanding sign may be freeway-oriented. Freeway-oriented signs shall have a maximum total sign area of 210 square feet and a

maximum height of 20 feet above the grade of the nearest lane or I-205 or 60 feet, whichever is less. Freeway-oriented signs shall be oriented to view from I-205. Freeway-oriented signs shall not be smaller than 80 square feet. The approval authority may allow a 10 percent increase in the total square footage in order to accommodate unique design problems.

<sup>4</sup>Projecting signs shall not extend above the roofline at the wall or the top of a parapet wall, whichever is higher. They shall not be located within 20 feet of another projecting sign in the same horizontal plane or project within two feet of the curb or, if there is no curb, the edge of the pavement. All projecting signs shall have clearance above the sidewalk consistent with CDC 52.210(D). Any illumination shall be external.

<sup>5</sup>Parks may have two signs per frontage. Signs in parks directed at pedestrians or cyclists within the parks are not limited in number or size. Schools may have two signs.

N/a means not applicable. (Ord. 1539, 2006; Ord. 1565, 2008; Ord. 1604 § 49, 2011; Ord. 1613 § 9, 2013)

Two permanent signs are proposed with a total area of 71 sf, which is less than 10% of the building frontage. The maximum height of the two signs is 17'-6".

52.310 TEMPORARY SIGN DESIGN STANDARDS

	FREESTANDING SIGNS						ON WALL SIGNS		
	City Appvl. Reqd.	Illumination	No. Allwd.	Max. Sq. Ft.	Max. Ht. (ft.)	ROW setback (ft.) See Figure 52-8 if ROW location unknown	No. Allwd.	Max. Sq. Ft.	Max. Ht. (ft.)
Residential uses  Examples include: house for sale, apartment for rent, condo for lease signs (once these units are built), political signs, etc.	No	No	5	24 total*	7	1	1	4	12
Commercial/Industrial Uses including religious institutions (signs per each business) in:  Non-Business Center or GC/OBC/NC zones (less than 4-acre shopping center)	Yes	No	1	32 total*	5	1	1	32	25

Business Center Shopping centers greater than 4 acres. (Examples include: Cascade Summit, Albertsons Shopping Center, 10th St. and 8th Ave. West side of 10th St., Bolton Shopping Center, Robinwood Shopping Center north of Hidden Springs Road.)	Yes	No	1	32 total*	5	1	2	32	25
Public Uses (including government buildings, schools, etc.)	Yes	No	5	32 total*	25	1	No limit	32 total	25
Undeveloped/Developing Property Less than 1 Acre Applies to businesses without a certificate of occupancy or vacant/undeveloped subdivisions. Once built or after obtaining a certificate of occupancy, the residential, commercial and public use criteria for temporary signage listed above shall apply.	No	No	2	6 each sign	9	1			
Undeveloped/Developing Property More than 1 Acre Applies to businesses without a certificate of occupancy or vacant/undeveloped subdivisions. Once built or after obtaining a certificate of occupancy, the residential, commercial and public use criteria for temporary signage listed above shall apply.	No	No	2	24 sq. ft. max. each sign	12	20	n/a	n/a	n/a

Notes for Temporary Sign Dimensional Standards

\*Total square footage of all signs on site.

<sup>1</sup>Temporary signs are limited to 60 days per calendar year. The 60-day period for temporary signs means that a business, for example, only has 60 days in total, during the calendar year, for any and all temporary signs. You may not have one sign for 60 days and then a different temporary sign for

yet another 60 days. Also, the 60 days may be broken into shorter periods of time (e.g., 30 days at Christmas and 30 days in mid-summer). The specific dates must be on the application.

Freestanding temporary signs shall be located within 10 feet of the business structure. For business centers, a maximum of two temporary signs may be located outside of the 10-foot limit, but must be located on the same tax lot as the business. Freestanding temporary signs may remain in place until the close of the event (e.g., sale or lease of the building, an open house, or an election, etc.).

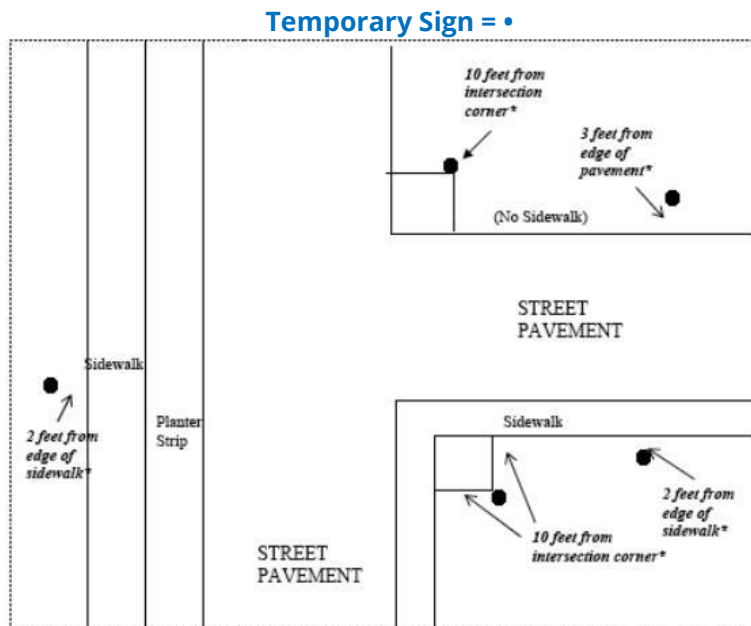
<sup>2</sup>Temporary signs (including signs that are typically allowed in commercial, public and residential areas) may be located, with the permission of the property owner of the property fronting upon the street where the sign is to be placed, two feet from the adjacent sidewalk where one exists, or three feet from the edge of pavement where no sidewalk exists for an adjacent public right-of-way. This distance shall be measured perpendicularly from the appropriate right-of-way feature (e.g., sidewalk or the edge of pavement). Temporary signs shall also not be located within 10 feet of the intersection of two public rights-of-way, measured from either the edge of pavement or, if a sidewalk exists, the edge of sidewalk. The entire sign must meet these setback standards. No signs are allowed in the public right-of-way.

<sup>3</sup>"N/A" means that this standard is not applicable for this type of sign or that no sign is allowed.

<sup>4</sup>All temporary signage must conform with the clear vision requirements of Chapter 42 CDC.

<sup>5</sup>Temporary Sunday signs are permitted subject to the requirements of CDC 52.109(E).

**FIGURE 52-8: ILLUSTRATION OF PROPER TEMPORARY SIGN PLACEMENT**



A single temporary sign is proposed for installation during construction. The sign will be removed within the required time frame and before permanent signage is installed. The sign is 24 sf in area and will be printed on a reinforced plastic banner. The sign will be mounted on the front gable wall of the canopy at a maximum height of 18'.

## Chapter 55 DESIGN REVIEW

### Sections:

- 55.010** PURPOSE AND INTENT – GENERAL
- 55.020** CLASSES OF DESIGN REVIEW
- 55.025** EXEMPTIONS
- 55.030** ADMINISTRATION AND APPROVAL PROCESS
- 55.040** EXPIRATION OR EXTENSION OF APPROVAL
- 55.050** DESIGN REVIEW AMENDMENT TRIGGER
- 55.060** STAGED OR PHASED DEVELOPMENT
- 55.070** SUBMITTAL REQUIREMENTS
- 55.085** ADDITIONAL INFORMATION REQUIRED AND WAIVER OF REQUIREMENTS
- 55.090** APPROVAL STANDARDS – CLASS I DESIGN REVIEW
- 55.100** APPROVAL STANDARDS – CLASS II DESIGN REVIEW
- 55.110** SITE ANALYSIS
- 55.120** SITE PLAN
- 55.125** TRANSPORTATION ANALYSIS
- 55.130** GRADING AND DRAINAGE PLANS
- 55.140** ARCHITECTURAL DRAWINGS
- 55.150** LANDSCAPE PLAN
- 55.170** EXCEPTIONS TO UNDERLYING ZONE, YARD, PARKING, SIGN PROVISIONS, AND LANDSCAPING PROVISIONS
- 55.180** MAINTENANCE
- 55.190** SHARED OPEN SPACE
- 55.195** ANNEXATION AND STREET LIGHTS

### 55.010 PURPOSE AND INTENT – GENERAL

The purpose of the design review provisions is to establish a process and standards for the review of development proposals in order to conserve and enhance the appearance of the City and to promote functional, safe, and innovative site development. Attention will be paid to the proposal's scale, layout and design, its compatibility with the surrounding natural environment, and the character of the surrounding neighborhood or area. The intent is to ensure that there is general compatibility between adjoining uses, that private and common outdoor space is provided, that vehicular access and circulation are safe, and that areas of public use are made aesthetically attractive and safe. Also of concern are the needs of persons with disabilities.

Developers of multi-family, industrial, commercial, office, and public building projects are required to take steps to reduce reliance on the automobile by, in part, encouraging other modes of transportation such as transit, bicycles, and foot traffic, and through building orientation or location. (Ord. 1650 § 1 (Exh. A), 2016)

### 55.020 CLASSES OF DESIGN REVIEW

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

1. Modification of an office, commercial, industrial, public or multi-family structure for purposes of enhancing the aesthetics of the building and not increasing the interior usable space (e.g., covered walkways or entryways, addition of unoccupied features such as cupolas, clock towers, etc.).
2. Significant road realignment (when not part of a subdivision or partition plat process). "Significant" shall be defined by the length of the realignment and/or extent of redesign, and/or the natural features or human-made structures that will be impacted or removed.
3. Addition or reduction of less than five percent of total square footage of a commercial, office, public, multi-family, or industrial building.
4. Modification of a landscape plan (including water features, ponds, pergolas, arbors, artwork, sculptures, etc.).
5. Minor modifications and/or upgrades of pump stations, reservoirs, and storm detention facilities.
6. Americans with Disability Act compliance that significantly alters the exterior of the building (ramps are exempt).
7. Freestanding art and statuary over five feet tall.
8. Other land uses and activities may be added if the Planning Director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.
9. No design review is required if the applicant proposes to repair or replace one of the listed items. The Planning Director shall make the determination of whether an applicant is proposing a repair or replacement. However, Class I design review applies when one of the following improvements is part of a minor redesign or remodel.
  - a. Sidewalks on private property.
  - b. Loading docks.
  - c. Addition or reduction of parking stalls.
  - d. Revised parking alignment.
  - e. Revised circulation.
  - f. Revised points of ingress/egress to a site.
  - g. Heating, ventilation, and air conditioners (HVAC) that are visible from the public right-of-way.

B. Class II Design Review. Class II design review applies to all uses/activities except those uses/activities listed under Class I design review, and the exemptions of CDC [55.025](#). Class II design review applies to the proposed improvements listed in this section when the proposed improvement (e.g., new sidewalk) is part of a major commercial, office, industrial, public, or multi-family construction project (e.g., a new shopping center). (Ord. 1547, 2007; Ord. 1604 § 50, 2011; Ord. 1622 § 20, 2014)

The proposed development will be reviewed through a Class I Design Review application process as identified by the city.

## 55.025 EXEMPTIONS

The following activities are exempt from the provisions of this chapter:

- A. Detached single-family residential construction, except as indicated otherwise in the base zone or this chapter;
- B. Accessory structures;

- C. One to two duplexes or single-family attached structures except as indicated otherwise in the base zone or this chapter;
- D. Architectural replacements in kind, or replacement of building materials that are equal or superior to existing materials (in terms of performance or quality) but that do not alter the architectural style of the structure. Retrofitted awnings, changes in color schemes, wall art, and freestanding statuary or art under five feet tall are exempt from design review, but shall be subject to Planning Director review under the provisions of CDC [99.060\(A\)\(2\)](#), prescribed conditions, and the approval criteria of CDC [55.100\(B\)\(6\)\(a\)](#) and (b). (Ord. 1408, 1998; Ord. 1604 § 51, 2011; Ord. 1675 § 43, 2018)

No exemptions are applicable.

#### 55.030 ADMINISTRATION AND APPROVAL PROCESS

- A. A pre-application conference is required before submitting a development plan application for design review as provided by CDC [99.030\(B\)](#).

A pre-application meeting was held on June 3, 2021.

- B. The application shall be submitted by the record owner(s) of the property, authorized agent, or condemnor.

The application is being submitted by the record owners of the property.

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

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

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

As identified by the city, it is understood that this application will be reviewed by the Planning Commission due to the non-conforming conditions.

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

It is understood that substantial modifications would require reapplication.

#### 55.040 EXPIRATION OR EXTENSION OF APPROVAL

If substantial construction has not occurred within three years from the date of approval of the development plan, the approved proposal will be void, unless an extension is granted under CDC [99.325](#). (Ord. 1408, 1998; Ord. 1589 § 1 (Exh. A), 2010)

It is understood that substantial construction needs to occur within three years of the approval.

It is the owners' intention to begin construction immediately after approval with a goal of opening the business in the spring or early summer of 2022.

#### 55.050 DESIGN REVIEW AMENDMENT TRIGGER

Amendments to design review shall be required when 10 percent or more of the housing type changes (e.g., from single-family units to multi-family units) from the tentatively approved design review plan, or when there is more than a 10 percent change in the number of units, or when the



layout of streets and lots significantly changes, or adjusting more than 20 percent of the building footprint or site plan, or significant changes to the architecture that modify the style, mass, or result in elimination of significant design features. Changes in color or materials would not require an amendment unless the colors were non-earth tones and the materials were of poorer quality (for example, going from tile roof to composition roofing) than originally approved. Changes to the project/site plan to meet conditions of approval or legislative changes shall not trigger an amendment. (Ord. 1408, 1998)

It is understood that amendments to the Design Review would be required when adjusting more than 20% of the building footprint or site plan.

#### 55.060 STAGED OR PHASED DEVELOPMENT

The applicant may elect to develop the site in stages. Staged development shall be subject to the provisions of CDC [99.125](#).

It is the owners' intention to move forward with all construction work immediately upon approval. No phasing is planned.

#### 55.070 SUBMITTAL REQUIREMENTS

A. The design review application shall be initiated by the property owner or the owner's agent, or condemnor.

The application is being submitted by the record owners of the property.

B. A pre-application conference, per CDC [99.030\(B\)](#), shall be a prerequisite to the filing of an application.

A pre-application meeting was held on June 3, 2021.

C. Documentation of any required meeting with the respective City-recognized neighborhood association per CDC [99.038](#).

A neighborhood meeting was not required and none was held.

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

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

- a. A site analysis (CDC [55.110](#)) only if the site is undeveloped;
- b. A site plan (CDC [55.120](#));
- c. Architectural drawings, including building envelopes and all elevations (CDC [55.140](#)) only if architectural work is proposed; and
- d. Pursuant to CDC [55.085](#), additional submittal material may be required.

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 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.

2. The development plan for a Class II design review shall contain the following elements:

- a. A site analysis (CDC [55.110](#));
- b. A site plan (CDC [55.120](#));

- c. A grading plan (CDC [55.130](#));
- d. Architectural drawings, indicating floor plan and elevation (CDC [55.140](#));
- e. A landscape plan (CDC [55.150](#));
- f. A utility plan appropriate to respond to the approval criteria of CDC [55.100\(I\)\(1\)](#) through (5) relating to streets, drainage, municipal water, sanitary sewers, solid waste, and recycling storage;
- g. A light coverage plan with photometric data, including the location and type of outdoor lighting, with specific consideration given to compliance with CDC [55.100\(J\)](#) pertaining to crime prevention and, if applicable, CDC [46.150\(A\)\(13\)](#) pertaining to parking lot lighting;
- h. If staff determines before or during the pre-application conference that the land use is expected to generate noise that may exceed DEQ standards, the application shall include a noise study conducted by a licensed acoustical engineer that demonstrates that the application and associated noise sources will meet DEQ standards. Typical noise sources of concern include, but are not limited to, vehicle drive-throughs, parking lots, HVAC units, and public address systems; and
- i. Documents as required per the Tree Technical Manual.

3. A narrative, based on the standards contained in this code, which supports any requested exceptions as provided under CDC [55.170](#).

4. Submit full written responses to approval criteria of CDC [55.100](#) for Class II design review, or CDC [55.090](#) for Class I design review, plus all applicable referenced approval criteria.

The application includes all material required for a Class I Design Review, including a site plan, architectural drawings, civil drawings, site and building renderings, narrative and supplemental information as listed in the Table of Contents.

D. The applicant shall submit samples of all exterior building materials and colors in the case of new buildings or building remodeling.

An exterior material and finish document is included as part of the supplemental information.

E. The applicant shall pay the required deposit and fee. (Ord. 1401, 1997; Ord. 1408, 1998; Ord. 1442, 1999; Ord. 1613 § 11, 2013; Ord. 1621 § 25, 2014; Ord. 1622 § 14, 2014)

The required fees will be paid by the owners.

#### 55.085 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 subject to the provisions of CDC [99.035\(B\)](#) and (C).

Additional information will be provided if requested by the city.

#### 55.090 APPROVAL STANDARDS – CLASS I DESIGN REVIEW

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

- A. The provisions of the following sections shall be met:
1. CDC [55.100\(B\)\(1\)](#) through (4), Relationship to the natural and physical environment, shall apply except in those cases where the proposed development site is substantially developed and built out with no remaining natural physical features that would be impacted.
  2. CDC [55.100\(B\)\(5\)](#) and (6), architecture, et al., shall only apply in those cases that involve exterior architectural construction, remodeling, or changes.
  3. Pursuant to CDC [55.085](#), the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.
  4. The design standards or requirements identified in the base zone shall apply.

See narrative responses to CDC 55.100 (B) (1) and CDC 55.100 (B) (5) and (6) below and responses to requirements of the base zone in Chapter 19.

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

As shown on the preliminary civil design drawings, water, sanitary and storm sewer, electricity and gas service to the site exist and will be modified as required for the proposed development.

- C. The Planning Director shall determine the applicability of the approval criteria in subsection A of this section. (Ord. 1408, 1998; Ord. 1544, 2007; Ord. 1675 § 44, 2018)

#### 55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

- B. Relationship to the natural and physical environment.

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

No heritage trees existing on the site.

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

The existing building complies with all minimum setback requirements. The distance between the existing building and the closest structure on an adjacent lot (the residence to the north) exceeds 16’.

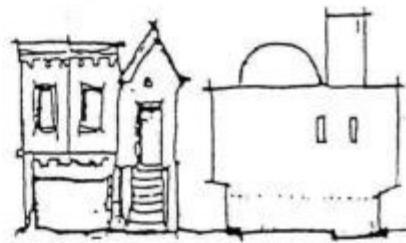
The size of the site, available access from two streets and access from within the site should provide adequate fire department access points.

6. Architecture.

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



*contextual design*

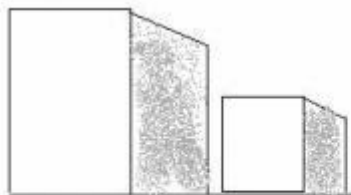


*contrasting design*

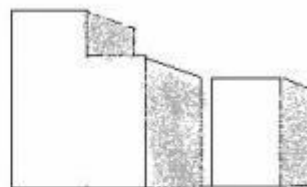
No new buildings are proposed. The uniqueness of the existing structures, based on their original use, makes compliance with contextual design criteria difficult. The fact that this site is separated from other commercial buildings along Willamette Falls Drive by open site area and public roads, and that the site is located at the end of the design district reduces the importance of contextual design to some extent. The proposed modifications to the existing structures, including new overhead doors and entrances, lighting and painting will improve the appearance of the structures and bring them closer to the prevailing contextual design of the area.

Refer to narrative in Chapter 66, Non-conforming Structures for additional information.

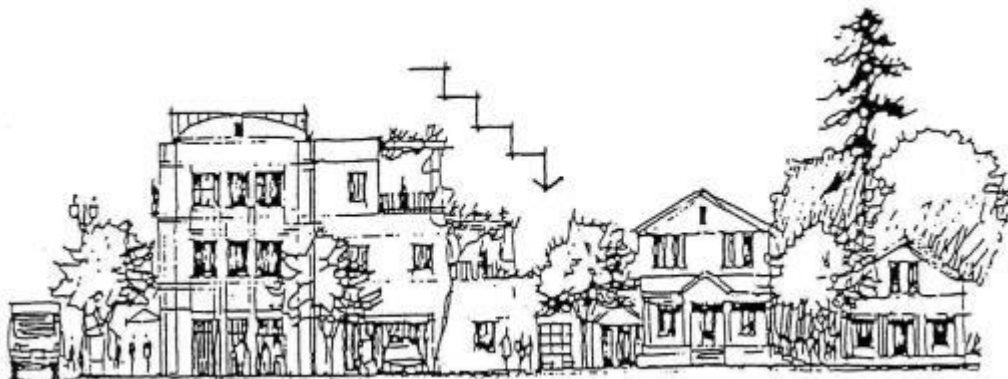
b. While there has been discussion in Chapter 24 CDC about transition, it is appropriate that new buildings should architecturally transition in terms of bulk and mass to work with, or fit, adjacent existing buildings. This transition can be accomplished by selecting designs that “step down” or “step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



*mass/bulk overwhelms smaller building*



*mass/bulk effectively transitions*



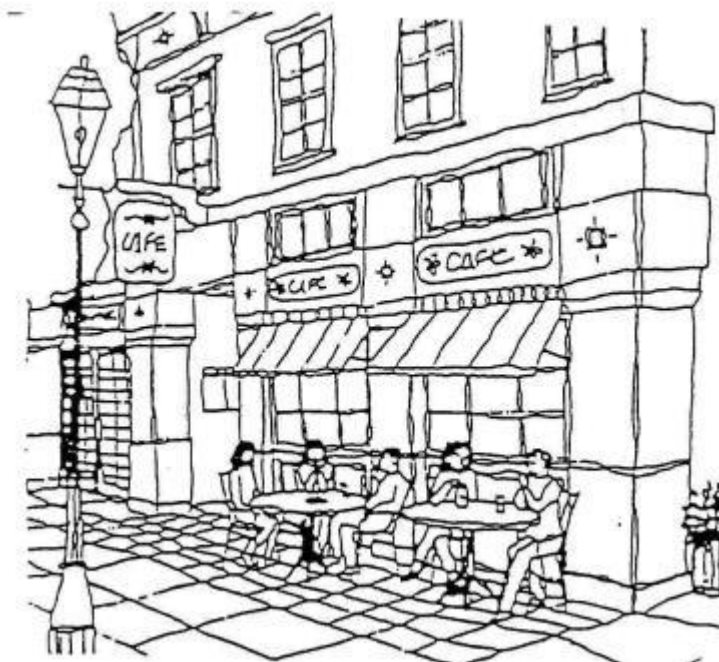
No new buildings are proposed. The sizes and forms of the existing structures are unique and difficult to apply standard design criteria for the historic district to. As noted above, the fact that the site is separated from other commercial buildings along Willamette Falls Drive and the site is at the end of the district, provides a natural transition to the neighboring residential area. The scale of the structures, along with the gabled roof form also provides something of a transition.

Refer to narrative in Chapter 66, Non-conforming Structures for additional information.

c. Contrasting architecture shall only be permitted when the design is manifestly superior to adjacent architecture in terms of creativity, design, and workmanship, and/or it is adequately separated from other buildings by distance, screening, grade variations, or is part of a development site that is large enough to set its own style of architecture. The existing structures contrast the dominant architectural styles of the design district, but the site is separated from other buildings by public sidewalks, roadways, bike paths and open site area, reducing the impact of the contrast.

d. Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally.

The human scale is enhanced by bringing the building and its main entrance up to the edge of the sidewalk. It creates a more dramatic and interesting streetscape and improves the "height and width" ratio referenced in this section.

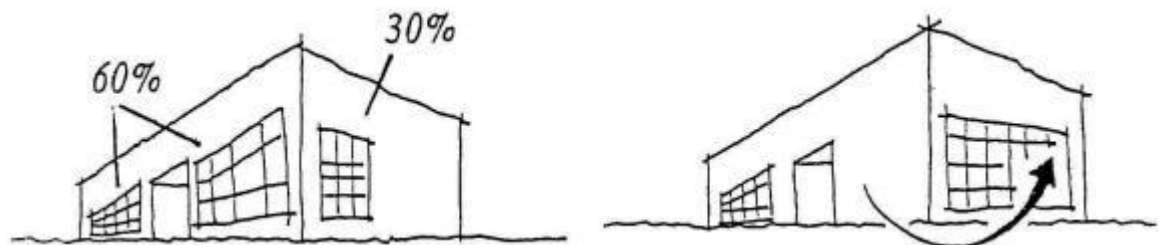


*human scale is captured in this example*

The human scale of the site will be greatly improved by the change in use of the site as well as by the proposed modifications to the site and structures. The development will be changing an entirely vehicle-based use to an active and engaging pedestrian environment. Infilling a large, existing vehicular access area with food carts, eating and drinking areas, fire pits and landscaping will infuse the site with human activity and interaction. It will also provide a much better connection to the public sidewalk and bike path.

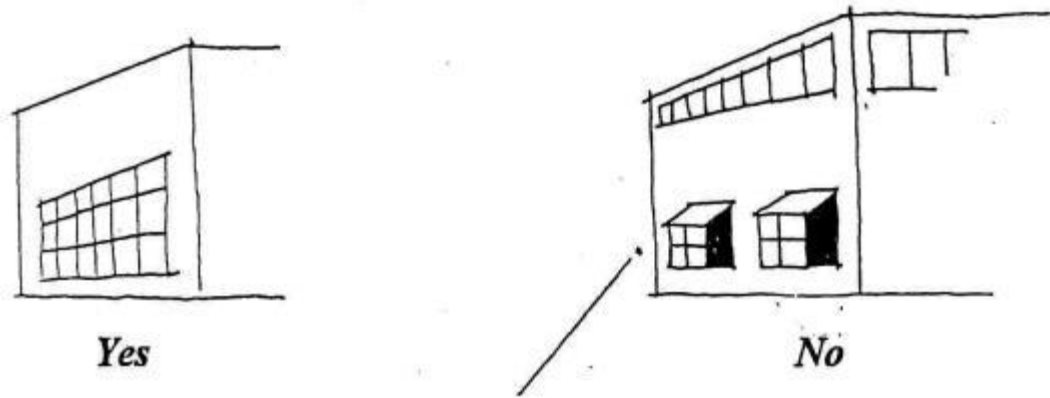
Changes to the structures will include new all glass overhead doors that will be opened as weather permits, providing a flow of pedestrian activity from outside to inside. Other building improvements will include improved entrances, pedestrian scale lighting and warmer exterior colors.

- e. The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-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 the main front elevation, the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations at pedestrian level in addition to any transparency required by a side elevation, and vice versa. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.



***60 percent of lineal street facing or main elevation is windows. 30 percent of one side elevation is windows. You may transfer windows from the side to front, or vice versa.***





*(Windows not at eye level and/or not flush with building.)*

The existing building frontage is approximately 55'-6" wide and there is 44'-2" of glazing along the frontage, for a total of 80%. The glazing extends to the ground or within 1'-6" of the ground. The two existing windows into the office/vendor area are approximately 6'-8" wide and will remain. The new overhead doors and storefront openings will be broken into multiple panes.

The Dollar Street elevation is 30' long and contains 11.3' of window area, for a percentage of 38%. These windows are 5'-8" tall with a sill at 16" above the floor.

The southwest side elevation is 30' long and contains 23' of windows and fully glazed door openings, for a percentage of 77%. The windows and doors are a minimum of 7' tall.

f. Variations in depth and roof line are encouraged for all elevations.

To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.

The building footprint is 55'-9" x 30'. The front and side facades provide variation in wall planes and/or roof line. The rear elevation is a simple gable, but will be almost entirely screened by existing and new plantings along the rear property line. In addition, high windows aligned with the gable roof help to provide interest on the back elevation.

g. Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.

The existing vehicle canopy will be re-purposed and well utilized as a rain/sun cover for the majority of the pedestrian seating areas. In addition, the existing building roofline currently extends along the northwest side to provide rain protection for the bathroom doors. This extension will continue to be used to protect the modified bathroom entrances.

h. The vision statement identified a strong commitment to developing safe and attractive pedestrian environments with broad sidewalks, canopied with trees and awnings.



*trees, awnings, and building orientation enhance micro-climate*

The proposed development will significantly improve the pedestrian environment of the site and will benefit the entire district by replacing the former vehicle intense use with an interactive pedestrian use. The proposed site enhancements will integrate well with the recent street frontage upgrades performed by the city and will provide a positive terminus to the end of the district.

New landscaping will be planted in select areas along the frontage to provide interest and some shading and have been selected to ensure that they do not conflict with existing street trees planted in the ROW.

i. Sidewalk cafes, kiosks, vendors, and street furniture are encouraged. However, at least a four-foot-wide pedestrian accessway must be maintained per Chapter 53 CDC, Sidewalk Use.

The existing public sidewalk is 12' wide, which would allow for a standard 6' picnic table to be located within the sidewalk width while maintaining 6' of pedestrian accessway.

#### 55.110 SITE ANALYSIS

The site analysis shall include:

- A. A vicinity map showing the location of the property in relation to adjacent properties, roads, pedestrian and bike ways, transit stops and utility access.
- 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 property boundaries, dimensions, and gross area.
  2. Contour lines at the following minimum intervals:
    - a. Two-foot intervals for slopes from zero to 25 percent; and



- b. Five- or 10-foot intervals for slopes in excess of 25 percent.
3. Tables and maps identifying acreage, location and type of development constraints due to site characteristics such as slope, drainage and geologic hazards, including a slope analysis which identifies portions of the site according to the land types (I, II, III and IV) defined in Chapter 02 CDC.
4. The location and width of adjoining streets.
5. The drainage patterns and drainage courses on the site and on adjacent lands.
6. Potential natural hazard areas including:
  - a. Floodplain areas pursuant to the site's applicable FEMA Flood Map panel;
  - b. Water resource areas as defined by Chapter 32 CDC;
  - c. Landslide areas designated by the Natural Hazard Mitigation Plan, Map 16; and
  - d. Landslide vulnerable analysis areas, designated by the Natural Hazard Mitigation Plan, Map 17.
7. Resource areas including:
  - a. Wetlands;
  - b. Riparian corridors;
  - c. Streams, including intermittent and ephemeral streams;
  - d. Habitat conservation areas; and
  - e. Large rock outcroppings.
8. Potential historic landmarks and registered archaeological sites. The existence of such sites on the property shall be verified from records maintained by the Community Development Department and other recognized sources.
9. Identification information including the name and address of the owner, developer, project designer, lineal scale and north arrow.
10. Identify Type I and II lands in map form. Provide a table which identifies square footage of Type I and II lands also as percentage of total site square footage. (Ord. 1408, 1998; Ord. 1425, 1998; Ord. 1442, 1999; Ord. 1463, 2000; Ord. 1526, 2005; Ord. 1544, 2007; Ord. 1565, 2008; Ord. 1590 § 1, 2009; Ord. 1613 § 13, 2013; Ord. 1621 § 25, 2014; Ord. 1635 § 27, 2014; Ord. 1636 § 38, 2014; Ord. 1662 § 9, 2017)

**Existing Conditions Plan, Architectural Site Plan and Civil Site and Composite Utilities Plan are provided showing all applicable conditions and information.**

#### 55.120 SITE PLAN

The site plan shall be at the same scale as the site analysis (CDC 55.110) 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 or parcel lines.
- C. Streams and stream corridors.
- D. Identification information, including the name and address of the owner, developer, project designer, lineal scale and north arrow.
- E. The location, dimensions, and names of all existing and proposed streets, public pathways, easements on adjacent properties and on the site, and all associated rights-of-way.
- F. The location, dimensions and setback distances of all:
  1. Existing and proposed structures, improvements, and utility facilities on site; and

2. Existing structures and driveways on adjoining properties.
- G. The location and dimensions of:
1. The entrances and exits to the site;
  2. The parking and circulation areas;
  3. Areas for waste disposal, recycling, loading, and delivery;
  4. Pedestrian and bicycle routes, including designated routes, through parking lots and to adjacent rights-of-way;
  5. On-site outdoor recreation spaces and common areas;
  6. All utilities, including stormwater detention and treatment; and
  7. Sign locations.
- H. The location of areas to be landscaped. (Ord. 1442, 1999; Ord. 1613 § 14, 2013; Ord. 1622 § 28, 2014; Ord. 1636 § 39, 2014)
- Existing Conditions Plan, Architectural Site Plan and Civil Site and Composite Utilities Plan are provided showing all applicable conditions and information.

#### 55.125 TRANSPORTATION ANALYSIS

Certain development proposals required that a Traffic Impact Analysis (TIA) be provided which may result in modifications to the site plan or conditions of approval to address or minimize any adverse impacts created by the proposal. The purpose, applicability and standards of this analysis are found in CDC [85.170\(B\)\(2\)](#). (Ord. 1584, 2008)

**A Traffic Impact Analysis was not required by the city.**

#### 55.130 GRADING AND DRAINAGE PLANS

For Type I, II and III lands (refer to definitions in Chapter [02](#) CDC), a registered civil engineer must prepare a grading plan and a storm detention and treatment plan pursuant to CDC [92.010\(E\)](#), at a scale sufficient to evaluate all aspects of the proposal, and a statement that demonstrates:

- A. The location and extent to which grading will take place indicating general contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed.
- B. All proposed storm detention and treatment facilities comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards.
- C. 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. 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. (Ord. 1463, 2000; Ord. 1613 § 15, 2013; Ord. 1622 § 28, 2014; Ord. 1662 § 10, 2017)

The site is not classified as Type I, II or III by the CDC. Preliminary civil drawings, including Existing Conditions and Removals, Site and Composite Utilities, Grading and Erosion Control have been provided for initial review and comment from the city.

#### 55.140 ARCHITECTURAL DRAWINGS

This section does not apply to single-family residential subdivisions or partitions, or up to two duplexes or single-family attached dwellings.

Architectural drawings shall be submitted showing:

- A. Building elevations and sections tied to curb elevation;
- B. Building materials: color and type; and
- C. The name of the architect or designer. (Ord. 1408, 1998; Ord. 1613 § 16, 2013)

Architectural drawings, including an architectural Site Plan, Floor Plans and Elevations are provided.

#### 55.150 LANDSCAPE PLAN

This section does not apply to detached single-family residential subdivisions or partitions, or up to two duplexes or single-family attached dwellings.

- A. The landscape plan shall be prepared and shall show the following:
  - 1. Preliminary underground irrigation system, if proposed;
  - 2. The location and height of fences and other buffering of screening materials, if proposed;
  - 3. The location of terraces, decks, patios, shelters, and play areas, if proposed;
  - 4. The location, size, and species of the existing and proposed plant materials, if proposed; and
  - 5. Building and pavement outlines.
- B. The landscape plan shall be accompanied by:
  - 1. The erosion controls that will be used, if necessary;
  - 2. Planting list; and
  - 3. Supplemental information as required by the Planning Director or City Arborist. (Ord. 1408, 1998; Ord. 1613 § 17, 2013)

Landscape requirements are exempt within the WFDCDD, however, landscape information is provided on the architectural Site Plan.

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

- A. The Planning Director may grant an exception to the dimensional building setback or yard requirements in the applicable zone based on findings that the approval will satisfy the following criteria:
  - 1. A minor exception that is not greater than 20 percent of the required setback.

2. A more efficient use of the site.
  3. The preservation of natural features that have been incorporated into the overall design of the project.
  4. No adverse affect to adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazard.
  5. Safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.
- B. The Planning Director may grant an exception to the off-street parking dimensional and minimum number of space requirements in the applicable zone so long as the following criteria are met:
1. The minor exception is not greater than 10 percent of the required parking;
  2. The application is for a use designed for a specific purpose which is intended to be permanent in nature (for example, a nursing home) and which has a low demand for off-street parking; or
  3. There is an opportunity for sharing parking and there is written evidence that the property owners are willing to enter into a legal agreement; or
  4. Public transportation is available to the site reducing the standards and will not adversely affect adjoining uses, and there is a community interest in the preservation of particular natural feature(s) of the site which make it in the public interest to grant an exception to parking standards.
- C. The Planning Director may grant an exception to the sign dimensional requirements in the applicable zone when the following criteria are met:
1. The minor exception is not greater than 10 percent of the required applicable dimensional standard for signs;
  2. The exception is necessary for adequate identification of the use on the property; and
  3. The sign will be compatible with the overall site plan, the structural improvements, and with the structures and uses on adjoining properties.
- D. The Planning Director may grant an exception to the landscaping requirements in the applicable zone based on findings that the following criteria will be met:
1. A minor exception that is not greater than 10 percent of the required landscaped area.
  2. A more efficient use of the site.
  3. The preservation of natural features that have been incorporated into the overall design of the project.
  4. No adverse effect to adjoining property.
- No exceptions to underlying zone, yard, parking, sign or landscape provisions are requested. Existing non-conforming issues, including the maximum front yard setback are addressed in Chapter 66, Non-conforming Structures.

#### 55.180 MAINTENANCE

All on-site improvements shall be the ongoing responsibility of the property owner or occupant. The site and buildings will be maintained by the owners.

#### 55.190 SHARED OPEN SPACE

Where the open space is designated on the plan as common open space, the following shall apply:

- A. The open space area shall be shown on the final plan and recorded with the Planning Director.
- B. The open space shall be conveyed in accordance with one of the following methods:

1. By dedication to the City as publicly owned and maintained as open space. Open space proposed for dedication to the City must be acceptable to it with regard to the size, shape, location, improvement, and budgetary and maintenance limitations.
  2. By leasing or conveying title (including beneficial ownership) to a corporation, home association, or other legal entity with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions suitable to the City Attorney for guaranteeing the following:
    - a. The continued use of such land for intended purposes.
    - b. Continuity of property maintenance.
    - c. When appropriate, the availability of funds required for such maintenance.
    - d. Adequate insurance protection.
    - e. Recovery for loss sustained by casualty and condemnation, or otherwise.
  3. By any method that achieves the objectives set forth in subsection (B)(2) of this section.
- No open space, as defined by CDC, exists or is proposed on the site.

#### 55.195 ANNEXATION AND STREET LIGHTS

As a condition of approval for design review for any project that is being annexed to the City, the developer and/or homeowners association shall pay for all expenses related to street light energy and maintenance costs until annexed into the City. The approval for any property annexed must state: "This approval is contingent on voter approval of annexation of the subject property." This means that no permit, final plat, or certificate of occupancy may be issued or approved until annexation is complete. (Ord. 1442, 1999; Ord. 1604 § 53, 2011)

The site is currently within the city limits.

### Chapter 58 WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT

Sections:

- 58.010** PURPOSE
- 58.020** IMPLEMENTATION
- 58.030** APPLICABILITY
- 58.040** EXEMPTIONS
- 58.050** PERMITTED USES
- 58.060** *REPEALED*
- 58.065** *REPEALED*
- 58.070** APPLICATION AND SUBMITTAL REQUIREMENTS
- 58.080** FEES
- 58.090** STANDARDS
- 58.100** VARIANCE PROCEDURES
- 58.110** EXPIRATION OR EXTENSION OF APPROVAL

#### 58.010 PURPOSE

- A. Implement the goals and policies of the economic element of the Comprehensive Plan relating to the rehabilitation and revitalization of the Willamette Commercial District.
- B. Enhance the historic and aesthetic quality of the Commercial District.

- C. Increase the attractiveness of the commercial areas to tourists, customers, tenants, business owners, and City residents.
- D. Reinforce the commitment to existing commercial buildings of the 1880 – 1915 period and complement the adjacent residential historic district.
- E. Encourage a sense of historic identity for the Willamette area and West Linn as a whole.

The proposed adaptive re-use of the Willamette Garage is appropriate to the purposes as defined for the Willamette Falls Drive Commercial Design District (WFDCDD).

- A. It will help to implement the goals of the Comprehensive Plan by revitalizing a vacant, non-productive property into an economically viable and vibrant business.
- B. It will enhance the historic and aesthetic quality of the district by repurposing and improving a site and 50+ year old structures for a new, community focused use.
- C. It will increase the attractiveness of the WFDCDD by refinishing and refreshing an outdated, poorly maintained property to something that is visually interesting and inviting to people driving through, biking or walking through the district.
- D. It will reinforce the commitment to the existing structures of the 1880 – 1914 period by providing a desirable business that is compatible with and supportive of the other retail, office and food service businesses in the area.
- E. It will encourage and reinforce the historic identity of the Willamette area by preserving and rehabilitating a site that reflects the change of the area over time. The Willamette Garage represents the area’s change over time from having a local focus to opening up to a larger region based on transportation improvements. The garage was the logical, last stop before leaving the Willamette area and heading west.

#### 58.020 IMPLEMENTATION

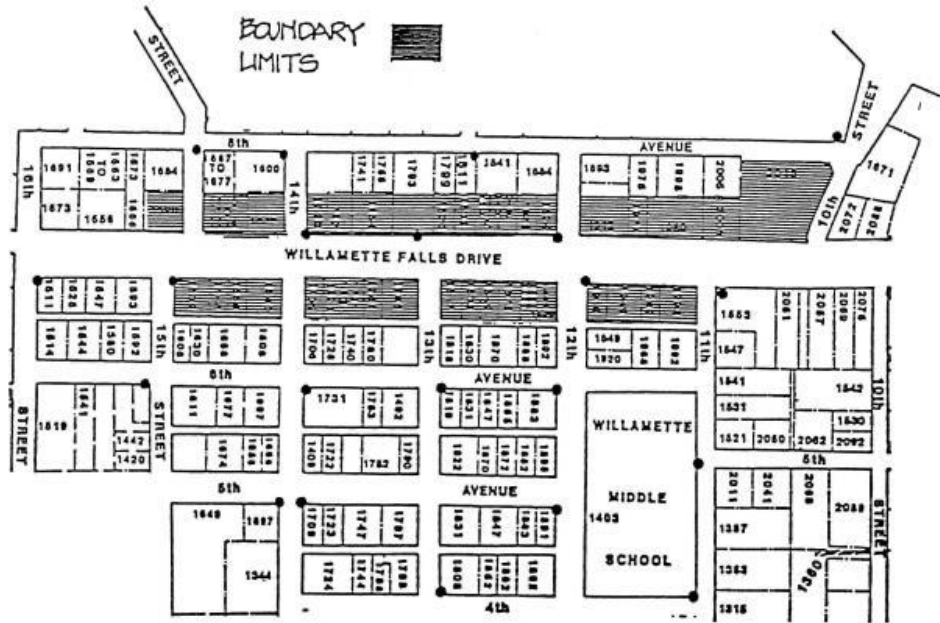
The intent and purpose of this chapter shall be carried out by establishing architectural standards of the 1880 – 1915 period which shall be used in new commercial construction and remodels.

Although the Willamette Garage is not from the designated period of 1880 – 1915, the proposed remodel will significantly improve the aesthetic of the structures and site, while being respectful and appropriate to the original design. It will create a more compatible, supportive and beneficial relationship with the other historic buildings and uses in the district.

#### 58.030 APPLICABILITY

- A. The provisions of this chapter shall apply to all new commercial construction, restorations, and remodels on Willamette Falls Drive between 10th and 15th Streets. Properties that are historic resources shall comply with the provisions of Chapter 25 CDC, as applicable. “Restorations” shall be defined as all exterior repairs, replacement of materials, alterations or changes, including reroofing, painting, window and sign replacement, etc. Failure to obtain a permit shall constitute a Class A violation pursuant to CDC 106.050.
- B. Commercial structures that are also within the historic district as defined in CDC 25.030(A) are required to meet the provisions of Chapter 25 CDC in addition to the provisions of this chapter.
- C. Boundary limits. The affected area shall be as delineated in Figure 1, below. Generally, the area is along Willamette Falls Drive between 10th Street and 15th Street.

**Figure 1**



(Ord. 1350, 1993; Ord. 1614 § 10, 2013; Ord. 1621 § 25, 2014)

The proposed remodeling and repair will comply with as many of the design standards as possible, given the uniqueness of the site and existing buildings. Those areas in which alterations to the existing structures cannot comply with the WFDCDD standards are addressed in Chapter 66 – Non-Conforming Structures.

#### 58.040 EXEMPTIONS

Remodels to exclusive single-family residential homes are exempt from the provisions of this chapter. Single-family homes that are used for businesses or home occupations are not exempt. Repainting any structure requires review and is not exempt. All exemptions must be approved by the Planning Director.

The single-family home exemption is not applicable.

#### 58.050 PERMITTED USES

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

Eating and drinking establishments are allowed in the General Commercial zone.

#### 58.060 REVIEW BODY

*Repealed by Ord. 1597.*

#### 58.065 APPEALS OF HISTORIC REVIEW BOARD

*Repealed by Ord. 1597. (Ord. 1474, 2001)*

#### 58.070 APPLICATION AND SUBMITTAL REQUIREMENTS

A. Applicants shall attend a pre-application conference if required by CDC [99.030\(B\)](#).



B. The Director shall determine the appropriateness of the proposal and the completeness of the materials to be submitted. The Director may consult with members of the Historic Review Board in this process.

C. The application is made with appropriate fees. A written narrative may be required explaining how the proposal meets the approval criteria.

D. All applications for remodels and new construction shall require scaled elevation plans, site plans, and material and color board. (Ord. 1599 § 5, 2011)

A pre-application meeting was held on June 3, 2021. A complete application, including architectural site and building plans, civil site drawings and a color board is being submitted along with the required fees.

#### 58.080 FEES

A. New construction and major restoration projects shall be charged fees consistent with the adopted fee schedule for design review.

B. Minor restoration projects under \$50,000 valuation shall pay fees as directed by the adopted fee schedule.

C. Repainting and replacement of windows (Class B restoration) shall pay a fee as directed by the adopted fee schedule.

Fees will be paid as directed by the city.

#### 58.090 STANDARDS

A. Standards are needed to provide a clear and objective list of design elements that are needed to bring new construction and remodels into conformance with 1880 – 1915 architecture. Buildings of the period saw relatively few deviations in design. Consequently, the Historic Review Board will require conformance with the standards. Deviations or deletions from the standards are addressed in the variance procedure of this chapter.

The Willamette Garage is not from the identified period, and does not comply with many of the design standards identified in this section. The proposed alterations will improve the overall appearance and functionality of the site and existing structures and will improve compatibility with other buildings in the area. Those areas in which alterations to the existing structures cannot comply with the WFDCDD standards are addressed in Chapter 66 – Non-Conforming Structures.

B. The use of neo-designs or simply contextual designs which only attempt to capture the basic or generalized elements such as building line, massing and form, etc., is not acceptable.



CONTEXTUAL DESIGN,  
AT RIGHT, IS NOT PERMITTED.  
IT INCORPORATES ONLY A  
FEW OF THE REQUIRED FEATURES.

The structures are existing to remain and will not incorporate any neo or contextual design elements.



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

1. Dimensional standards.

- a. Front: zero-foot setback. Building may not be set back from the property line unless it is consistent with predominant building line.
- b. Side and side street: zero-foot setback. Building may not be set back from the side property line except for side passageway, accessway, or stairway unless fire codes dictate otherwise. The setback shall not exceed six feet.
- c. Rear: 20-foot setback. Setbacks between zero and 20 feet are permitted only if the applicant can demonstrate that they can successfully mitigate any impacts associated with the building in current and future uses as they would relate to abutting residential and other properties.
- d. Lot coverage: up to 100 percent of lot may be developed depending upon ability to mitigate impacts upon abutting residential and other uses.

The existing building and canopy setbacks will not change; however, improvements to the site will improve and enhance the setback areas.

The front setback area will be filled with food carts, permanent dining counters, seating, gas fire pits, picnic tables, pedestrian lighting, low level accent fencing and landscaping, which will create a vibrant and active plaza and provide a better connection to the public sidewalk.

The side setback from the food carts to the adjacent property will be 5'. This meets the intent of the code for maximizing the frontage of the development, while providing the necessary accessway for the carts and allowing for a landscape buffer to the adjacent residentially used property.

The proposed Dollar Street side setback from the food carts is 0'.

The rear setback from the existing building to the adjacent property is 8'-4". This area is currently buffered by walls, fences and landscaping. A 6' high x 45' long cmu wall exists along the southerly end of this property line. A trellis extends an additional 2' above this wall and supports thick plantings from the adjacent property. This wall and trellis will remain and new plantings of tall, evergreen trees will provide additional buffering.

A +/- 3' high slatted chain link fence exists from the end of the cmu wall to Dollar Street. The Willamette Garage owners propose to replace this fence with a new 6' high solid cedar fence and will coordinate with the adjacent property owners regarding the acceptability of the new fence. Existing landscaping provides a relatively solid buffer, but this will be supplemented with a new hedge planting on the Willamette Garage property.

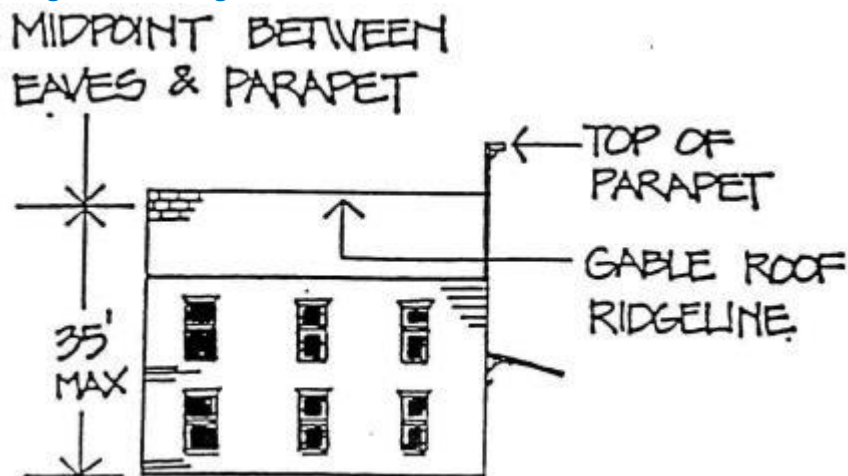
Because there will only be a single, utility access door along this side of the building, there will be little activity or noise facing the adjacent property. The proposed private patio is located adjacent to the existing cmu wall, trellis and new plantings, and will be well buffered for sight and sound.

Approximately 90% of the site will be developed with the existing structures, food carts, the garbage/recycling enclosure and pedestrian hardscaping. The focus of the site development projects toward Willamette Falls Drive and the intersection with Dollar Street. The 10% of undeveloped, landscaped area provides mitigation and buffering at the adjacent properties where it is needed.

2. [Minimum landscaping required.](#) Sites in this district are exempt from landscaping requirements as identified in Chapter 54 CDC, Landscaping, with the exception of parking areas.

Although exempt, landscaping will be provided onsite as noted and shown on the architectural Site Plan to provide a buffer to the adjacent residential property to the north and the mixed-use zoned property to the west and to screen the new garbage/recycling enclosure and cooler unit. It will also be used at the front property line as a low border to help define and identify the site.

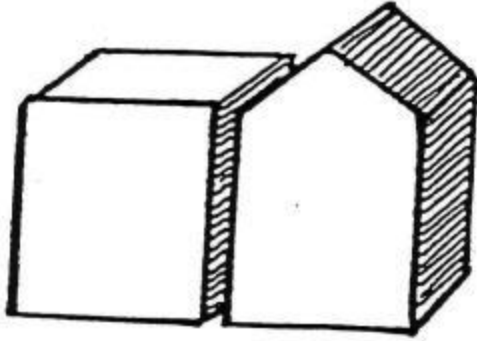
3. [Building height limitations.](#) Maximum building height shall be 35 feet (as measured by this code), and two stories. False fronts shall be considered as the peak of the building if it exceeds the gable roof ridgeline.



The existing peak building height is 19' and the existing peak canopy height is 21'-6".

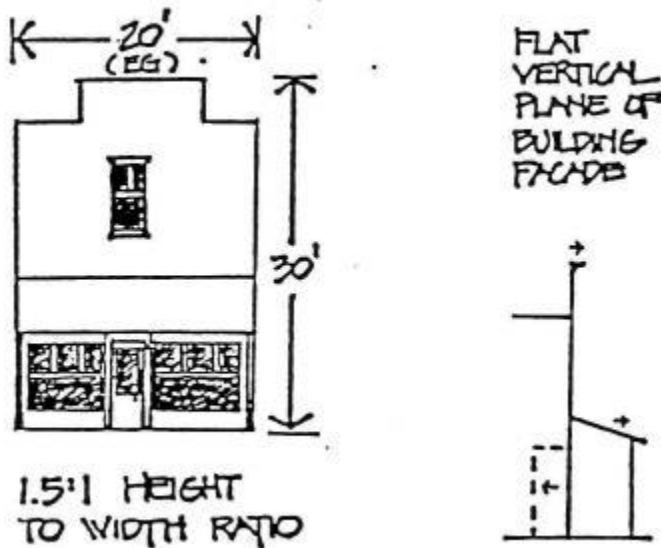
8. [External ground level or first story minimum height.](#) Ten feet to allow transoms. The ceiling in the front office/vendor area and bathrooms is 10'. The ceiling in the main garage space is vaulted and ranges from approximately 11' to 18'.

5. [Roof form.](#) Flat or pitched roofs. Pitched roof ridgeline shall run from the front of the building to the back.



The pitched roof ridgelines of both the building and canopy run from front to back.

6. [Building form, scale and depth.](#) Building shall emphasize the vertical through narrow, tall windows (especially on second floor), vertical awning supports, engaged columns, and exaggerated facades creating a height-to-width ratio of 1.5:1.



Building depth shall be flat, only relieved by awning and cornice projections and the indented doorway.

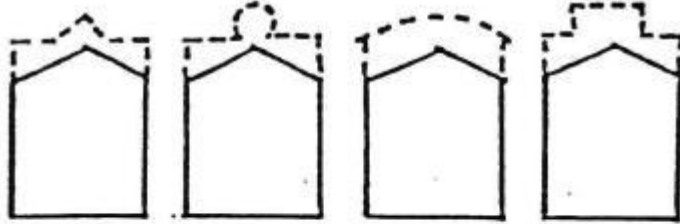
The existing building and canopy do not comply with the form, scale and depth criteria. The nature of the existing structures is horizontal, maximizing the covered area for the original use of vehicle servicing both inside and outside. This horizontal orientation is an integral part of the structures and will remain, with the exception of the new storefront entrances to the garage/pub. These new storefronts will provide more verticality through the doors and mullions, which will differentiate the openings and define the entrances.

7. [Spacing and rhythm.](#) Buildings shall follow a regular rhythm. Strong vertical breaks or lines should be regularly spaced every 25 to 50 feet.

The front building façade provides regular, repeated vertical elements in the spacing of the solid wall area between the glazed overhead garage doors and new storefront entry. The vertical elements are approximately 32" wide and repeat at approximately 13' on center.

The canopy structure provides repeated vertical elements in the column supports. These supports are 18" wide and repeat at 26' on center.

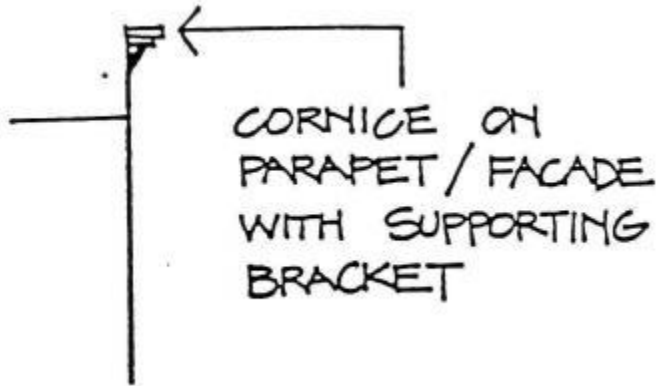
8. [Façades](#). No gables, hipped, or pitched roofs shall be exposed to the street at the front. The "Western false front" shall be the preferred style although variations shall be allowed.



FACADES WERE  
VARIED, BUT  
WESTERN FALSE  
FRONT DOMINATED

The existing building and canopy do not comply with the façade criteria. The use or addition of a false façade would not be feasible or appropriate for these structures.

9. [Cornice](#). Cornices shall be broad and may include regularly spaced supporting brackets. A cornice is not required, but preferred.



CORNICE ON  
PARAPET / FACADE  
WITH SUPPORTING  
BRACKET

The existing building and canopy do not comply with the cornice criteria. Neither structure contains a cornice and the addition of a cornice would not be feasible or appropriate.

10. [Building materials and orientation](#). Wood shall be the principal building material. Horizontal wood siding in one-inch by eight-inch dimensions shall be used for siding. Brick and certain concrete configurations are permitted only by a variance under CDC [58.090](#).

The primary building finish for the existing building and canopy is metal. The metal panel siding is characteristic to the origin of the building and integral to the structure. It is installed directly over the metal wall framing, serving as the wall diaphragm. Various profiles of siding have been utilized, including wide ribbed board and batt look and crimped panels. This siding will be retained typically, except for the northeast wall where bathroom doors will be revised and relocated. In this area, small sections will be infilled

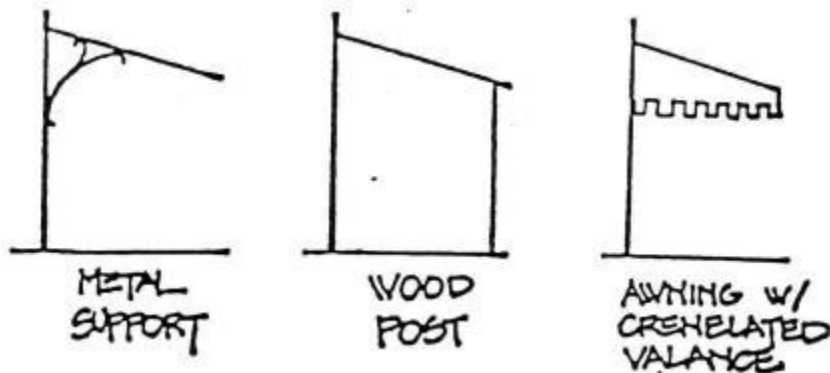
with like material and fiber-cement (Hardie Panel or similar) panels with perimeter trim will be installed as a wainscot.

A false stone veneer, which is actually thin metal or plastic exists between the overhead door openings and along the northeast wall at the bathroom doors. The false stone will be removed and replaced with new fiber-cement panel siding with perimeter trim in all locations.

The canopy gable walls are finished in the metal siding with the board and batt look and the columns are finished in flat metal panel. The metal column wrap has been dented over the years and will be replaced with fiber-cement panel siding and perimeter trim and will include a small area with a chalkboard finish directly above the dining counters to be used as menu boards.

11. Awnings. All buildings shall have awnings extending out from building face. Awnings are preferred for micro-climate benefits. Ideally, the building will have both transom and awnings, although transoms are not required.

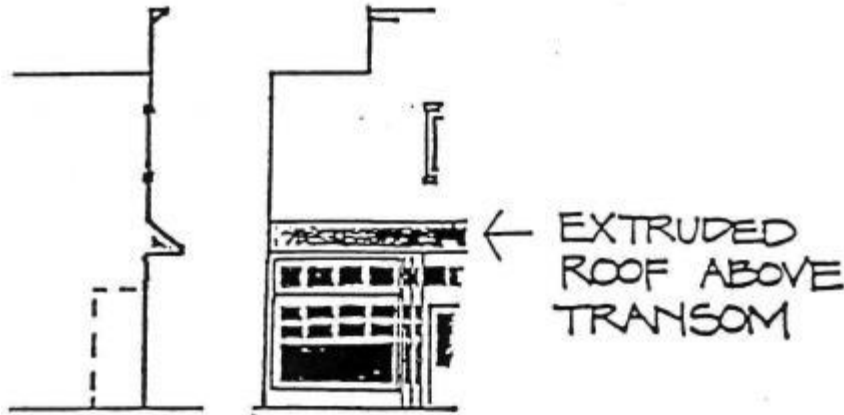
Awnings shall be either canvas or vinyl, or similar approved material, supported by an internal metal framework or metal or wood supported by a curved metal support, either attached to the building or a simple four-inch by four-inch wood post extending down to the outside of the sidewalk.



Awnings shall, therefore, extend beyond the front property line to the outside edge of the sidewalk, and shall possess a seven-foot clearance to the valance or any other part. The pitch of the awning shall be 10 to 40 degrees. No "bubble-type" awnings are permitted. No backlit awnings are permitted. Canvas or matte-finish vinyl, or similar approved material awnings, may be one-color or striped and shall have a free-hanging plain or crenelated valance. Canvas or matte-finish vinyl, or similar approved material awnings, should not be shared between two structures. Each structure should have its own awning.

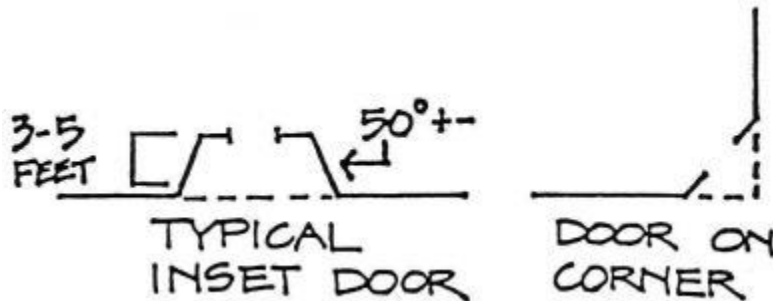
No awnings exist on the structures and none are proposed.

12. Extruded roofs. As a substitute for an awning, extruded roofs have a 10- to 40-degree pitch and extend one to two feet from the building face just above the transom windows where the first and second stories meet. The roof runs along the entire building frontage. Standard roofing materials are used. Transoms are required with extruded roofs.



No extruded roofs exist on the structures and none are proposed.

13. Doors and entryways. The entryway shall be centered in the middle of the building at grade. The buildings on street corners may position their doors on the corner at an angle as depicted in the illustration. The doors may be single or double doors. The doors shall be recessed three to five feet back from the building line. Doors shall have glazing in the upper two-thirds to half of the door. Panels should decorate the lower portions. The entryway shall have windows all the way around at the same level as the other display windows. Wood doors are preferable although alternatives with a dark matte finish may be acceptable.



The only existing building entrance is located on a short wall on the west side of the office/vendor area. A new aluminum storefront entrance with double doors is proposed within one of the two centermost overhead door openings. The new entrance location is limited to an existing overhead door opening for structural feasibility. The new entrance will face Willamette Falls Drive and provide better visibility from the street and sidewalk.

The doors will be fully glazed with glazed sidelights and a transom window above. The full glazing is appropriate to the character of the building and will be compatible with the new, adjacent fully glazed overhead openings. The new doors and storefront will be black anodized aluminum.

14. Glazing. Clear glass only. No mirrored or tinted glass. No films applied to glass. Lettering on glass is permitted (see subsection (C)(25)(b) of this section). All glazing will be clear with no tinting or applied films.

15. Display or pedestrian level windows. Shall extend across at least 80 percent of building front. The windows shall start one and one-half to two and one-half feet above grade to a

height of seven to eight feet, and shall be level with the top of the height of the adjacent entryway area, excluding transom. A single sheet of glass is not permitted. The window shall be broken up into numerous sections, also known as lights. From 1880 onwards, the number of lights was generally no more than six in a pedestrian-level window. The frames may be wood or vinyl-clad wood, or other materials so long as a matte finish is possible.



### MULTI-PANED PEDESTRIAN LEVEL WINDOWS

The existing building frontage is approximately 55'-6" wide and there is 44'-2" of glazing along the frontage, for a total of 80%. The glazing extends to the ground or within 1'-6" of the ground. The two existing windows into the office/vendor area are approximately 6'-8" wide and will remain. The new overhead doors and storefront openings will be broken into multiple panes.

16. Second floor and other windows. Double- and single-hung windows proportionately spaced and centered should be used. Smaller square shaped windows may be permitted (one and one-half feet to two feet per side). A typical window should have a 3:1 height to width ratio for the glass area. There should be a minimum of two lights: "one over one" of equal size. "Two over one" or "four over one" is appropriate.



There is no upper floor and no upper floor windows.

17. Wainscotting. Wainscotting shall be consistent with primary material of the building, typically wood.

A wainscot exists on the east side of the building fronting Dollar Street. The wainscot is a false stone veneer that has been painted the same color white as the rest of the building. This false stone will be removed as part of the relocation of the bathroom doors and will be replaced with fiber-cement panel and trim wainscotting. There is no other wainscot proposed on the building.



18. Shutters. Shutters are not allowed.

No shutters exist or are proposed on the building.

19. Balconies. No balconies are permitted except on rear of building.

No balconies exist or are proposed on the building.

20. Exterior stairs. Simple stairs are permitted on the rear or side of the building only.

No exterior stairs exist or are proposed.

21. Roof mounted mechanical equipment. Equipment shall be screened from view on all sides by normal and consistent architectural features of the building. CDC 55.100(D), Privacy and noise, shall apply.

No roof mounted mechanical equipment exists or is proposed.

22. Air conditioning. No window types on avenue or street side are permitted. Window-mounted air conditioners are not allowed at rear where abutting residential.

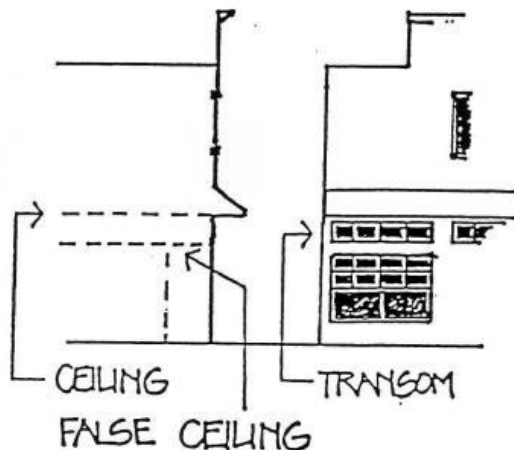
No window type air conditioning units exist or are proposed.

23. Exterior lighting fixtures. Any lighting fixtures that can be traced to 1880 – 1915 period are permitted. Simple modern fixtures that are screened and/or do not attract attention are acceptable. Overly ornate fixtures of the Victorian era are to be discouraged.

Existing fluorescent strip lighting located under the canopy and concealed in the building eaves will be retained.

Simple gooseneck LED lighting will be added to the front façade of the building to illuminate the building sign and openings and to provide general lighting for outdoor use areas. These lights will also be utilized on the canopy columns to illuminate the counter seating areas and to provide a more pedestrian scale to the outdoor seating area.

24. Transoms. Transom windows are required with extruded roofs and optional with awnings. Transom windows shall cover the front of the building above, but not beyond, the main display windows and the entryway area. Transoms should be broken up into sections every six inches to three feet in a consistent and equal pattern. Height should not exceed three feet. Transoms may or may not open. False ceilings are allowed behind the transoms.





Transom windows will be added at the new storefront entrance facing Willamette Falls Drive and at the secondary/patio entrance on the west side of the building. The transom units are 32” high and are broken into sections to align with the sidelights and doors below.

25. [Planters](#). No planters are allowed.

No raised planters or planter boxes exist or are proposed. Landscaping will occur at grade level in areas cut out of paved areas.

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

Proposed exterior paint colors are:

1. Siding: Sherwin Williams SW 7048, Urbane Bronze
2. Siding Accent/Trim: Sherwin Williams SW 7592, Crabby Apple
3. Trim/Light Fixtures: Sherwin Williams SW 0075, Holiday Turquoise
4. Fascia/Trim: Sherwin Williams SW 6258, Tricorn Black

Refer to Materials Board for additional information.

27. [Ornamental or advertising flags, pennants, or banners](#). Not permitted on buildings.

No ornamental flags, pennants or banners exist or are proposed.

28. [New materials](#). Permitted where it is demonstrated that new material visually replicates originally required material, except siding, which must be wood. (Ord. 1391, 1996; Ord. 1401, 1997; Ord. 1604 § 59, 2011; Ord. 1613 § 18, 2013; Ord. 1621 § 25, 2014; Ord. 1675 § 47, 2018)

The only new wall material proposed is the fiber-cement panel and trim siding. This material is proposed in areas where exterior modifications impact the existing building finished or where existing materials are in poor condition or have been damaged. This includes the area near the exterior bathroom doors, the areas where the false stone veneer will be removed and the canopy columns, which are dented and damaged in areas.

The structures are currently covered in asphalt shingle and/or roll roofing. The roofing is in very poor condition and is leaking, causing damage to the building interior. The unique, integrated gutter design is rusting badly and in need of replacement.

The owners are requesting approval of two options for re-roofing the structures, with the ability to select from either option based on budget and conditions that may be exposed when the existing roofing is removed.

Option 1: New standing seam metal roofing. The use of a metal roofing may allow for more and/or better options for roof replacement in conjunction with the new gutters and connection to the existing metal fascia. It will also be a more durable roof, particularly considering the number of mature evergreen trees adjacent to the site and the amount

of debris currently collecting on the roof. Because of the low slope of the existing roofs (approximately 3:12), the roof finish is not highly visible from the street level.

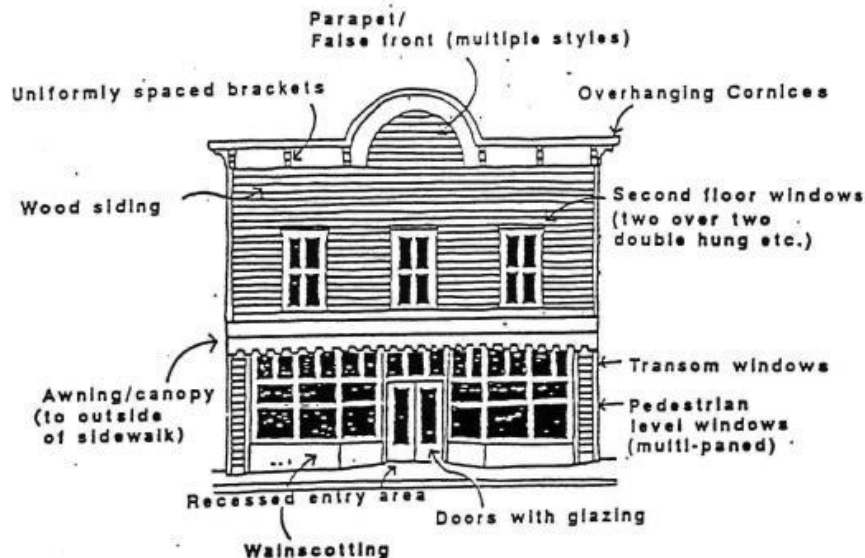
Option 2: New asphaltic composition roof shingles. This option would provide a roof membrane similar to what is existing.

#### 58.100 VARIANCE PROCEDURES

In those circumstances where a design proposal cannot meet the standards, or proposes an alternative to the standard, the Historic Review Board may grant a variance in those cases where one of the following criteria is met:

A. The applicant can demonstrate by review of historical records or photographs that the alternative is correct and appropriate to architecture in the region, and especially West Linn, in 1880 – 1915.

B. The applicant is incorporating exceptional 1880 – 1915 architecture into the building which overcompensates for an omission. The emphasis is upon superior design, detail, or workmanship.



Those areas in which alterations to the existing structures cannot comply with the WFDCDD standards are addressed in Chapter 66 – Non-Conforming Structures.

#### 58.110 EXPIRATION OR EXTENSION OF APPROVAL

If substantial construction has not occurred within three years from the date of approval of the development plan, the approved proposal will be void, unless an extension is granted per [CDC 99.325](#).

It is the Applicant's intention to move forward with construction of the proposed improvements as quickly as possible upon receipt of all required land use and building permit approvals, with the goal of opening for business in the spring of 2022.

## Chapter 66 NON-CONFORMING STRUCTURES

### Sections:

- [66.010](#) PURPOSE
- [66.030](#) EXCEPTIONS
- [66.040](#) DETERMINATION OF STATUS
- [66.050](#) STATUS OF NON-CONFORMING STRUCTURES
- [66.060](#) DISCONTINUANCE OR CHANGE OF CONFORMING USE IN A NON-CONFORMING STRUCTURE
- [66.070](#) DESTRUCTION, MOVEMENT OF STRUCTURES
- [66.080](#) ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS
- [66.090](#) NON-CONFORMING STRUCTURE UNSUITED FOR A CONFORMING USE
- [66.100](#) BUILDING PERMITS FOR AN APPROVED NON-CONFORMING STRUCTURE

### 66.010 PURPOSE

The zones applied within the City after the effective date of this code may cause some existing structures to become non-conforming in terms of meeting the zone lot coverage, setback, parking, building height, or landscaping requirements. The purpose of this chapter is to permit these non-conforming structures to be used until they are destroyed or made conforming.

The existing building and canopy were constructed prior to the effective date of the current code requirements. It is the owner's intention to retain the structures mostly as they are and continue to use them.

### 66.030 EXCEPTIONS

- A. The provisions of this chapter do not apply to lawful pre-existing single-family dwellings except that the enlargement of or alterations to a single-family dwelling shall be as provided by CDC [66.080](#).
- B. A structure for which a variance was granted under the zoning provisions in effect prior to the effective date of this code is not considered non-conforming solely due to the fact that the structure for which the variance was granted fails to comply with the requirements of this code. The existence of such a variance does not prevent the structure from being classified as non-conforming if some other characteristics of the use or structure fail to comply with the requirements of this chapter. (Ord. 1590 § 1, 2009)

The proposed development does not qualify for any exceptions.

### 66.040 DETERMINATION OF STATUS

- A. The Planning Director shall make a determination regarding non-conforming status without giving notice.
- B. However, upon application and payment of fees, the determination by the Planning Director of the non-conforming status may be appealed to the Planning Commission sitting as a fact-finding body pursuant to CDC [103.040](#).
- C. A petition for review by the Council sitting as a fact-finding body may be taken pursuant to CDC [103.090](#).

The existing site and buildings have been identified and acknowledged as being non-conforming.

### 66.050 STATUS OF NON-CONFORMING STRUCTURES

A non-conforming structure may be maintained although it does not conform to the provisions of the applicable zone in which it is located subject to the provisions of CDC [66.060](#) through [66.100](#). The gas/service station operated until approximately 2014 and has been vacant since then.

#### 66.060 DISCONTINUANCE OR CHANGE OF CONFORMING USE IN A NON-CONFORMING STRUCTURE

Should the owner or occupant discontinue or change the use of a non-conforming structure, it shall be unlawful and a violation of this code to begin or maintain such altered use until the off-street parking spaces and loading area requirements of Chapter [46](#) CDC and the access, egress, and circulation requirements of Chapter [48](#) CDC are met, or until the appropriate approval authority under Chapter [99](#) CDC has approved the change.

The proposed use of the site and buildings as a pub and food cart site constitutes a change in use of non-conforming structures.

#### 66.070 DESTRUCTION, MOVEMENT OF STRUCTURES

A. If a non-conforming structure is damaged or destroyed by any means to the extent that the cost of rebuilding the damaged portions would exceed 50 percent of the then current replacement cost of the entire building, the rebuilding shall conform fully to City codes and standards. Determination of the rebuilding costs shall be made by the Building Official, who may utilize an appraisal to determine current replacement costs. If the damage is 50 percent or less, the rebuilding or reconstruction shall be commenced within one year of the date of damage or destruction, and shall be completed within two years. Under such circumstances, the reconstruction shall comply with the terms of this code.

B. Should such a structure be moved for any reason for any distance whatever, excluding elevating the structure to construct or replace the foundation, it shall thereafter conform to the regulations for the zone in which it is newly located.

Demolition or moving of either structure is not proposed.

#### 66.080 ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS

A. An enlargement of or alteration to a non-conforming structure containing a non-conforming use may be permitted subject to review and approval by the Planning Commission under the provisions of CDC [99.060\(B\)](#) and CDC [65.120](#) through [65.140](#).

The proposed use conforms to the requirements of the Community Development Code.

B. An enlargement or alteration to a non-conforming structure containing a conforming use may be permitted subject to the following:

1. If the enlargement, in and of itself, meets all provisions of this code, the enlargement will be permitted. This exception does not preclude design review or other applicable provisions of this code.

2. If the enlargement, in and of itself, does not meet all provisions of the code, review and approval by the Planning Director for single-family structures, and by the Planning Commission for non-single-family structures under the provisions of CDC [99.060\(B\)](#) is required subject to the following standards.

- a. The enlargement or alteration will not change the non-conformity; and
- b. All other applicable ordinance provisions will be met. (Ord. 1192, 1987)

The proposal includes the alteration of the existing structures, but no enlargement. The exterior alterations to the building include:

- Removal of two overhead doors and replacement with two new fully glazed overhead doors
- Removal of one overhead door and one existing window and replacement with two new storefront entry systems
- Removal of one storefront entry door and replacement with a new storefront entry door
- Relocation of one exterior bathroom door and patching of exterior envelope materials with the existing metal panel and new fiber-cement panel siding and trim
- Re-roofing and installing new gutters and flashing on the building and canopy
  - Option 1: Re-roof with new standing seam metal (Preferred option)
  - Option 2: Re-roof with similar, laminated composite roof shingles
- Painting

To the extent possible, the proposed alterations comply with code requirements. The exceptions include:

- The use of metal siding in the small area (approximately 13 sf) requiring patching at the removal of the existing bathroom door and transom. As the metal siding is proposed to remain, it makes sense to retain the metal siding on this wall and patch the small area with the siding that will be removed where the new bathroom door opening will be cut.
- The new entry doors are not recessed. They are part of a larger storefront entry system and will be located in an existing overhead door opening.
- The new entry doors will be black anodized aluminum and fully glazed rather than partial lites with lower panels. A simple, full glazed door will be more appropriate given the character of the existing building.

#### 66.090 NON-CONFORMING STRUCTURE UNSUITED FOR A CONFORMING USE

When a non-conforming use involving a structure is replaced by another use, the new use shall conform to this code unless the Planning Commission, after a public hearing held pursuant to Chapter 99 CDC, determines that such a structure is suitable only for another non-conforming use, so long as the new use is no more intense than the past use or other uses contemplated in the zone. The determination by the Planning Commission shall be based on findings of fact which support its determination of suitability. (Ord. 1287, 1990; Ord. 1604 § 62, 2011)

The new use of the non-conforming site and structures is a conforming use. The original use as a gas/service station was more intense based on the vehicular basis of the activity on site and the high number of vehicle trips to and from the site on a daily basis.

#### 66.100 BUILDING PERMITS FOR AN APPROVED NON-CONFORMING STRUCTURE

The provisions of CDC [65.110](#) shall apply.

Building permits will be obtained for all proposed modifications to the existing structures.



**Site Renderings**



Aerial view from Willamette Falls Drive



Street level view from Willamette Falls Drive





Pedestrian view from Dollar Street

**Exterior Paint Colors**



Paint Color 1 – SW 7048 Urbane Bronze  
(Main Wall Body, Doors)



Paint Color 2 – SW 7592 Crabby Apple  
(Wall Accent, Entry Doors)



Paint Color 3 – SW 0075 Holiday Turquoise  
(Minor Wall Accent, Lighting)



Paint Color 4 – SW 6258 Tricorn Black  
(Trim, Fascias)

**Exterior Light Fixture**



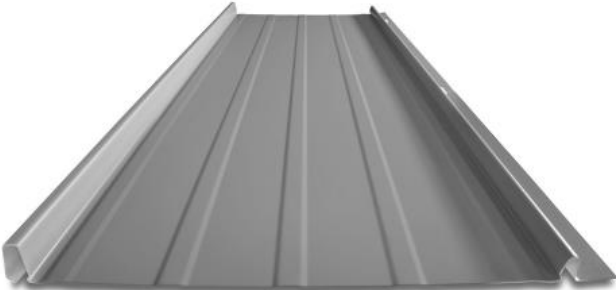
Barn Light Electric, Union Integrated LED Gooseneck or Similar





**Roofing**

**Option 1 – Standing Seam Metal**



Taylor Metal Easy-Lock or Similar, Medium Bronze

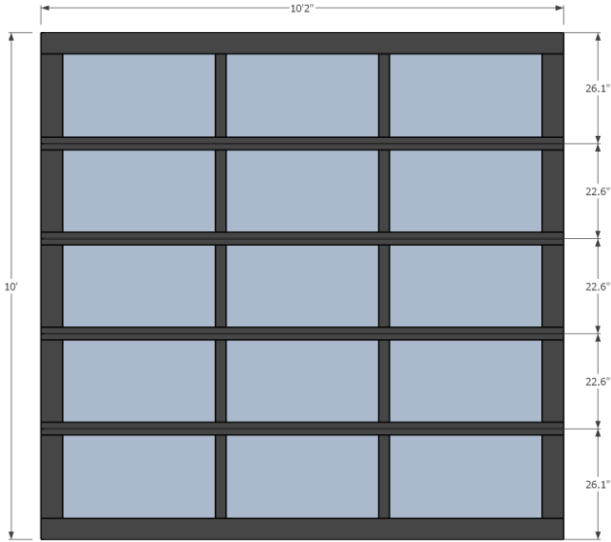
**Option 2 – Asphalt Composition Shingles**



GAF Timberline HDZ or Similar, Slate

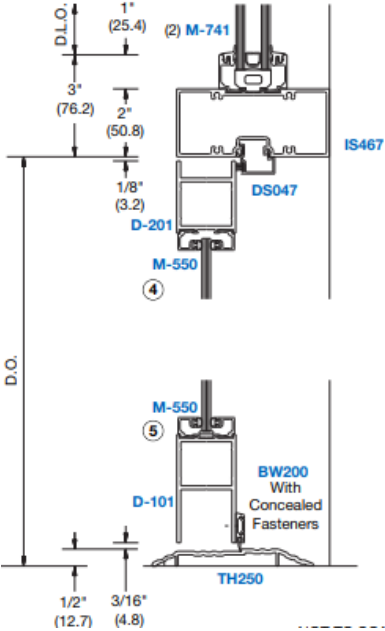
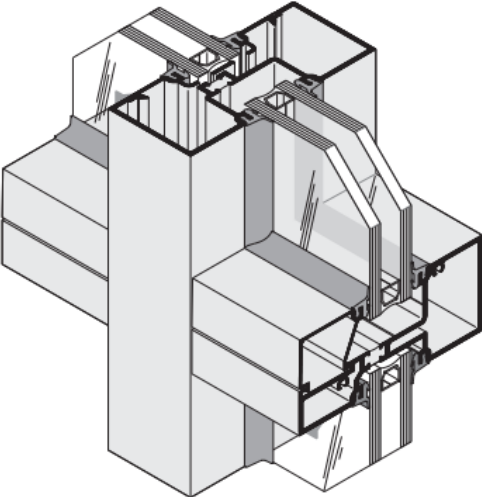


**Overhead Doors**



Insulated Black Anodized Aluminum with Clear Glazing  
PacDoor Apollo or Similar

**Entry Storefront**





Black  
UC70570



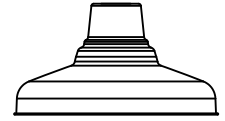
US Aluminum IT451 Center Glazed or Similar, Black Anodized



SPS-0454 REV B

**UNION INTEGRATED LED SERIES**

JOB NAME: \_\_\_\_\_ FIXTURE TYPE: \_\_\_\_\_



BLE - G	<input type="checkbox"/>	WHU14	<input type="checkbox"/>	311	G11	NA	NA
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	
NA	NA	LED11	3000K	FL			
<b>H</b>	<b>I</b>	<b>J</b>	<b>K</b>	<b>L</b>			

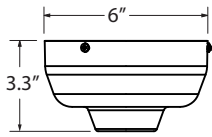
Order Example: BLE - G - WHU16 - 420 - G22 - 975 - NA - WC - 975 - NA - LED38 - 3000K - DL

<p><b>A - MOUNTING STYLE</b></p> <p><b>C</b> Cord Hung  <b>CN</b> Chain Hung  <b>F</b> Flush Mount<sup>1</sup>  <b>G</b> Gooseneck  <b>S</b> Stem Mount</p> <p><b>B - SHADE SIZE</b></p> <p>UNION:  <b>WHU10</b> 10" Shade  <b>WHU12</b> 12" Shade  <b>WHU14</b> 14" Shade  <b>WHU16</b> 16" Shade<sup>1</sup></p> <p><b>C - SHADE FINISH</b></p> <p><b>PORCELAIN FINISHES<sup>2</sup>:</b></p> <p><b>150</b> Black  <b>250</b> White  <b>350</b> Vintage Green  <b>355</b> Jadite  <b>455</b> Cherry Red  <b>550</b> Yellow  <b>650</b> Bronze  <b>750</b> Cobalt Blue  <b>765</b> Delphite Blue  <b>850</b> Graphite  <b>950</b> Metallic Chrome</p> <p><b>POWDER COAT FINISHES<sup>3</sup>:</b></p> <p><b>100</b> Black  <b>105</b> Textured Black  <b>106</b> Matte Black  <b>200</b> White  <b>206</b> Matte White  <b>300</b> Dark Green  <b>307</b> Emerald Green  <b>311</b> Jadite  <b>370</b> Mint  <b>380</b> Chartreuse  <b>390</b> Teal  <b>400</b> Barn Red  <b>420</b> Orange  <b>470</b> Watermelon  <b>480</b> Blush Pink  <b>490</b> Magenta  <b>495</b> Sherbet Orange  <b>500</b> Buttery Yellow  <b>570</b> Sunflower  <b>600</b> Bronze  <b>601</b> Chocolate  <b>605</b> Rust  <b>615</b> Oil-Rubbed Bronze</p>	<p><b>C - SHADE FINISH (CONTINUED)</b></p> <p><b>POWDER COAT FINISHES<sup>3</sup>:</b></p> <p><b>700</b> Royal Blue  <b>705</b> Navy  <b>710</b> Cobalt Blue  <b>715</b> Delphite Blue  <b>790</b> Lavender  <b>800</b> Industrial Grey  <b>805</b> Charcoal Granite  <b>810</b> Graphite  <b>975</b> Galvanized</p> <p><b>NATURAL METALS<sup>4</sup>:</b></p> <p><b>995</b> Raw Copper  <b>996</b> Weathered Copper  <b>997</b> Raw Brass  <b>998</b> Weathered Brass  <b>999</b> Oil-Rubbed Copper</p> <p><b>D - MOUNTING</b></p> <p>Please Note: If Flush Mount [F] is selected in Section A, please select <b>NA</b></p> <p><b>NA</b> Not Applicable</p> <p><b>CSA LISTED CORDS:</b></p> <p><b>SBK</b> Standard Black  <b>SWH</b> Standard White  <b>CSB</b> Black Cloth  <b>CSW</b> White Cloth  <b>CMG</b> Grey Cloth  <b>CSR</b> Red Cloth  <b>CRZ</b> Red Chevron Cloth  <b>CSBB</b> Black &amp; Brown Cloth  <b>CSRW</b> Red &amp; White Cloth  <b>CSGW</b> Gold &amp; White Cloth  <b>CSBG</b> Black &amp; Gold Cloth  <b>CSBW</b> Black &amp; White Cloth  <b>CSBP</b> Black &amp; Pink Cloth  <b>CSUW</b> Blue &amp; White Cloth</p> <p><b>CHAIN MOUNT OPTIONS<sup>5</sup>:</b></p> <p><b>CN36</b> 3' of Chain  <b>CN48</b> 4' of Chain  <b>CN60</b> 5' of Chain  <b>CN72</b> 6' of Chain</p>	<p><b>D - MOUNTING (CONTINUED)</b></p> <p><b>GOOSENECK OPTIONS:</b></p> <p><b>G1<sup>5</sup></b> <b>G11<sup>5</sup></b> <b>G26<sup>5</sup></b>  <b>G2<sup>5</sup></b> <b>G12<sup>5</sup></b> <b>G32</b>  <b>G3<sup>5,6</sup></b> <b>G13</b> <b>G34<sup>5</sup></b>  <b>G4<sup>6</sup></b> <b>G14</b> <b>G35<sup>5</sup></b>  <b>G5<sup>5</sup></b> <b>G15</b> <b>G36<sup>5</sup></b>  <b>G6</b> <b>G16<sup>5</sup></b> <b>G64<sup>5</sup></b>  <b>G7</b> <b>G17</b> <b>G65<sup>5</sup></b>  <b>G8</b> <b>G22</b>  <b>G9</b> <b>G24</b>  <b>G10</b> <b>G25</b></p> <p><b>STEM MOUNT OPTIONS:</b></p> <p><b>ST506</b> .5" Stem Mount, 6"<sup>5</sup>  <b>ST512</b> .5" Stem Mount, 12"<sup>5</sup>  <b>ST518</b> .5" Stem Mount, 18"<sup>5</sup>  <b>ST524</b> .5" Stem Mount, 24"<sup>5</sup>  <b>ST536</b> .5" Stem Mount, 36"<sup>5</sup>  <b>ST548</b> .5" Stem Mount, 48"<sup>5</sup>  <b>ST706</b> .75" Stem Mount, 6"  <b>ST712</b> .75" Stem Mount, 12"  <b>ST718</b> .75" Stem Mount, 18"  <b>ST724</b> .75" Stem Mount, 24"  <b>ST736</b> .75" Stem Mount, 36"  <b>ST748</b> .75" Stem Mount, 48"</p> <p><b>E - MOUNTING FINISH</b></p> <p>Please Note: See Section C for Finish Options. 980-Brushed Aluminum is also available for Gooseneck (except G36, G40, G64, &amp; G65) and Stem mounting styles. If a Porcelain shade finish is selected, mounting will be powder coat painted-to-match. Porcelain shade finishes are not available with a Natural Metal mounting finish</p> <p>(I) If Cord Hung [C], selection identifies canopy finish  (II) If Chain Hung [CN] Mounting Style, selection identifies chain and canopy finish. Natural Metals are not applicable  (III) If Stem Mount [S] Mounting Style, selection identifies stem and canopy finish  (IV) If Flush Mount [F] Mounting Style, selection identifies hex coupler and canopy finish. Natural Metals are not applicable</p> <p><b>980</b> Brushed Aluminum</p> <p><b>F - CORDS<sup>7</sup></b></p> <p><b>NA</b> Not Applicable</p>	<p><b>G - SHADE ACCESSORIES<sup>5</sup></b></p> <p><b>NA</b> None  <b>WC</b> Wire Cage  <b>ACR</b> Acrylic Diffuser<sup>8,9</sup></p> <p><b>H - SHADE ACCESSORY FINISH</b></p> <p>Please Note: See Section C for Finish Options. Natural Metals not applicable. If Porcelain Finish is selected, accessory will be powder coat painted-to-match</p> <p><b>NA</b> Not Applicable</p> <p><b>I - MOUNTING ACCESSORY</b></p> <p>Please Note: Mounting Accessories below are only applicable with select Mounting Styles. Please refer to product listings on our website for further detail.</p> <p><b>NA</b> None/Not Applicable  <b>HSC</b> Hang Straight Canopy<sup>5,10</sup>  <b>LDBPC</b> LED Decorative Backing Plate Cover<sup>11,12</sup>  <b>LDCHX</b> LED Decorative Backing Plate Cover &amp; Hex Cover<sup>11,12</sup></p> <p><b>J - LIGHT SOURCE</b></p> <p><b>LED11</b> 850 Lumen, 11W LED  <b>LED16</b> 1250 Lumen, 16W LED  <b>LED27</b> 2000 Lumen, 27W LED<sup>13</sup>  <b>LED38</b> 3000 Lumen, 38W LED<sup>13</sup>  <b>LED43</b> 4000 Lumen, 43W LED<sup>13</sup></p> <p><b>K - COLOR TEMPERATURE</b></p> <p><b>2700K</b> 2700K, Warm White  <b>3000K</b> 3000K, Neutral White  <b>3500K</b> 3500K, Bright White  <b>4000K</b> 4000K, Cool White</p> <p><b>L - LED LENS</b></p> <p><b>DL</b> Domed Lens  <b>FL</b> Flat Lens</p>
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**IMPORTANT:** (1) Not available with Acrylic Diffuser shade accessory (2) All Porcelain Enamel finished shades feature a white interior and a black outer rim (3) All Powder Coat finished shades, Galvanized excluded, feature a white interior (4) Natural Metals have a longer estimated manufacturing time, please check the website for exact lead time. There are no returns accepted on Natural Metals (5) Not available in Natural Metals (6) Not compatible with 16" shade size and larger (7) Only applicable if Chain Hung Mounting Style selected in Section A, select NA if another Mounting Style is selected (8) Acrylic Diffuser limits the maximum lumen selection as well as Lumens delivered and LPW. Selection Limits: 1250 Max for 10" shades; 2000 Max for 12" and 14" shades (9) Fixture is CSA Listed for Damp Locations with Acrylic Diffuser (10) Only applicable if Stem Mounting style is selected in Section A (11) Not available with G3, G4, G11, G15, G26 & G36 Gooseneck option (12) Only applicable if Gooseneck Mounting style is selected in Section A (13) Not applicable if WHU10 is selected in section B

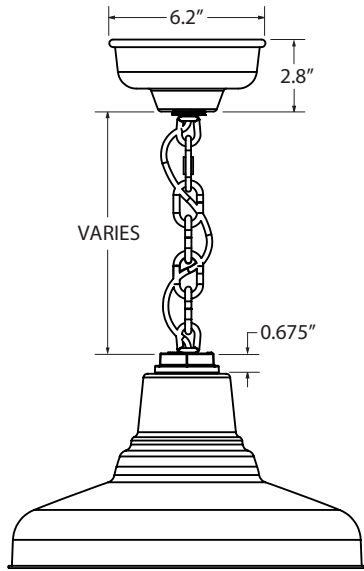
**MOUNTING STYLE**

**HIGH LUMEN CANOPY FOR PENDANT & FLUSH MOUNT**



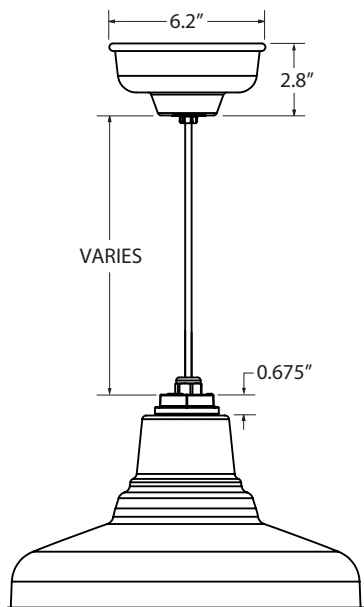
Required if LED 27, 38, 43 Light Source selected in Section J

**CHAIN HUNG PENDANT (CN)**



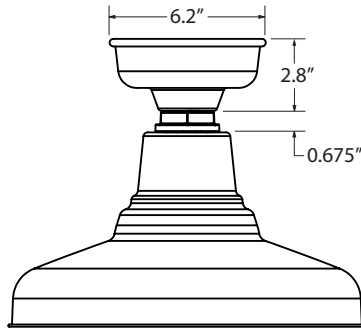
Canopy shown required if LED 11 & 16 Light Source selected in Section J

**CORD HUNG PENDANT (C)**



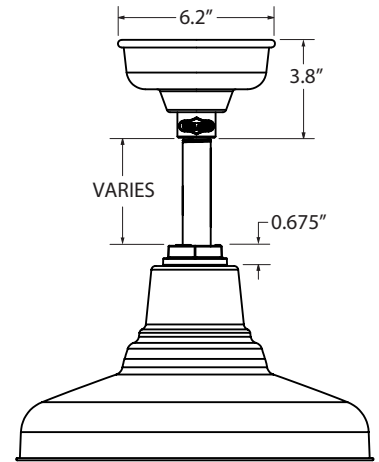
Canopy shown required if LED 11 & 16 Light Source selected in Section J

**FLUSH MOUNT (F)**



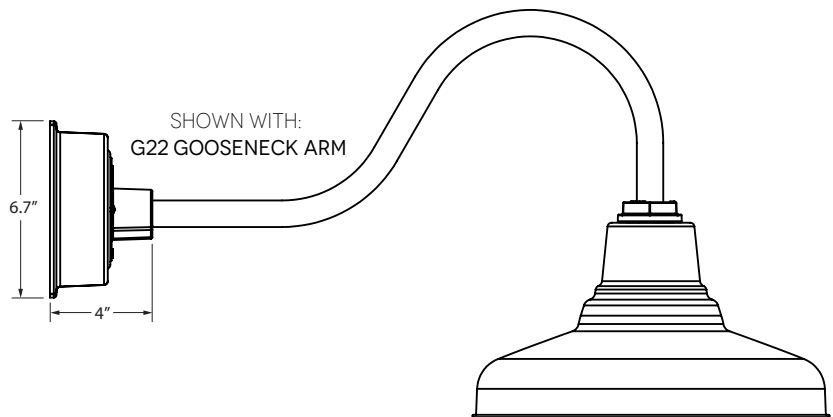
Canopy shown required if LED 11 & 16 Light Source selected in Section J

**STEM MOUNT PENDANT (S)**

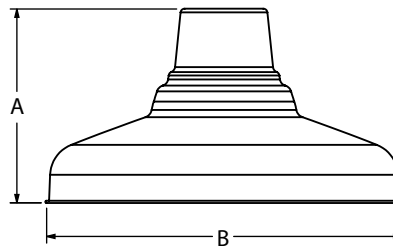


Canopy shown required if LED 11 & 16 Light Source selected in Section J

**GOOSENECK (G)**



**LUMINAIRE DIMENSIONS**



SHADE CODE	HEIGHT (A)	DIAMETER (B)
WHU10	7"	10"
WHU12	7"	12"
WHU14	7.50"	14"
WHU16	8.50"	16"

**SPECIFICATIONS**

All published luminaire photometric testing performed to IESNA LM-79-08 standards by a NVLAP accredited laboratory. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. To obtain an IES file specific to your project, please contact the factory.\*

	LUMENS		850		1250		2000		3000		4000	
	Wattage		11		16		27		38		43	
	Optics	Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW	
WHU10	FLAT	842	74	1238	77	-	-	-	-	-	-	
	DOMED	817	72	1201	75	-	-	-	-	-	-	
WHU12	FLAT	845	74	1243	77	1990	74	2985	79	3980	92	
	DOMED	821	72	1208	75	1915	71	2873	76	3831	89	
WHU14	FLAT	840	74	1235	77	1983	73	2975	78	3967	92	
	DOMED	813	71	1196	75	1903	70	2855	75	3807	88	
WHU16	FLAT	839	74	1234	77	1977	73	2965	78	3953	92	
	DOMED	812	71	1194	74	1891	70	2836	75	3781	88	

\*Acrylic Diffuser option reduces Lumens delivered and LPW

**SPECIFICATIONS**

**CERTIFICATIONS, LISTINGS & WARRANTY**

MADE IN THE USA  
 Manufactured and Hand-Crafted in Our 60,000 Square Foot Facility Located in Titusville, FL

CSA LISTED FOR WET LOCATIONS  
 Includes All Gooseneck, Stem and Flush Mounting Styles  
 Acrylic Diffuser is CSA Listed for Damp Locations for Gooseneck and Stem Mounting Styles

CSA LISTED FOR DAMP LOCATIONS  
 Includes All Chain and Select Cord Hung Mounting Styles  
 Acrylic Diffuser is CSA Listed for Damp Locations

LIMITED WARRANTY  
 For Additional Information on Our Limited Warranty, Please See Our Terms & Conditions

OPERATING TEMPERATURE  
 -30°C to 40°C

**CONSTRUCTION & FINISH (CONTINUED)**

BRASS  
 Hand-Spun from High Purity C2600-O60 Brass

STEM  
 1/2" Nominal (0.84" Actual) or 3/4" Nominal (1.05" Actual) Sch 40, 6063 Aluminum Mounting Stem. Custom Lengths Available upon Request.

GOOSENECK  
 1/2" Nominal (0.84" Actual) or 3/4" Nominal (1.05" Actual) Sch 40, 6063 Aluminum Gooseneck

CORD  
 Cord-Hung Pendants Include 7' of Standard Cord or 5' of Cloth Cord, +/- For Socket Orientation

CHAIN  
 4-Gauge Chain Complete with Quick Link for On-Site Adjustments to Chain's Length

**CONSTRUCTION & FINISH**

POWDER COAT SHADE  
 Hand-Spun from High Purity 3003-O Temper Aluminum

GALVANIZE SHADE  
 Hand Spun from High Quality Galvanized Steel

PORCELAIN SHADE  
 Hand-Spun from 20 Gauge Porcelain Steel

POWDER COAT FINISHES  
 Polyester Powder Coat Finishes Are Electro-Statically Applied and Thermocured

PORCELAIN FINISHES  
 Applied by Hand and Fired in a High Temperature Oven

COPPER  
 Hand-Spun from High Purity C11000-O60 ETP Copper

**LED LIGHT SOURCE**

LED TYPE: CREE LMH2 MODULE

INITIAL LUMENS DELIVERED: UP TO 4000 LUMENS

L90(6K) > 36,300 HOURS

AVAILABLE CCT: 2700K, 3000K, 3500K, 4000K  
 Custom Temperatures Available upon Request

90+ CRI

2 STEP MACADAMS ELLIPSE

EFFICACY: UP TO 92 LPW

High Efficacy Available upon Request, Consult Factory for Additional Information



**SPECIFICATIONS (CONTINUED)**

**ELECTRICAL/LED DRIVER**

DRIVER TYPE: ERP ESS/T & ESP/T  
POWER FACTOR > 0.9  
EFFICIENCY: UP TO 87% TYPICAL  
INPUT VOLTAGE: 120-277 VAC (SEE DIMMING SECTION)  
CLASS 2 POWER SUPPLY  
LED DRIVER LIFETIME: > 100,000 HOURS (@ 25 DEG C AMBIENT)  
IP64 MINIMUM RATING CASE WITH SILICONE-BASED POTTING  
PROTECTIONS  
**Output Open Load, Over-Current and Short-Circuit (hiccup), and Over-Temperature with Auto Recovery**  
CONDUCTED AND RADIATED EMI  
**Compliant with FCC CFR Title 47 Part 15 Class B (120 Vac), Class A (277 Vac) and EN55015 (CISPR 15) at 220, 230 and 240 Vac**  
COMPLIANT WITH  
**Complies with Energy Star® DLR (DesignLight Consortium®) and CA Title 24 Technical Requirements**

**DIMMING**

TRI-MODE DIMMING™  
**Compatible with TRIAC (forward-phase or leading-edge), ELV (reverse-phase or trailing-edge) and 0-10 V Dimmers**  
DIMMING RANGE 1-100%  
**The Dimming Range Is Dependent on Each Specific Dimmer. May Not Be Able to Achieve 1% Dimming with Some Dimmers.**  
TRIAC AND ELV DIMMING ONLY AT 120 VAC  
ELV DIMMING AT 230 VAC  
**Available by Request**  
COMPATIBLE DIMMERS  
**Consult Factory for Additional Information on Dimming**



**City of West Linn**  
**PRE-APPLICATION CONFERENCE**  
**MEETING SUMMARY NOTES**  
**June 3, 2021**

**SUBJECT:** Minor Partition at 5435 Summit Street

**FILE:** PA-21-12

**ATTENDEES:** Applicant/Property Owners: John Stromquist, Mary Brennock, Kristen Tuor  
Staff: Chris Myers Associate Planner; Amy Pepper, Senior Project Engineer, Adam Bernert, Building Inspector  
Public: Kathie Halicki (Willamette Neighborhood Association President), Shannen Knight

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*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: 1590 Willamette Falls Drive  
Tax Not No.: Tax lot 31E02BB05800  
Site Area: 10,000 square feet  
Zoning: General Commercial  
Neighborhood: Willamette  
Applicable Code: CDC Chapters 19, 42, 46, 48, 52, 54, 58, 60, 66, 75, and 99

**Project Details:**

The applicant proposes updating a former garage and gas station structure with the intent of remodeling into a bar and social gathering space. The outside former parking area and has pump area will be converted to hold 5-7 food carts/trucks along the perimeter and seating under the current island. Utilities will be updated to meet current code requirements.

**Public Comments:**

Kathie Halicki expressed thanks for embarking on this project. She also expressed that the applicant should look at on-site parking to help ease the burden from customers parking on Dollar Street.

Shannen Knight expressed support and enthusiasm for the project.

**Discussion**

The applicant's property is located at 1590 Willamette Falls Drive.

Discussion was had regarding challenges to the site and the concept being proposed. One of the challenges is that this property is within the Willamette Falls Drive Commercial Design District. The district has strict requirements for aesthetic design regarding external structures.

Further discussion addressed issues such as whether or not street improvements would be required on Dollar Street. Street Improvements are not required under the West Linn Community Development Code Chapter 96.

City staff have determined that food carts/trucks may be placed on site without going through a land use application process. The applicant will need to apply for building permits for installation of utilities such



as power, water, and sewer lines.

The applicant asked about providing ADA parking. City staff discussed that ADA parking, if not already installed on Willamette Falls Drive, will more than likely need to be placed on site.

This property has the R-10 residential zone to the north, the MU Mixed Use zone to the west, the R-2.1 residential zone to the east, and the General Commercial zone to the south.

Specific Community Development Code chapters that are relevant to this application are listed on the pages below.

**Engineering Division Comments:**

Please contact Amy Pepper in Public Works for a copy of comments and information regarding the vacation of an easement.

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.***

June 3, 2021

Pre-App Conference 21-11

1590 Willamette Falls Drive

Chapters of the Community Development Code:

19: General Commercial

- 19.020 Procedures and Approval Process
- 19.030 Permitted Uses
- 19.070 Dimensional Requirements, Uses Permitted Outright...
- 19.090 Other Applicable Development Standards

42: Clear Vision Area

- 42.020 Clear Vision Areas Required, Uses Prohibited

46: Off-Street Parking, Loading, and Reservoir Areas

- 46.020 Applicability and General Provisions

48: Access, Egress, and Circulation

- 48.020 Applicability and General Provisions
- 48.025 Access Control

52: Signs

- 52.300 Permanent Sign Design Standards

54: Landscaping

- 54.020 Approval Criteria

58: Willamette Falls Drive Commercial Design District

- 58.010 – 58.110

60: Conditional Uses

- Entire Chapter

66: Non-Conforming Structures (Youth Music Project CUP 13-03)

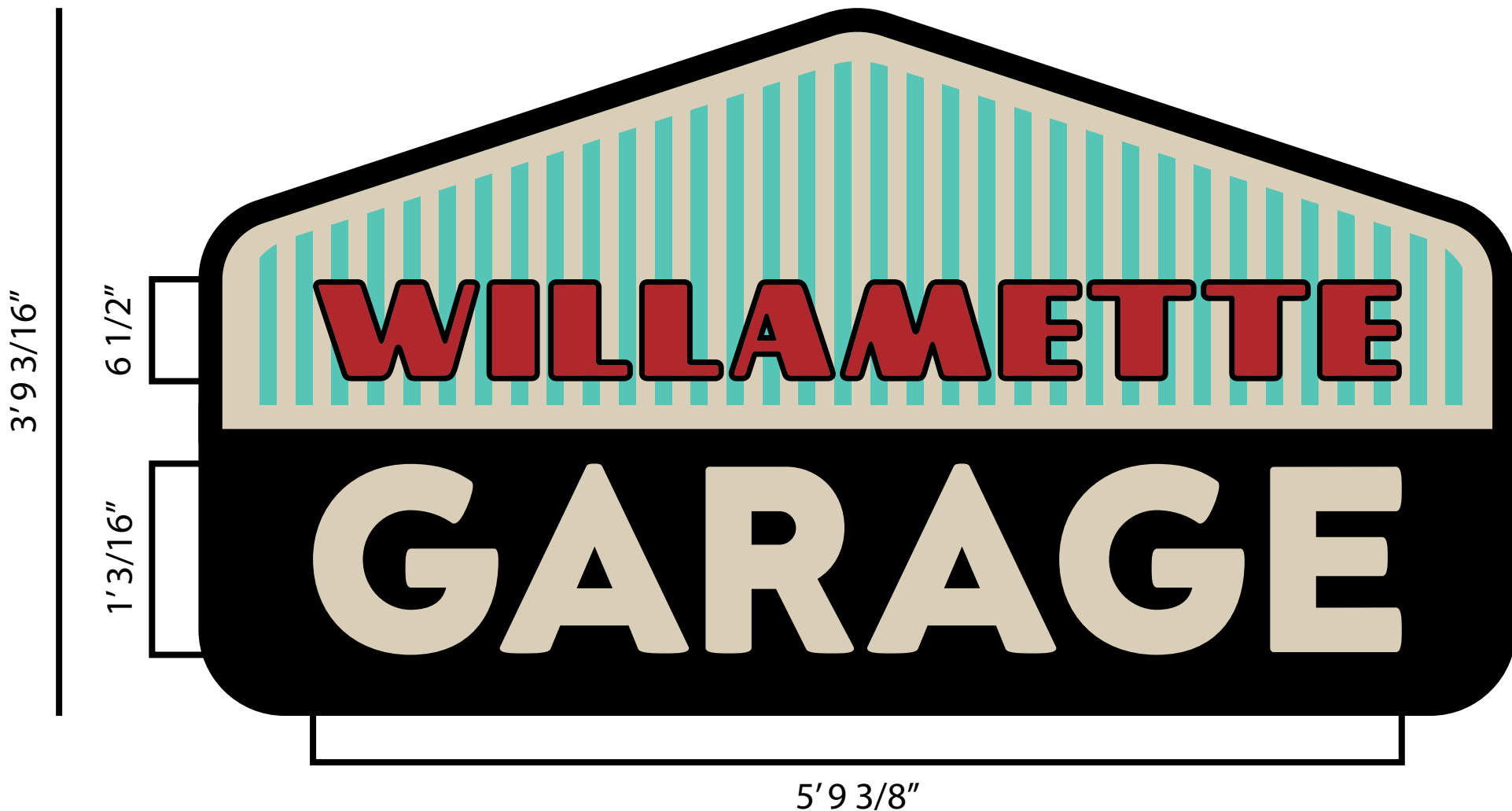
- 66.010 Purpose
- 66.040 Determination of Status
- 66.050 Status of Non-Conforming Structures
- 66.080 Enlargement or Alteration to a Non-Conforming Structure: Process and Approval Standards

75: Variances and Special Waivers

- 75.010 Purpose
- 75.020 Classification of Variances
- 75.030 Approval Process
- 75.050 Application
- 75.060 Site Plans and Map

99: Procedures for Decision Making Quasi-Judicial

- Entire chapter



7'

### Colors:

Blue: C: 62% M: 0 Y: 38% K: 0

Red: C: 21% M: 97% Y: 93% K: 12

Black: C: 75% M: 68% Y: 67% K: 90%

Cream: C: 15% M: 15% Y: 28% K: 0

### Fonts:

Willamette: Grippo Solid W00 Regular

Garage: Neufreit ExtraBold

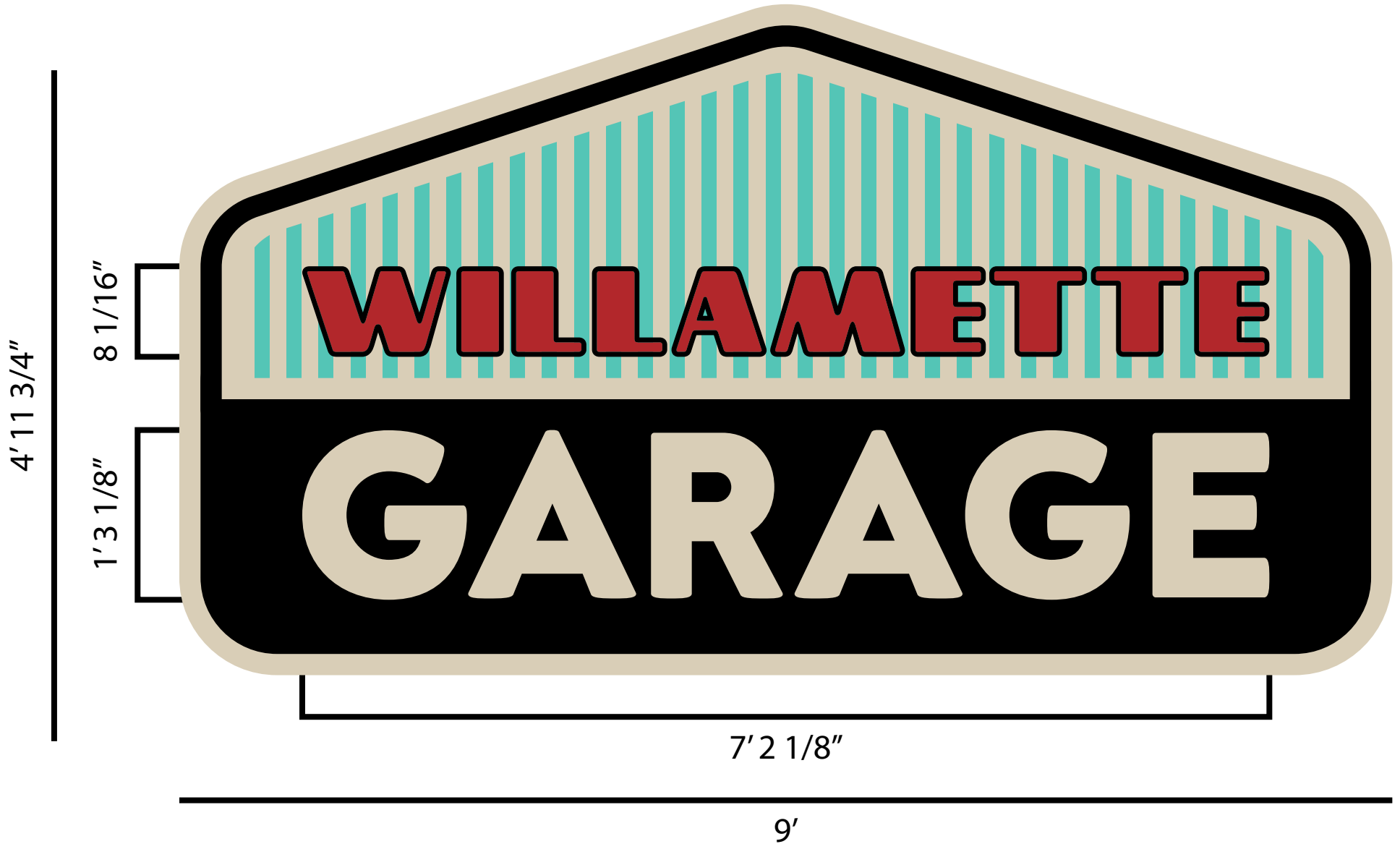
### Description:

1/4" thick alumalite sign face

High Quality Cut Vinyl

Mounted flush to building

1/4" thick trim cap



### Colors:

Blue: C: 62% M: 0 Y: 38% K: 0

Red: C: 21% M: 97% Y: 93% K: 12

Black: C: 75% M: 68% Y: 67% K: 90%

Cream: C: 15% M: 15% Y: 28% K: 0

### Fonts:

Willamette: Grippo Solid W00 Regular

Garage: Neufreit ExtraBold

### Description:

1/4" thick alumalite sign face

High Quality Cut Vinyl

Mounted flush to building

1/4" thick trim cap

3'

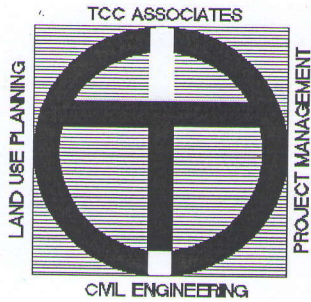
COMING  
SOON



8'

**Description:**

Digital print on banner for temporary display during remodel.



TCC Associates, Inc.  
5821 SE 82nd Ave  
Suite 111  
Portland, OR 97266  
Phone(503) 277-8143  
Email: [etawiah@TCCENGR.com](mailto:etawiah@TCCENGR.com)

Prepared for:

WILLAMETTE GARAGE, LLC  
C/O JOHN STROMQUIST  
SW BURNS WAY,  
WILSONVILLE, OR 97070

January 3, 2022

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# Stormwater Report

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Willamette Drive Garage Eatery  
1590 Willamette Drive  
West Linn, Oregon 97068

T3S R1E SEC 02BB TL 05800 Clackamas County, OR TCC Project No.: 21-018



Prepared By: Edmund Tawiah, PE

January 3, 2022

*I hereby certify that this Stormwater Management Report for Willamette Garage Drive Eatery has been prepared by me and meets minimum standards of the City of West Linn and normal standards of engineering practice. I hereby acknowledge and agree that the jurisdiction does not and will not assume liability for the sufficiency, suitability, or performance of drainage facilities designed by me.*



# Table of Contents

## **Chapter 1 - Project Overview**

- Site Location
- Topography
- Existing Drainage
- Proposed Stormwater

## **Chapter 2 – Stormfilter Calculations**

- On-Site Disposal
- Contech Cartridges Calculations

## **Chapter 3 – Maps & Plans**

- Pre-Development Areas
- Post-Development Areas
- Site Plan
- Contech Stormfilter Details



## Background

This parcel is located at northwest corner of Willamette Falls Drive and Dollar Street. It is located on a commercial street frontage, surrounded by residential lots of mostly developed single family residential housing. The existing site was originally used as a gas station and has as building and pump shed. No underground tanks exist on the site after DEQ soil remediation.

## Proposed Development

The proposed site development will include remodel of the existing building and the lot developed into food cart stations and seating area for dining. Service utilities will be reconfigured to serve the food cart stations.

## Existing Site Topography & Drainage Facilities

The site is relatively flat and hardly breaks grade at 0.25%. The existing site topography does not drain to the adjacent properties. There are existing public storm drainage facilities in this location. There are no bodies of water such as streams in the vicinity of the site. The existing drainage facilities in the street dispose stormwater by means of catch basin situated at the public street (Willamette Falls Dr and Dollar St). The existing building's roof drain is a splash block that is dispersed on the surrounding landscape.

## Proposed Stormwater Management

Stormwater from the roof of each proposed building will be directed to a splash block that will disperse runoff to the surrounding landscape at the back of the building. The runoff from the proposed reconfigured site will be directed to a stormfilter catch basin with media treatment cartridge and thereafter released to the public storm system offsite.

## Hydrologic Areas

<b>Areas:</b>	<b>Impervious</b>	<b>Pervious</b>
<b>Pre Development:</b> Existing building & Asphalt Areas: Total = <b>7,984sf</b>		Gravel Areas = <b>2,516 sf</b>
<b>Post-Development:</b> Building & Asphalt Areas: Total = <b>9,386sf</b>		Asphalt Areas = <b>1,114 sf</b>

# 2

## On-Site Area Disposal Methodology

There is not enough space onsite to fit a treatment swale, in addition to grading challenges to create a drainage way into a swale. Therefore a manufactured technology treatment such as a Contech Stormfilter Catch Basin with one cartridge is proposed for the treatment and disposal of the storm runoff. The Stormfilter also acts as an oil-water separator. The catch basin will be connected to the existing downstream catch basin at the southwest corner of the site, which is connected to the existing public storm pipe in Willamette Drive.

- Post development impervious drainage area of the site is **9,386 sf. = 0.2155 Acres.**

## Contech Stormfilter Catchbasin Design:

Water Quality peak flow rate based on rational method ( $Q=C*I*A$ ) see 2019 SWMM:

$$Q = 0.90 * 0.19 * 0.2155 = 0.0368 \text{ cfs}$$

### Determine the number of stormfilter cartridges required:

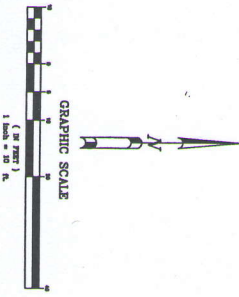
$$N \text{ cartridges} = Q \text{ treat (449 gpm per cfs) / Q cart gpm per cart}$$

$$N \text{ cartridges} = (0.0368 \text{ cfs})(449 \text{ gpm per cfs} / 15 \text{ gpm per cartridge})$$

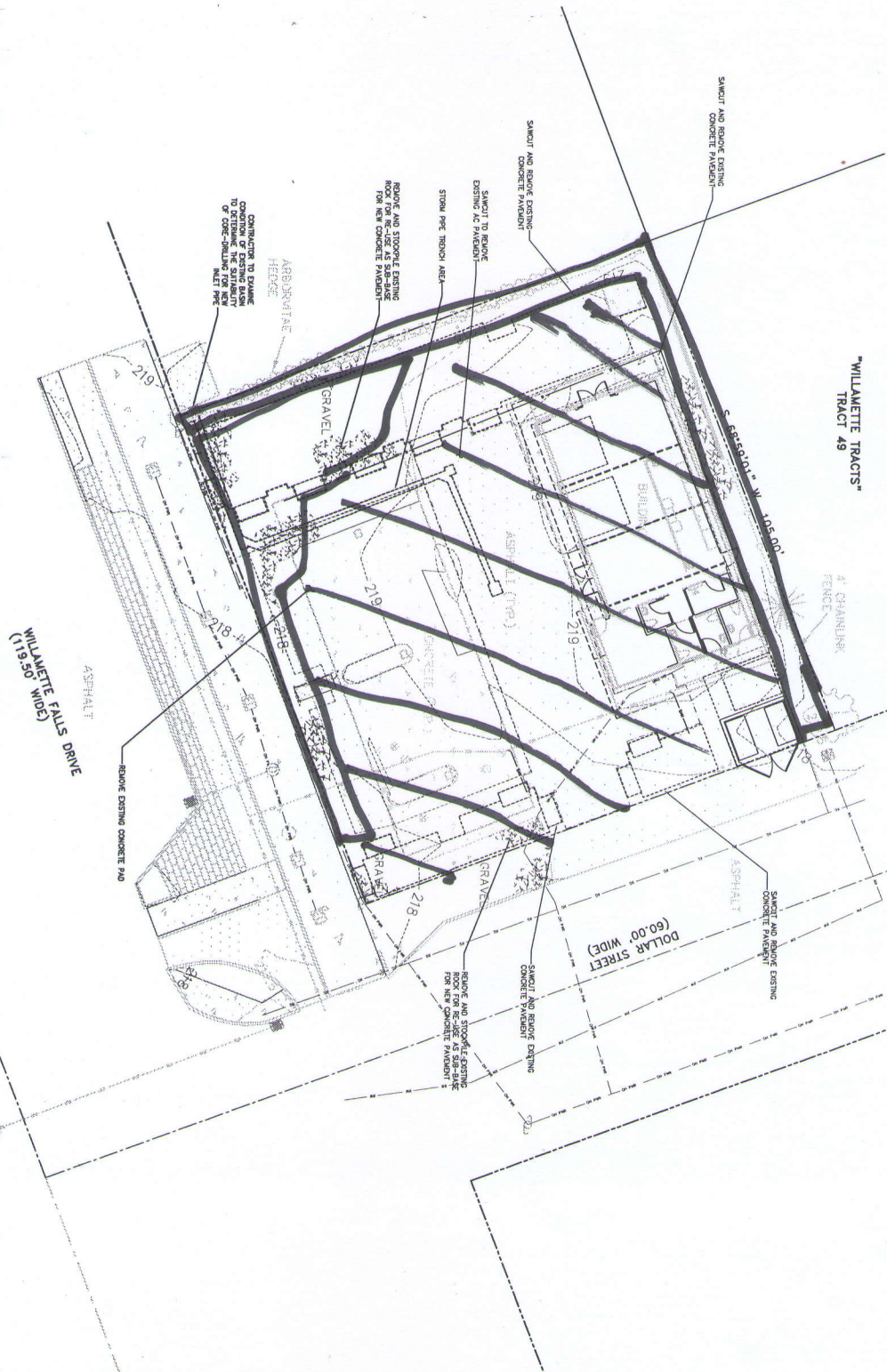
$$N \text{ cartridges} = 1.10 = 1.0 \text{ cartridge.}$$

**Therefore, use one Contech Stormwater360 Stormfilter Catchbasin with one cartridge.**

PRE-DECK PREVIOUS AREA = 2,516 SF  
PRE-DECK IMPROVEMENTS AREA = 7,984 SF



EXISTING CONDITIONS AND REMOVALS PLAN  
SCALE 1/8"=1'-0"



SHEET	2
OF	6
DATE	11-01-21

OWNER:  
WILLAMETTE GARAGE, LLC  
C/O JOHN STROMQUIST  
7929 SW BURNS WAY,  
WILSONVILLE, OR 97070  
PH: (503) 964-2440  
FAX: (503) XXX-XXXX

**TCC ASSOCIATES INC**  
5621 SE 82ND AVE  
Suite 111  
Portland, OR 97266  
Phone: (503) 277-8143  
Fax: (503) 246-8668  
Email: johnstom@tcc.com

NO.	REVISIONS	DATE	BY
01	ET		
02	ET		
03	NC		
04	NC		
05	NC		
06	NC		
07	NC		
08	NC		
09	NC		
10	NC		
11	NC		
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20	NC		
21	NC		

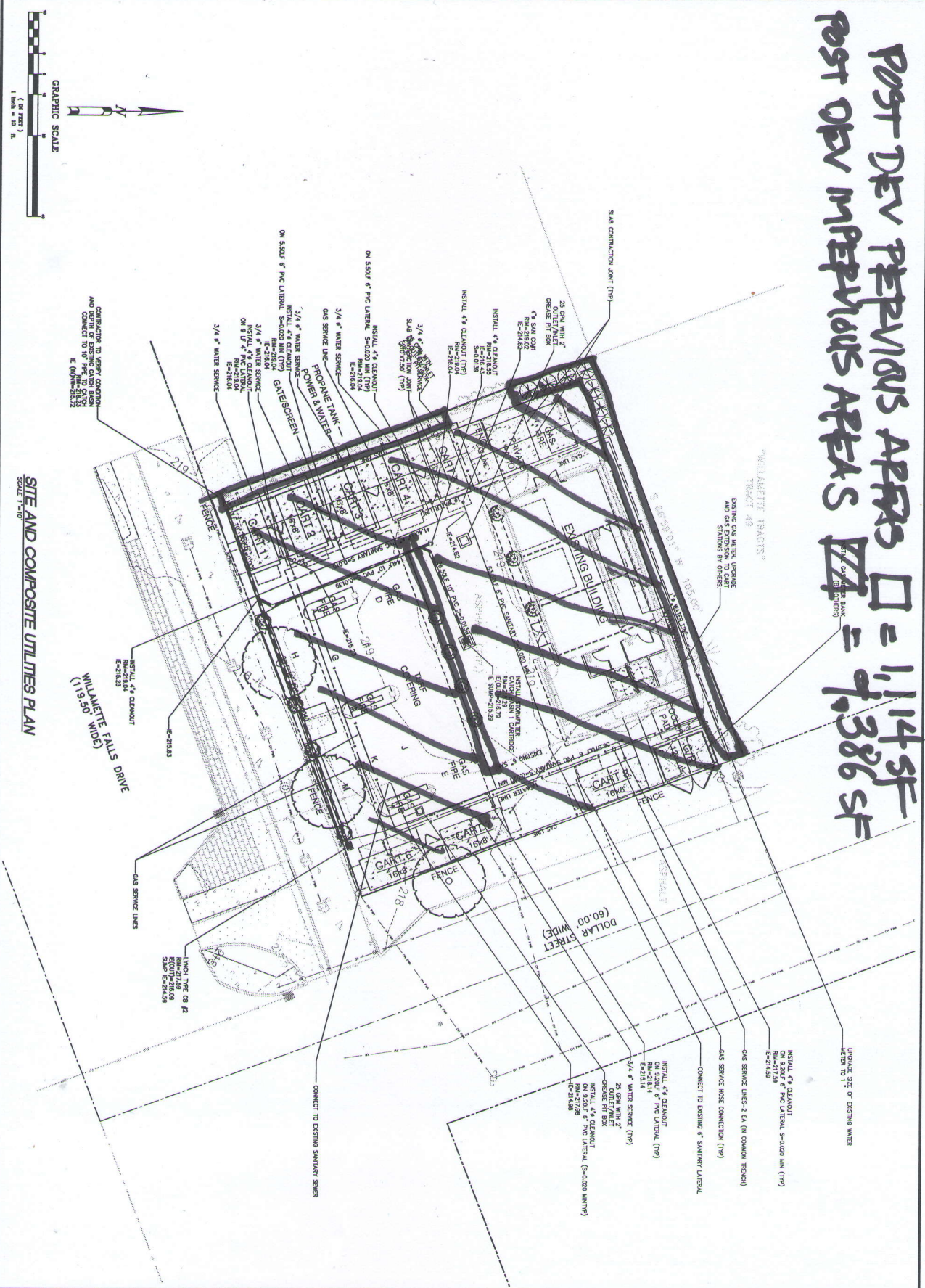
PROJECT: WILLAMETTE GARAGE EATERY  
1590 WILLAMETTE DR  
PORTLAND, OREGON 97233  
05800, T3S R1E SEC 021B  
CLACKAMAS COUNTY

**REGISTERED PROFESSIONAL ENGINEER**  
18,631  
PRELIMINARY  
OREGON  
14,260,000  
EDWARD K. THOMAS

DATE PLOTTED: 11/1/21  
DRAWING TITLE: EXISTING CONDITIONS & REMOVALS  
FILE NAME: GAR\_EAT\_SITE



POST DEVI PERVIOUS APAS  $\square = 1,114 \text{ SF}$   
 POST DEV MPEVIOUS APAS  $\square = 9,386 \text{ SF}$



GRAPHIC SCALE  
 1" = 20' 0"  
 1" = 40' 0"

SITE AND COMPOSITE UTILITIES PLAN  
 SCALE 1"=10'

SHEET	3
REVISED	6
DATE	21-018

CLIENT  
**WILLAMETTE GARAGE, LLC.**  
**C/O JOHN STROMQUIST**  
 7928 SW BURNS WAY,  
 WILSONVILLE, OR 97070  
 PH: (503) 964-2440  
 FAX: (503) XXX-XXXX

**TCC ASSOCIATES INC.**  
 1821 SE 28TH AVE  
 SUITE 111  
 PORTLAND, OR 97206  
 Phone: (503) 277-8143  
 Fax: (503) 255-9608  
 Email: jstaylor@tccinc.com

DESIGNED	ET
DRAWN	ET
CHECKED	ET
IN CHARGE	WC
DATE	08-08-21

NO.	REVISION	DATE	BY

PROJECT TITLE  
**SITE AND COMPOSITE UTILITIES**

PROJECT  
**WILLAMETTE GARAGE**  
**EATERY**  
 1590 WILLAMETTE DR  
 PORTLAND, OREGON 97233  
 05800, T3S R1E SEC 021B  
 CLACKAMAS COUNTY

**REGISTERED PROFESSIONAL ENGINEER**  
 18,631  
**PFEELMAN**  
 OREGON  
 545 15 0000  
 EDWARD C. PFEELMAN

COPIES 00-20-22



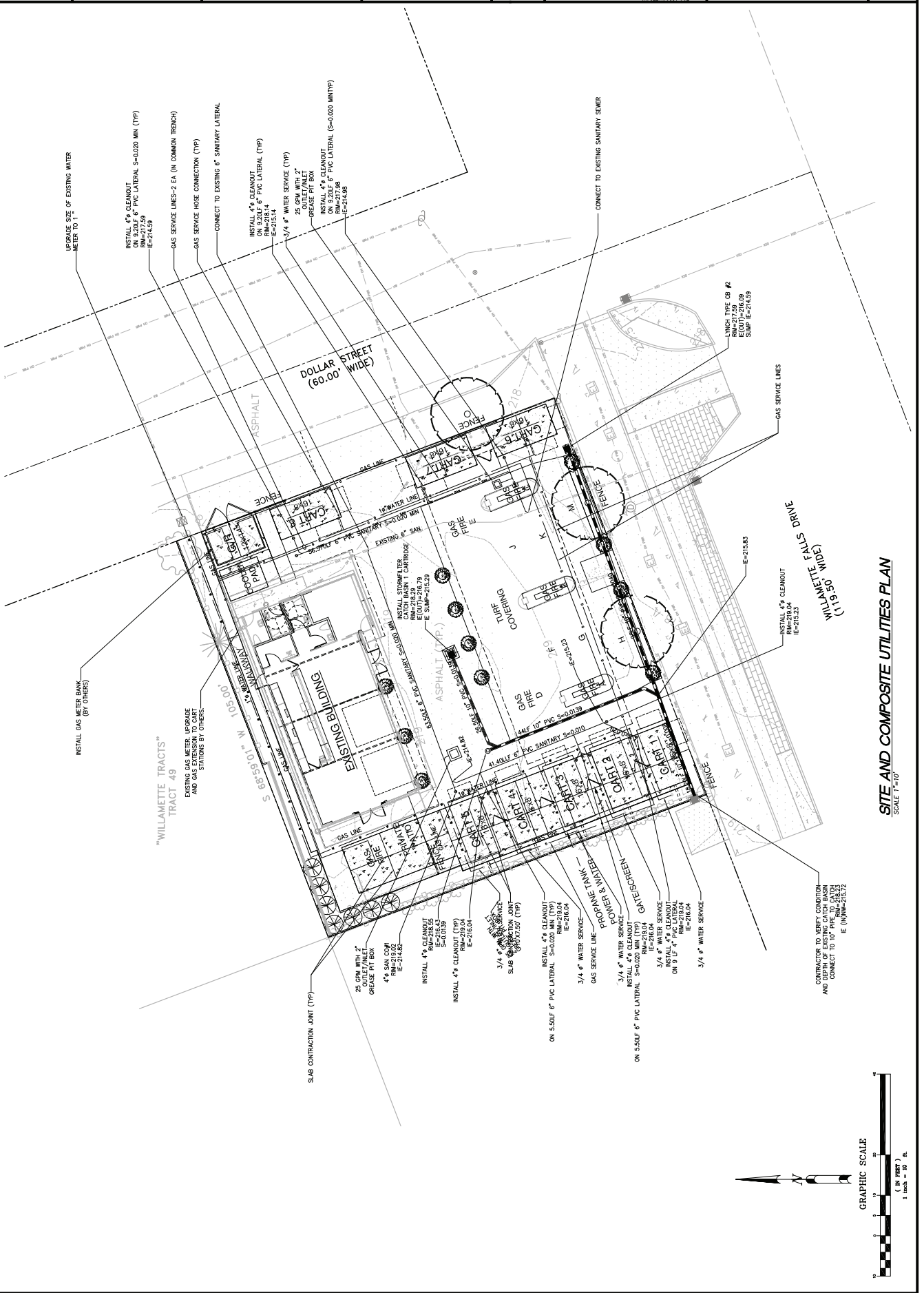
WILLAMETTE GARAGE  
EATERY  
1590 WILLAMETTE DR  
PORTLAND, OREGON 97233  
CLACKAMAS COUNTY  
EXPIRES 08-20-22

SITE AND COMPOSITE UTILITIES

NO	REVISIONS
DATE	BY
08-08-21	WC
08-08-21	ET

TCC ASSOCIATES INC  
1515 NW 22ND AVE  
PORTLAND, OREGON 97208  
TEL: (503) 242-4400  
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WWW.TCCASSOCIATES.COM

WILLAMETTE GARAGE, LLC  
C/O JOHN STROMQUIST  
7929 SW BURNS WAY  
WILSONVILLE, OR 97070  
PH: (503) 944-XXXX  
FAX: (503) 944-XXXX



SITE AND COMPOSITE UTILITIES PLAN  
SCALE: 1"=10'



## STORMFILTER STEEL CATCHBASIN DESIGN NOTES

STORMFILTER TREATMENT CAPACITY IS A FUNCTION OF THE CARTRIDGE SELECTION AND THE NUMBER OF CARTRIDGES. 1 CARTRIDGE CATCHBASIN HAS A MAXIMUM OF ONE CARTRIDGE. SYSTEM IS SHOWN WITH A 27" CARTRIDGE, AND IS ALSO AVAILABLE WITH AN 18" CARTRIDGE. STORMFILTER CATCHBASIN CONFIGURATIONS ARE AVAILABLE WITH A DRY INLET BAY FOR VECTOR CONTROL.

PEAK HYDRAULIC CAPACITY PER TABLE BELOW. IF THE SITE CONDITIONS EXCEED PEAK HYDRAULIC CAPACITY, AN UPSTREAM BYPASS STRUCTURE IS REQUIRED.

CARTRIDGE SELECTION		27"		18"		18" DEEP	
CARTRIDGE HEIGHT		3.05'		2.3'		3.3'	
RECOMMENDED HYDRAULIC DROP (H)							
SPECIFIC FLOW RATE (gpm/sf)	2 gpm/sf	1.67* gpm/sf	1 gpm/sf	2 gpm/sf	1.67* gpm/sf	1 gpm/sf	1 gpm/sf
CARTRIDGE FLOW RATE (gpm)	22.5	18.79	11.25	15	12.53	7.5	15
PEAK HYDRAULIC CAPACITY		1.0		1.0		1.8	
INLET PERMANENT POOL LEVEL (A)		1'-0"		1'-0"		2'-0"	
OVERALL STRUCTURE HEIGHT (B)		4'-9"		3'-9"		4'-9"	

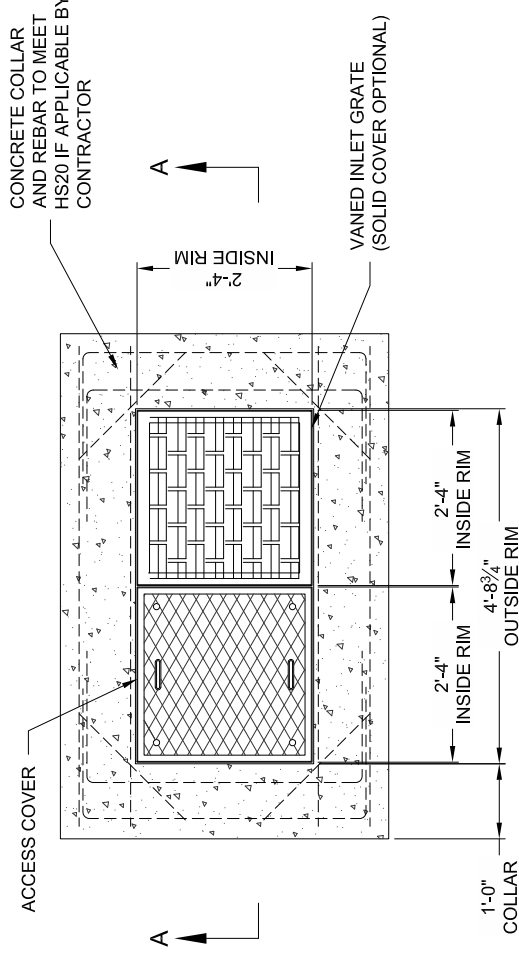
\* 1.67 gpm/sf SPECIFIC FLOW RATE IS APPROVED WITH PHOSPHOSORB® (PSORB) MEDIA ONLY

### GENERAL NOTES

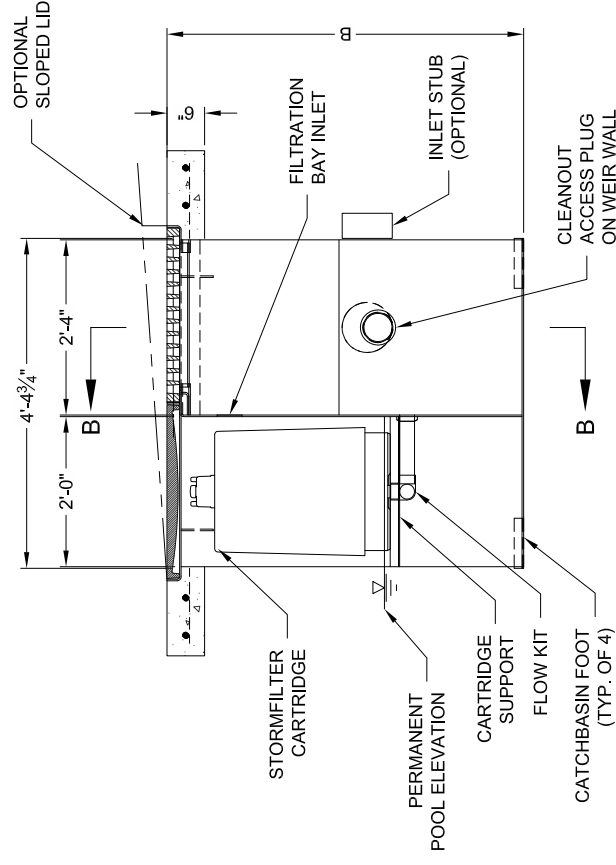
- CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
- FOR SITE SPECIFIC DRAWINGS WITH DETAILED STORMFILTER CATCHBASIN STRUCTURE DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. [www.contechES.com](http://www.contechES.com)
- STORMFILTER CATCHBASIN WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
- INLET SHOULD NOT BE LOWER THAN OUTLET. INLET (IF APPLICABLE) AND OUTLET PIPING TO BE SPECIFIED BY ENGINEER AND PROVIDED BY CONTRACTOR.
- MANUFACTURER TO APPLY A SURFACE BEAD WELD IN THE SHAPE OF THE LETTER "O" ABOVE THE OUTLET PIPE STUB ON THE EXTERIOR SURFACE OF THE STEEL SFCB.
- STORMFILTER CATCHBASIN EQUIPPED WITH 4 INCH (APPROXIMATE) LONG STUBS FOR INLET (IF APPLICABLE) AND OUTLET PIPING. STANDARD OUTLET STUB IS 8 INCHES IN DIAMETER. MAXIMUM OUTLET STUB IS 15 INCHES IN DIAMETER. CONNECTION TO COLLECTION PIPING CAN BE MADE USING FLEXIBLE COUPLING BY CONTRACTOR.
- STEEL STRUCTURE TO BE MANUFACTURED OF 1/4 INCH STEEL PLATE. CASTINGS SHALL MEET AASHTO M306 LOAD RATING. TO MEET HS20 LOAD RATING ON STRUCTURE, A CONCRETE COLLAR IS REQUIRED. WHEN REQUIRED, CONCRETE COLLAR WITH #4 REINFORCING BARS TO BE PROVIDED BY CONTRACTOR.
- FILTER CARTRIDGES SHALL BE MEDIA-FILLED, PASSIVE, SIPHON ACTUATED, RADIAL FLOW, AND SELF CLEANING. RADIAL MEDIA DEPTH SHALL BE 7-INCHES. FILTER MEDIA CONTACT TIME SHALL BE AT LEAST 38 SECONDS.
- SPECIFIC FLOW RATE IS EQUAL TO THE FILTER TREATMENT CAPACITY (gpm) DIVIDED BY THE FILTER CONTACT SURFACE AREA (sq ft).

### INSTALLATION NOTES

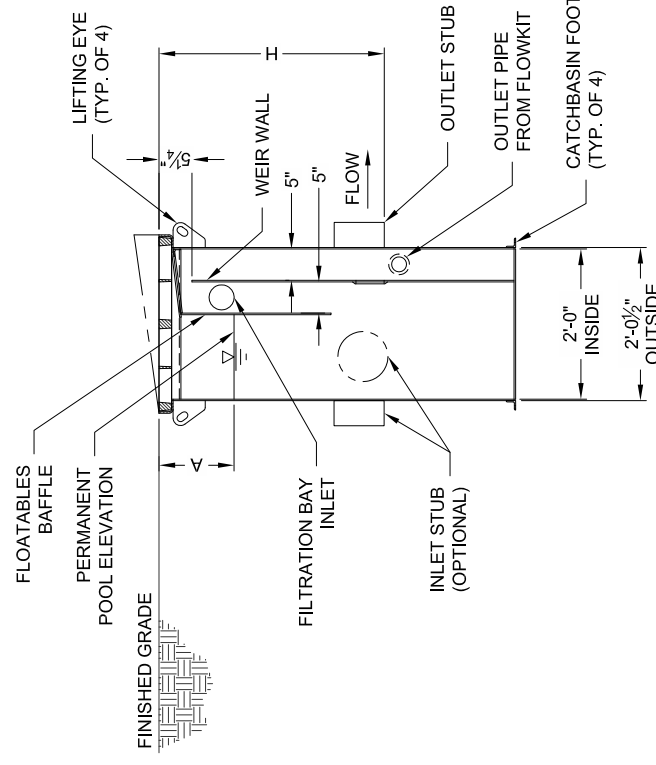
- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
- CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CATCHBASIN (LIFTING CLUTCHES PROVIDED).
- CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.



PLAN VIEW



SECTION A-A

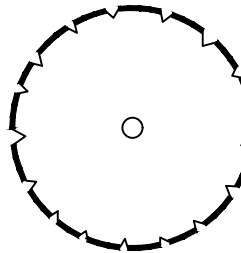
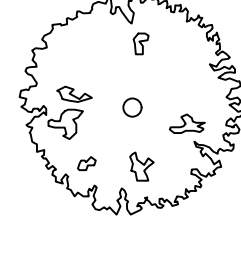
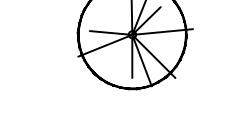
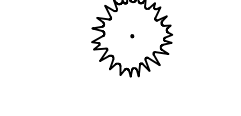
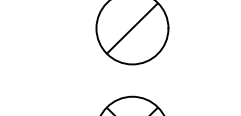
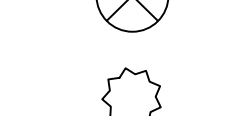
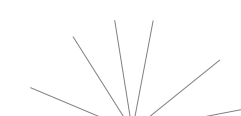

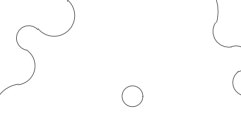


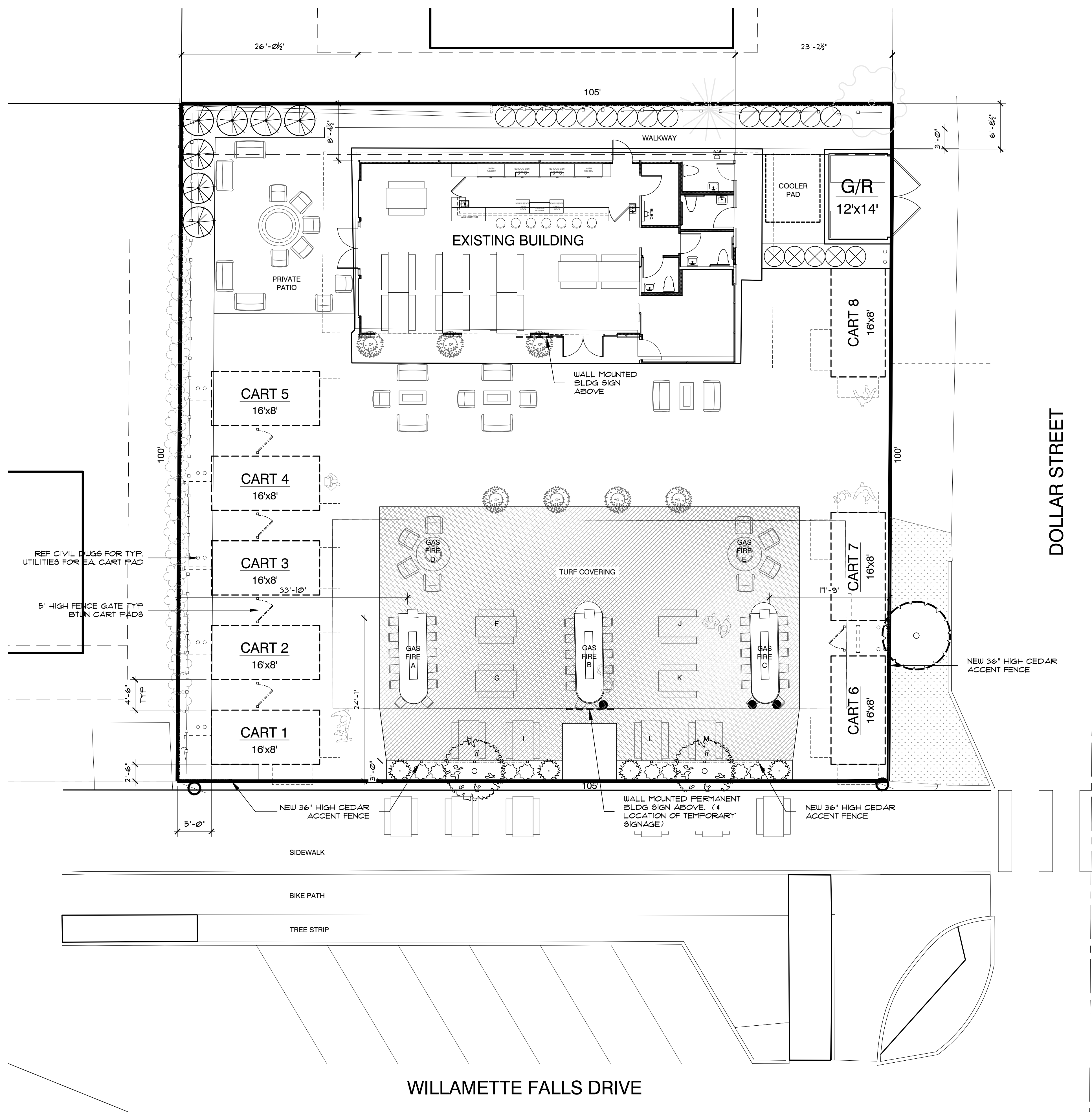
SECTION B-B

1-CARTRIDGE CATCHBASIN STORMFILTER DATA	
STRUCTURE ID	XXX
WATER QUALITY FLOW RATE (cfs)	X.XX
PEAK FLOW RATE (<1 cfs)	X.XX
RETURN PERIOD OF PEAK FLOW (yrs)	XXX
CARTRIDGE HEIGHT (27", 18", 18" DEEP)	XX
CARTRIDGE FLOW RATE (gpm)	XX
MEDIA TYPE (PERLITE, ZPG, PSORB)	XXXXX
RIM ELEVATION	XXX.XX
PIPE DATA:	I.E. DIAMETER
INLET STUB	XXX.XX' XX"
OUTLET STUB	XXX.XX' XX"
CONFIGURATION	OUTLET INLET INLET INLET
SLOPED LID	YES/NO
SOLID COVER	YES/NO
NOTES/SPECIAL REQUIREMENTS:	



### PLANTING LEGEND

-  PYRUS CALLERYANA, 'CAPITAL', COLUMNAR FLOWERING PEAR
-  ACER CIRCINATUM, 'PACIFIC FIRE' VINE MAPLE
-  JUNIPERUS SCOPULORUM, 'SKYROCKET' JUNIFER
-  ILEX CRENATA, 'SKY PENCIL' JAPANESE HOLLY
-  EUONYMUS JAPONICUS, 'GREEN SPIRE'
-  THUJA OCCIDENTALIS, 'SMARAGD' EMERALD GREEN ARBORVITAE
-  NANDINA DOMESTICA, 'FIREPOWER'
-  EXISTING TREES TO REMAIN
-  EXISTING GRASS TO REMAIN, PATCH AS REQUIRED



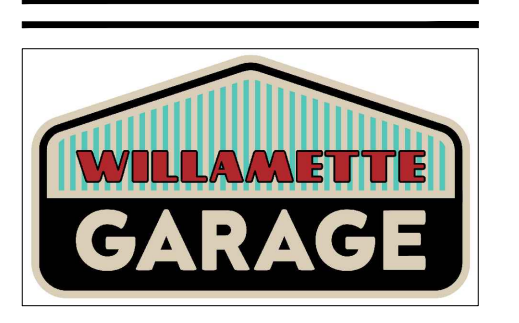
### DRAWING INDEX

- ARCHITECTURAL
- A1.0 SITE PLAN & GENERAL INFO
- A1.1 BUILDING FLOOR PLAN
- CANOPY FLOOR PLAN
- GARBAGE ENCLOSURE PLAN
- A2.1 BUILDING ELEVATIONS
- CANOPY ELEVATIONS
- CIVIL
- 1 COVER SHEET
- 2 EXISTING CONDITIONS & REMOVALS
- 3 SITE & COMPOSITE UTILITY PLAN
- 4 GRADING & EROSION CONTROL PLAN & NOTES
- 5 EROSIONS CONTROL DETAILS
- 6 CONSTRUCTION DETAILS

### PROJECT INFORMATION

PROJECT DESCRIPTION	ADAPTIVE RE-USE & REMODEL OF AN EXISTING VEHICLE GAS & SERVICE STATION FOR USE AS A DINING VENUE INCLUDING FOOD CARTS, AN INDOOR PUB & INDOOR & OUTDOOR SEATING
PROPERTY LOCATION	1590 WILLAMETTE FALLS DRIVE WEST LINN, OR 97068 TL 31E02BB05800
ZONE	GC - GENERAL COMMERCIAL WILLAMETTE FALLS COMMERCIAL DESIGN DISTRICT
SITE AREA	10,500 SF
BUILDING AREA	1,506 SF (EXISTING)
BUILDING CANOPY	2,102 SF (EXISTING COVERED)

**ISELIN ARCHITECTS P.C.**  
1307 Seventh Street  
Oregon City, OR 97045  
503-656-1942  
www.iselinarchitects.com



Redevelopment  
**Willamette Garage**  
 Pub & Food Carts  
 1590 Willamette Falls Drive West Linn, OR 97068

PROJ. NO. : 2138  
 FILE : A-SIT  
 DATE : 11/04/21

SHEET #  
**A1.0**

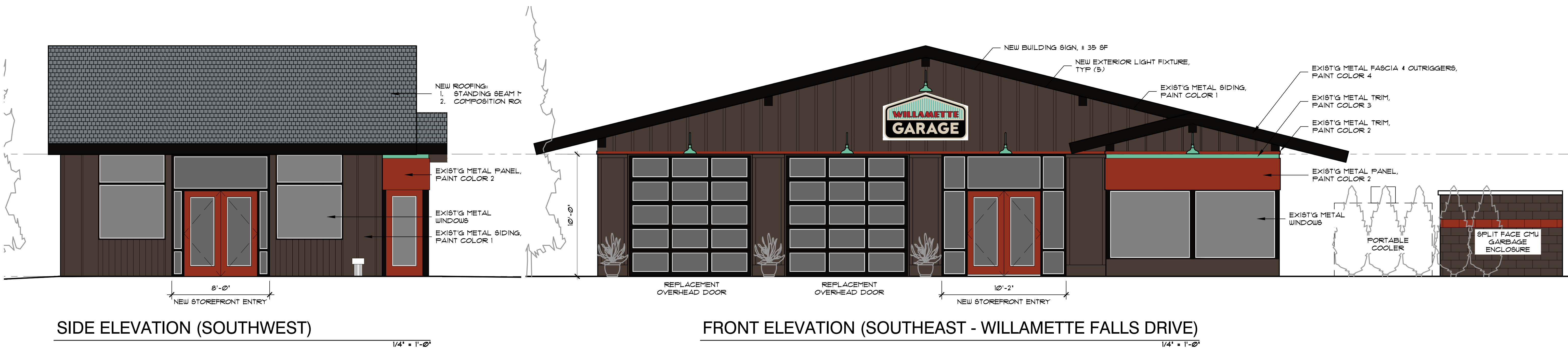
SITE PLAN  
 LANDSCAPE PLAN

 SITE PLAN

1/8" = 1'-0"

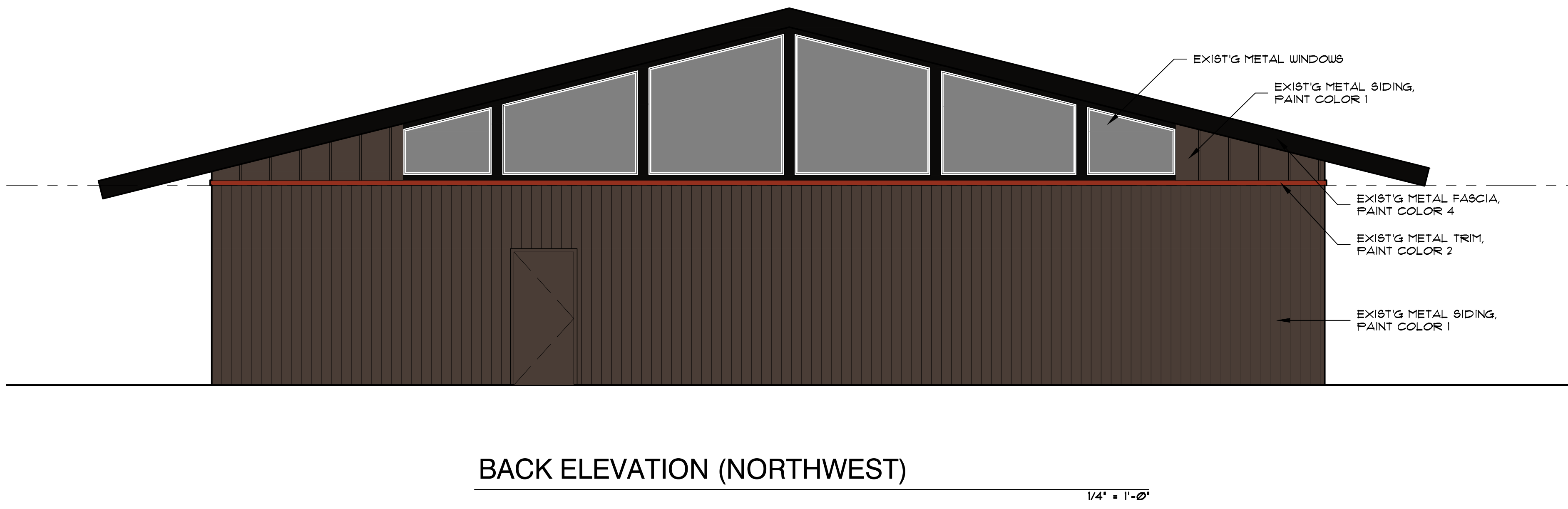




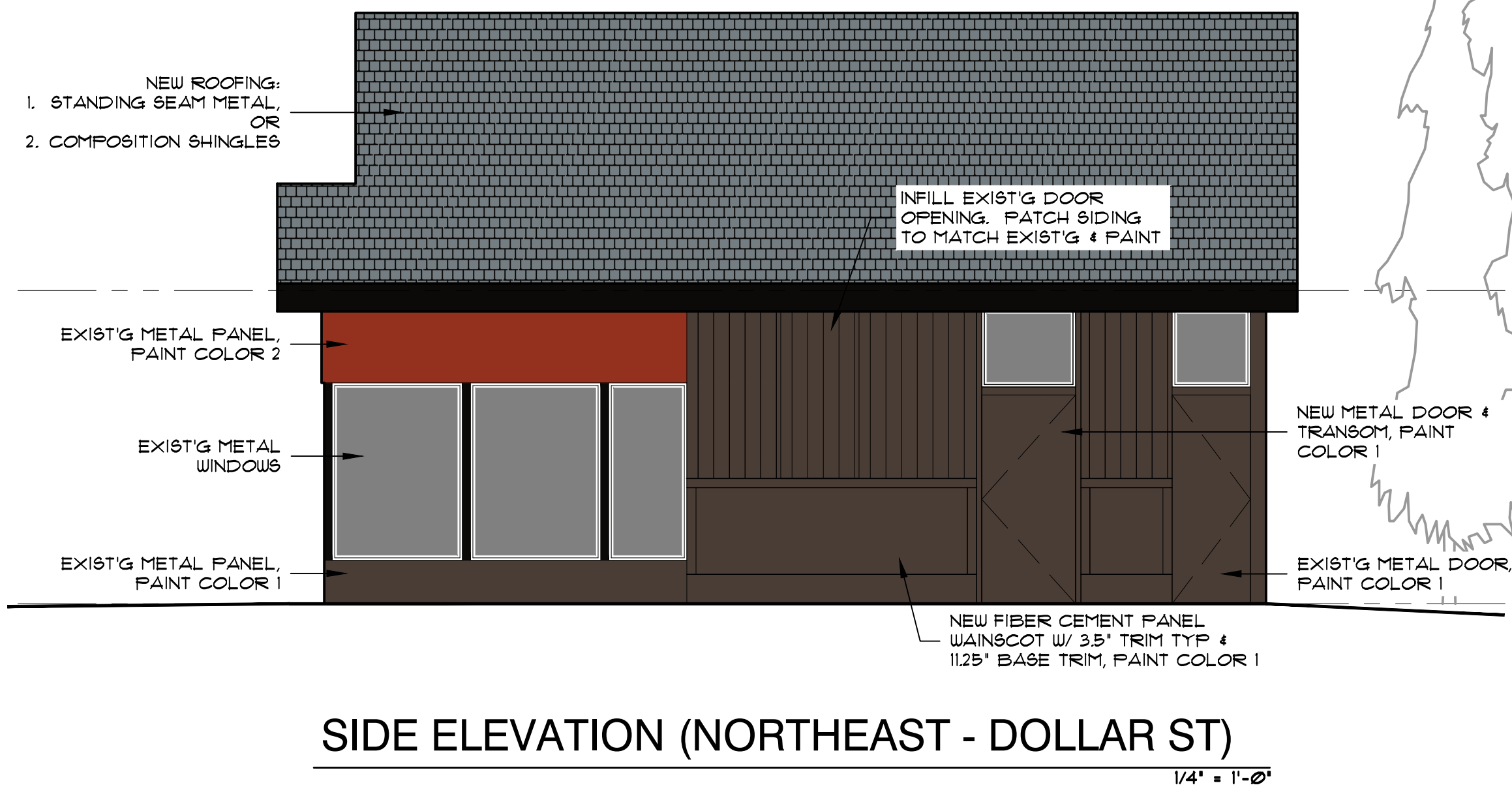


SIDE ELEVATION (SOUTHWEST)

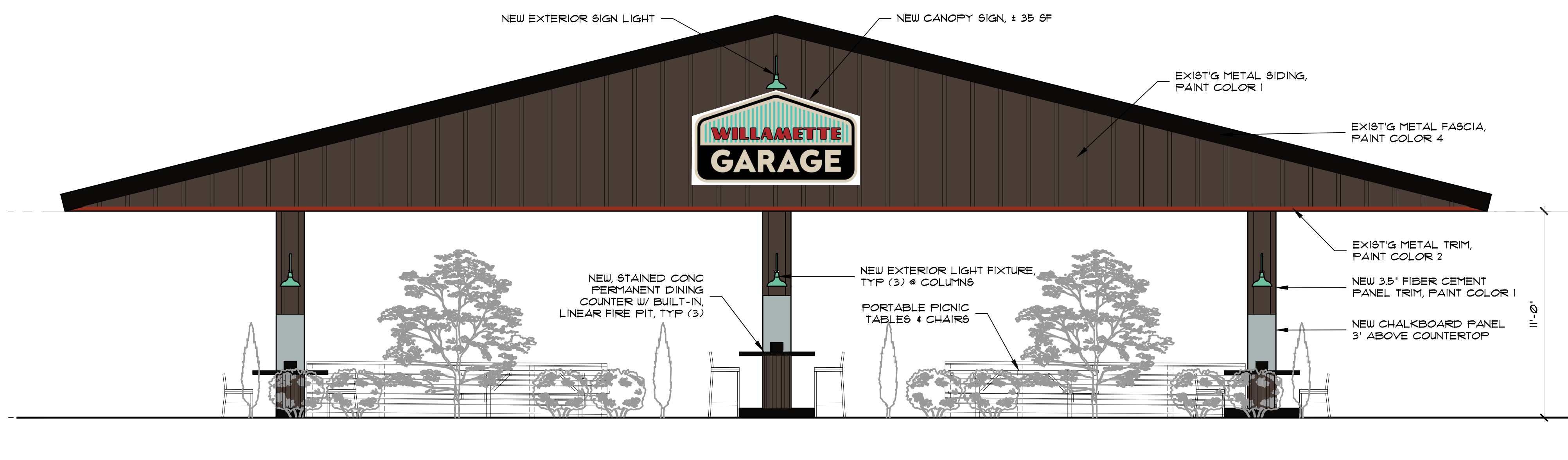
FRONT ELEVATION (SOUTHEAST - WILLAMETTE FALLS DRIVE)



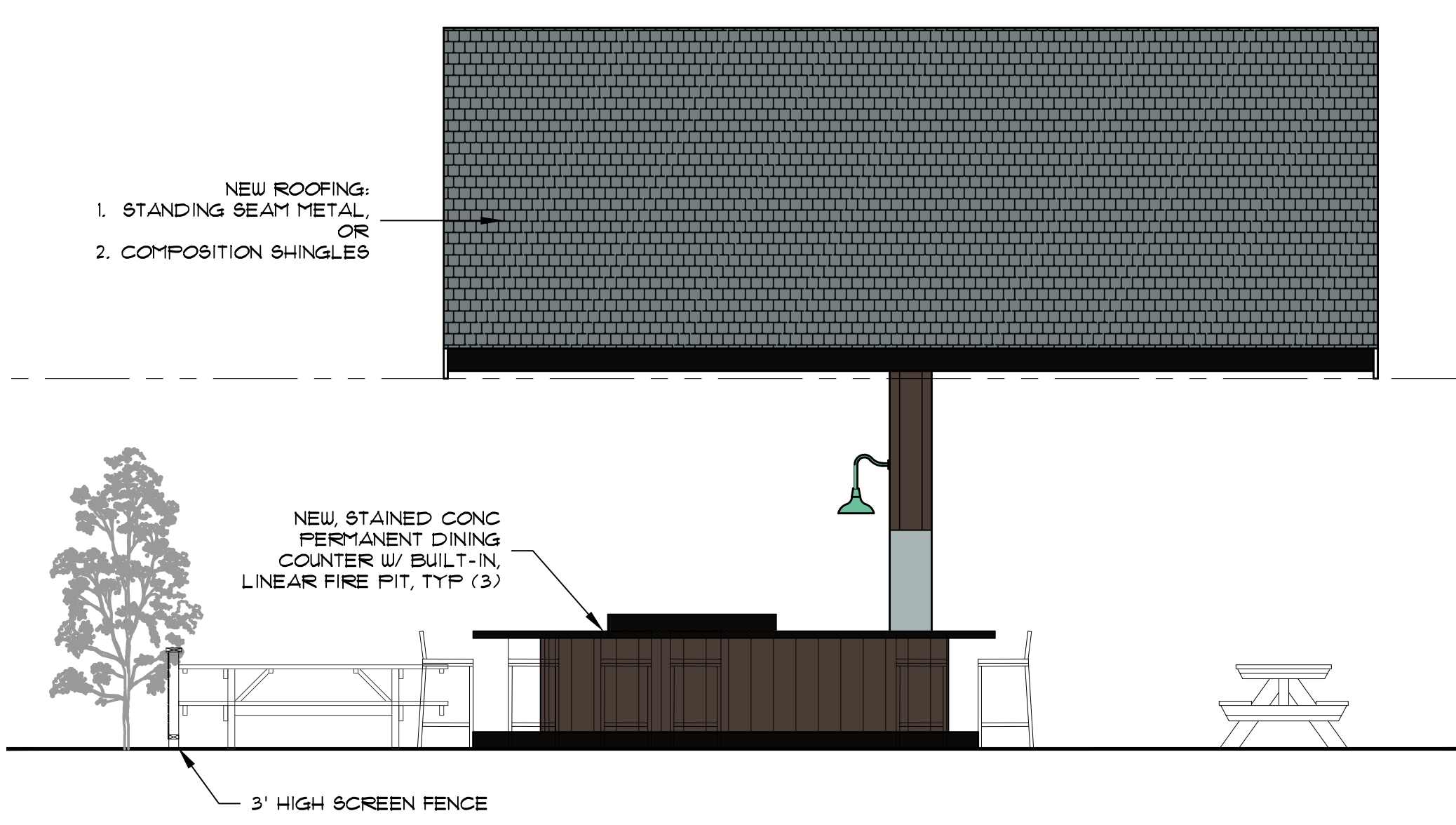
BACK ELEVATION (NORTHWEST)



SIDE ELEVATION (NORTHEAST - DOLLAR ST)



CANOPY FRONT ELEVATION (SOUTHEAST - WILLAMETTE FALLS DRIVE)  
(BACK ELEVATION SIMILAR)



CANOPY SIDE ELEVATION (NORTHEAST - DOLLAR ST)  
(OPPOSITE SIDE ELEVATION SIMILAR)

**ISELIN ARCHITECTS P.C.**  
 1307 Seventh Street  
 Oregon City, OR 97045  
 503-656-1942  
 www.iselinarchitects.com

NOT FOR PRELIMINARY CONSTRUCTION



Redevelopment  
**Willamette Garage**  
 Pub & Food Carts  
 1590 Willamette Falls Drive West Linn, OR 97068

PROJ. NO.: 2138  
 FILE: A-ELV  
 DATE: 11/04/21

SHEET #  
**A2.1**

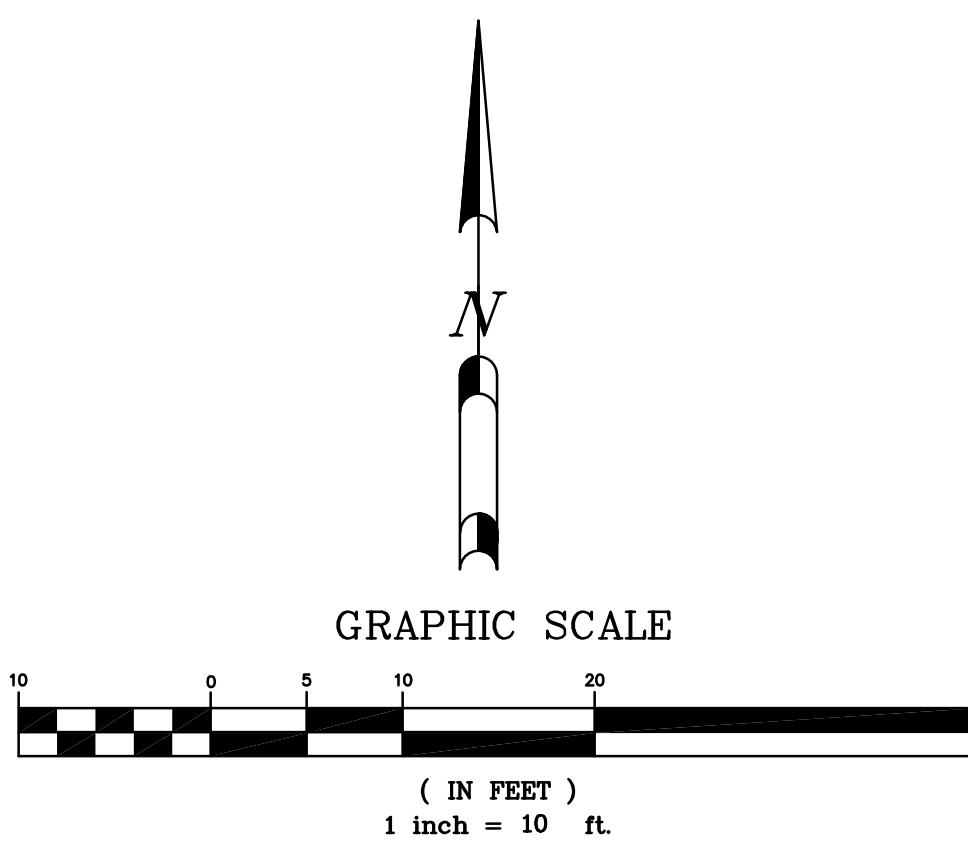
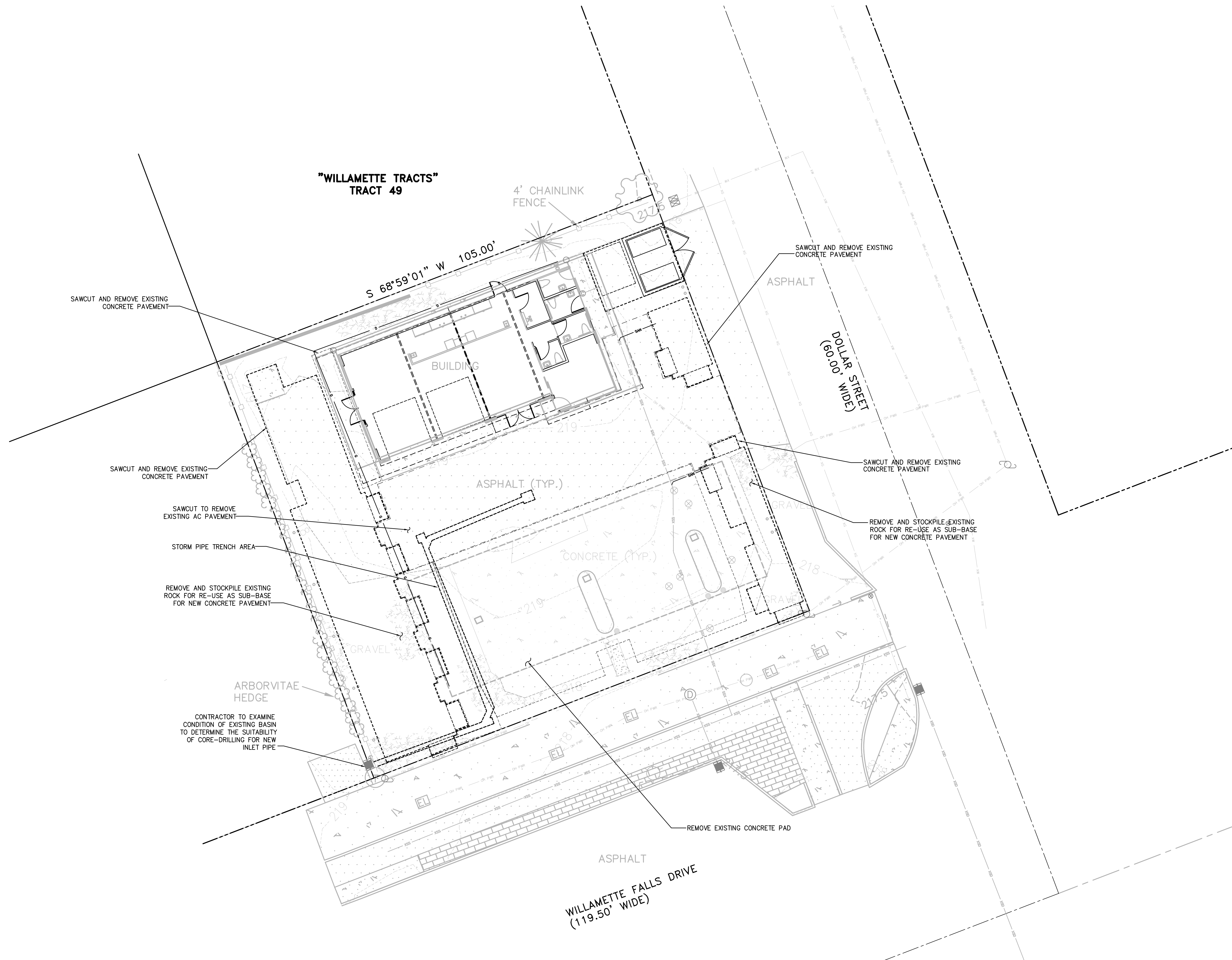
BUILDING ELEVATIONS



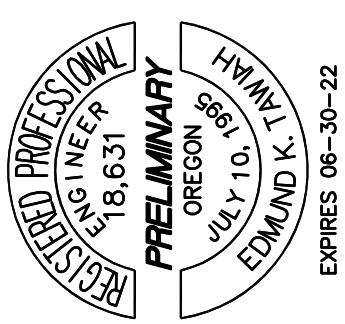




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**EXISTING CONDITIONS AND REMOVALS PLAN**  
SCALE 1"=10'



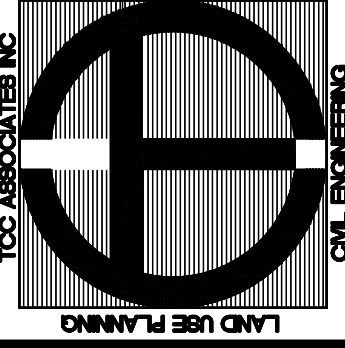
**WILLAMETTE GARAGE EATERY**  
1590 WILLAMETTE DR  
PORTLAND, OREGON 97233  
05800, T3S R1E SEC 021B  
CLACKAMAS COUNTY

**EXISTING CONDITIONS & REMOVALS**  
FILE NAME: GAR EAT SITE

NO.	REVISIONS	DATE	BY

DESIGNED	ET
DRAWN	ET
CHECKED	WC
DATE	06-08-21

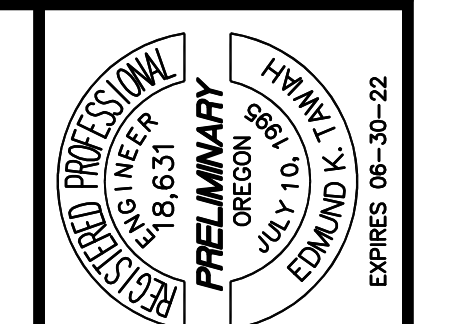
**TCC ASSOCIATES INC**  
5621 SE 82ND AVE  
Suite 111 OR 97266  
Phone: (503) 277-8143  
Fax: (503) 262-8668  
Email: yoko.yokoyama@tccinc.com



**WILLAMETTE GARAGE, LLC**  
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7929 SW BURNS WAY,  
WILSONVILLE, OR 97070  
PH: (503) 964-2440  
FAX: (503) XXX-XXXX

SHEET **2**  
of 6  
JOB # **21-018**

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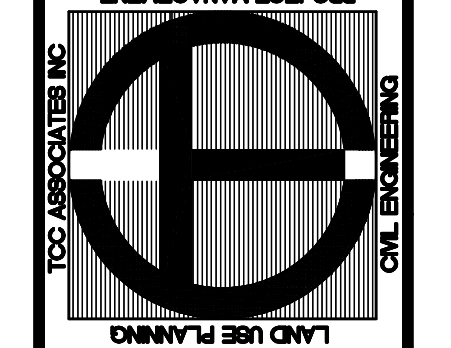
PROJECT: WILLAMETTE GARAGE EATERY  
1590 WILLAMETTE DR  
PORTLAND, OREGON 97233  
05800, T3S R1E SEC 021B  
CLACKAMAS COUNTY

DRAWING TITLE: SITE AND COMPOSITE UTILITIES  
FILE NAME: GAR EAT SITE

NO.	REVISIONS	DATE	BY

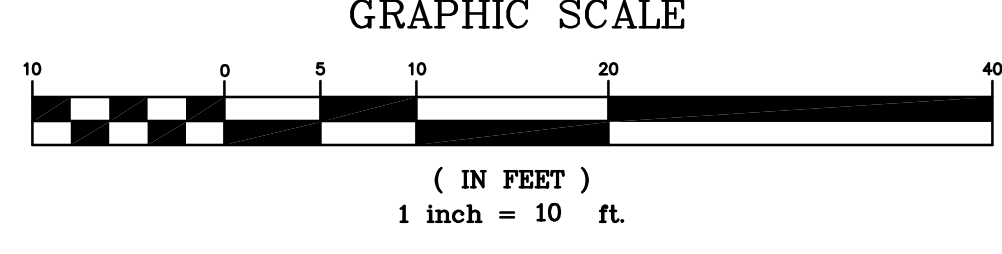
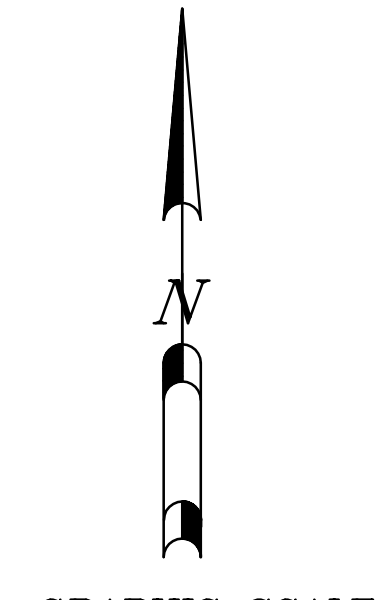
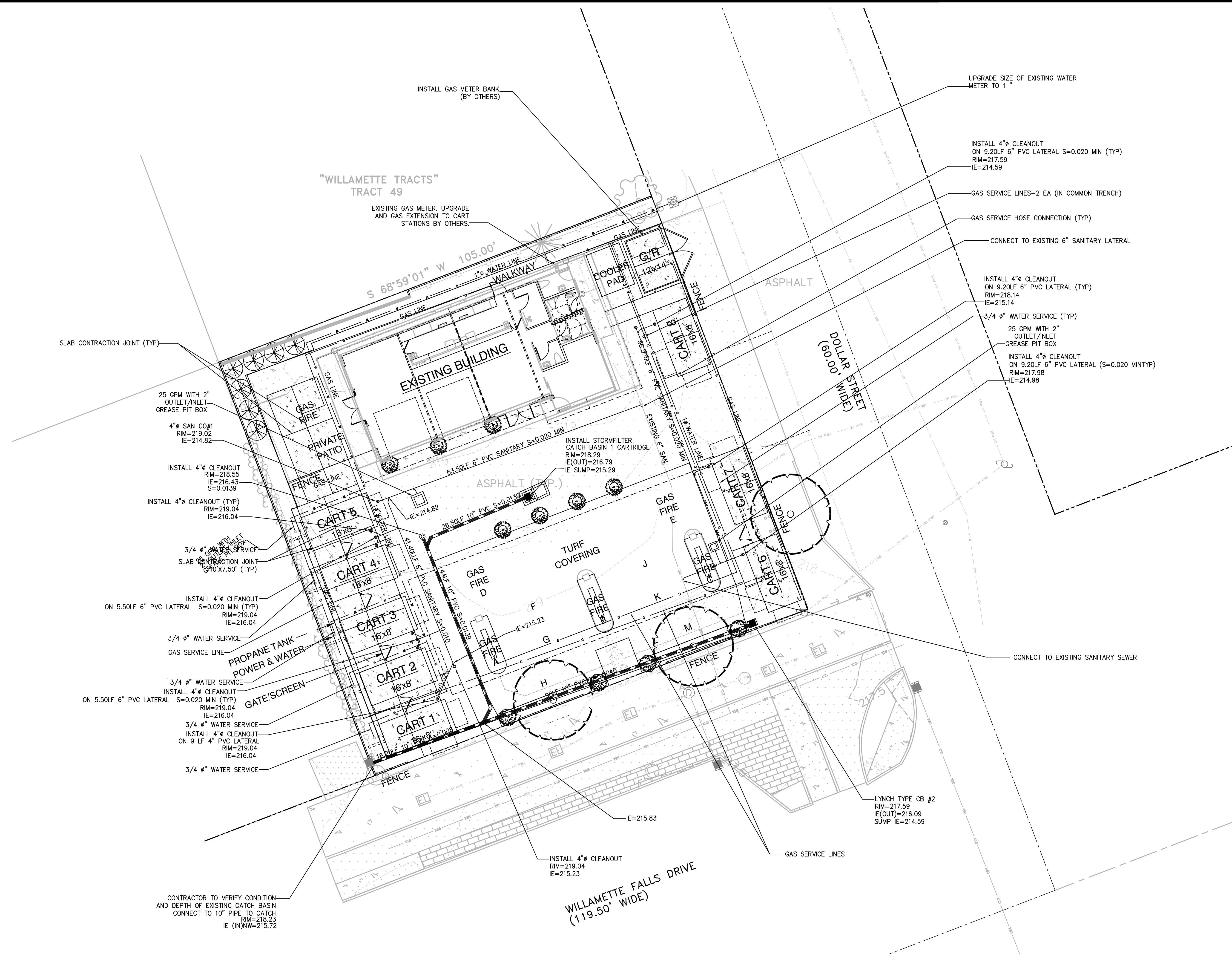
DESIGNED	ET	DRAWN	ET	CHECKED	WC	DATE	08-08-21

TCC ASSOCIATES INC  
4921 SE GRAND AVE  
Suite 111  
Portland, OR 97266  
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Email: yekoytee@yahoo.com



DEVELOPER: WILLAMETTE GARAGE, LLC.  
C/O JOHN STROMQUIST  
7929 SW BURNS WAY  
WILSONVILLE, OR 97070  
PH: (503) 964-2440  
FAX: (503) XXX-XXXX

SHEET 3 OF 6  
JOB # 21-018



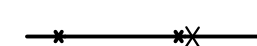

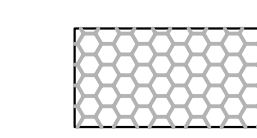


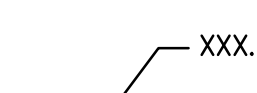
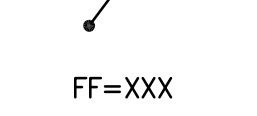
### SITE AND COMPOSITE UTILITIES PLAN

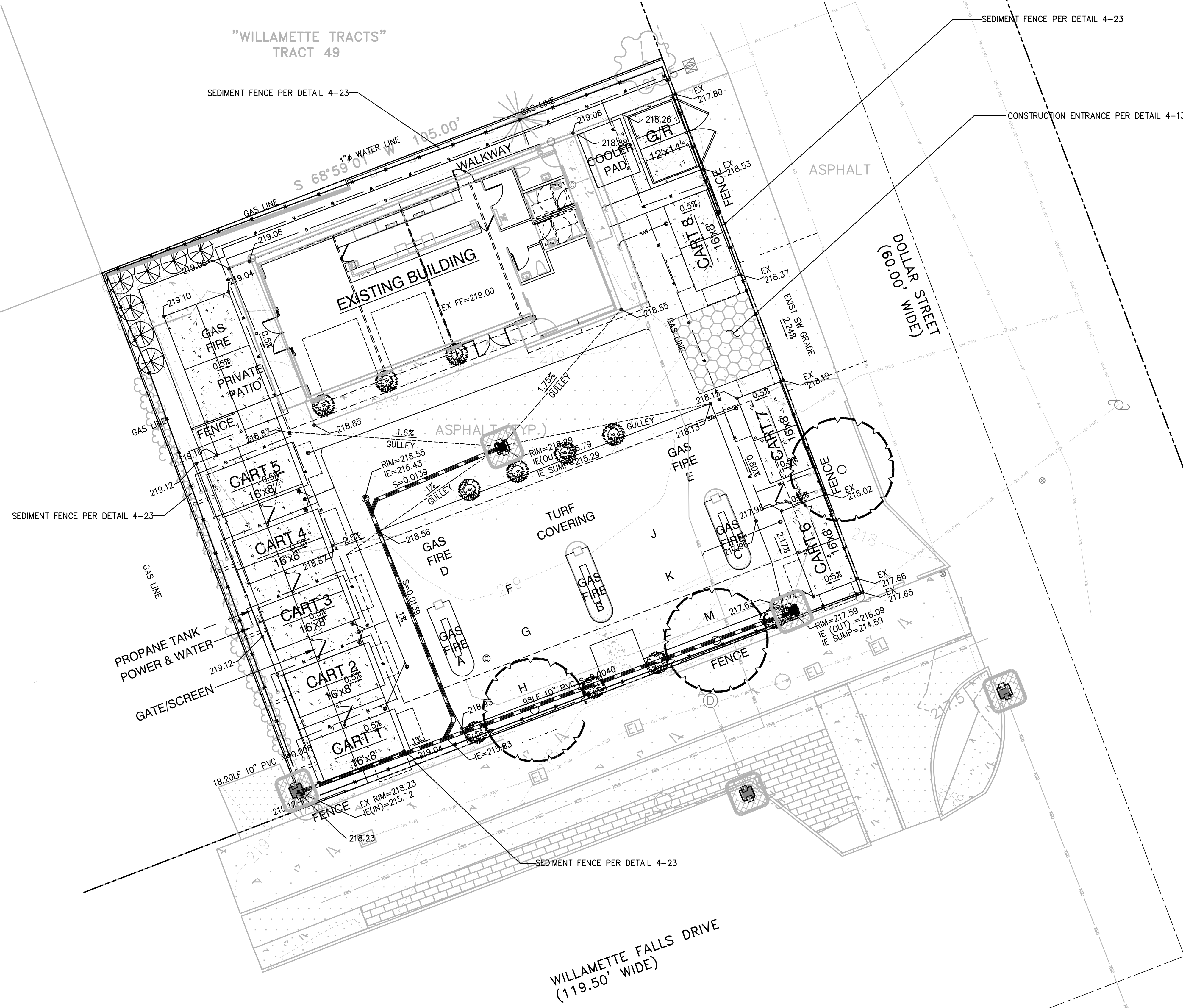
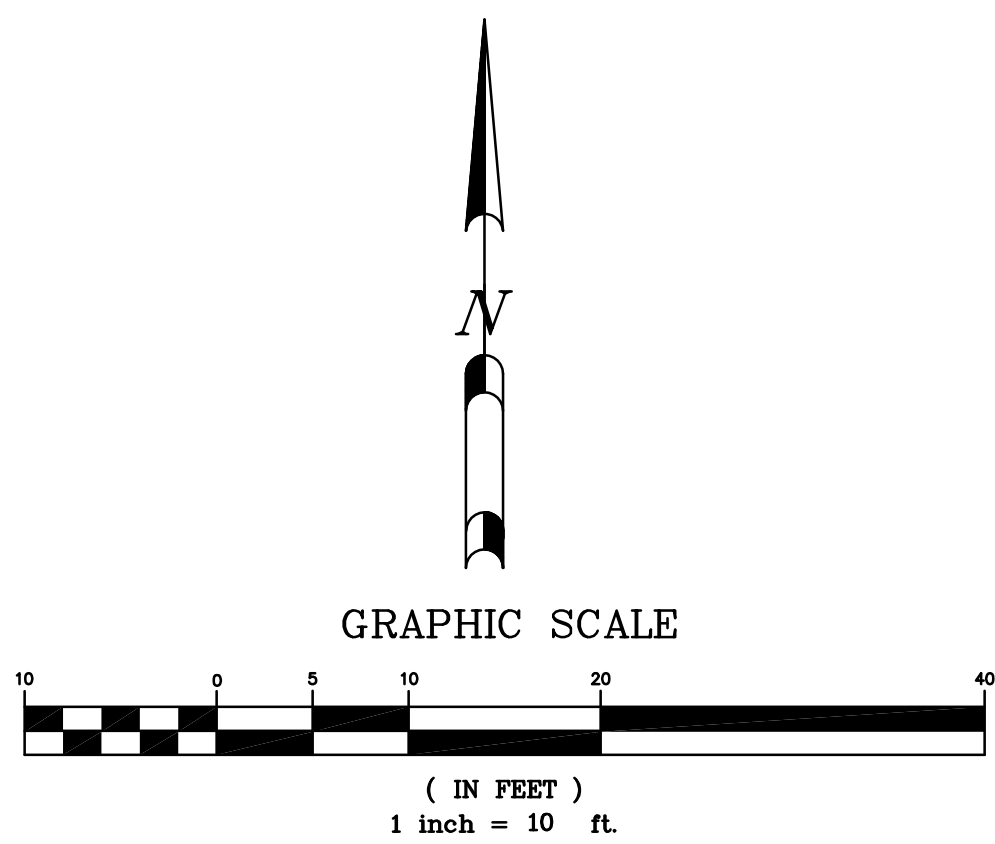
SCALE 1"=10'



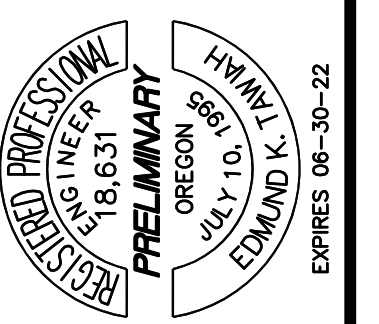
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**LEGEND**

-  TEMPORARY EROSION CONTROL FENCE PER DETAIL 4-23
-  INLET PROTECTION PER DETAIL 4-18
-  CONSTRUCTION ENTRANCE PER DETAIL 4.1A
-  PROPOSED CONTOUR
-  EXIST CONTOUR
-  SPOT ELEVATION (FINISHED GRADE)
-  FF=XXX



**GRADING AND EROSION CONTROL PLAN**  
SCALE 1"=10'



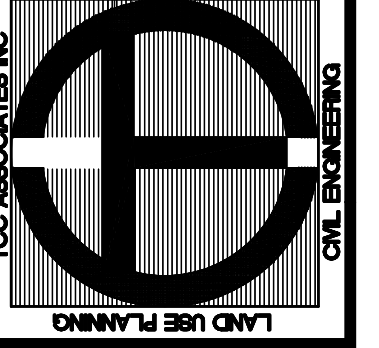
PROJECT: **WILLAMETTE GARAGE EATERY**  
1590 WILLAMETTE DR  
PORTLAND, OREGON 97233  
L 05800, TJS RIE SEC 021B  
CLACKAMAS COUNTY

DRAWING TITLE: **GRADING & EROSION CONTROL PLAN**  
FILE NAME: GAR.EAT.SITE

NO.	REVISIONS	DATE	BY

DESIGNED	ET	DATE

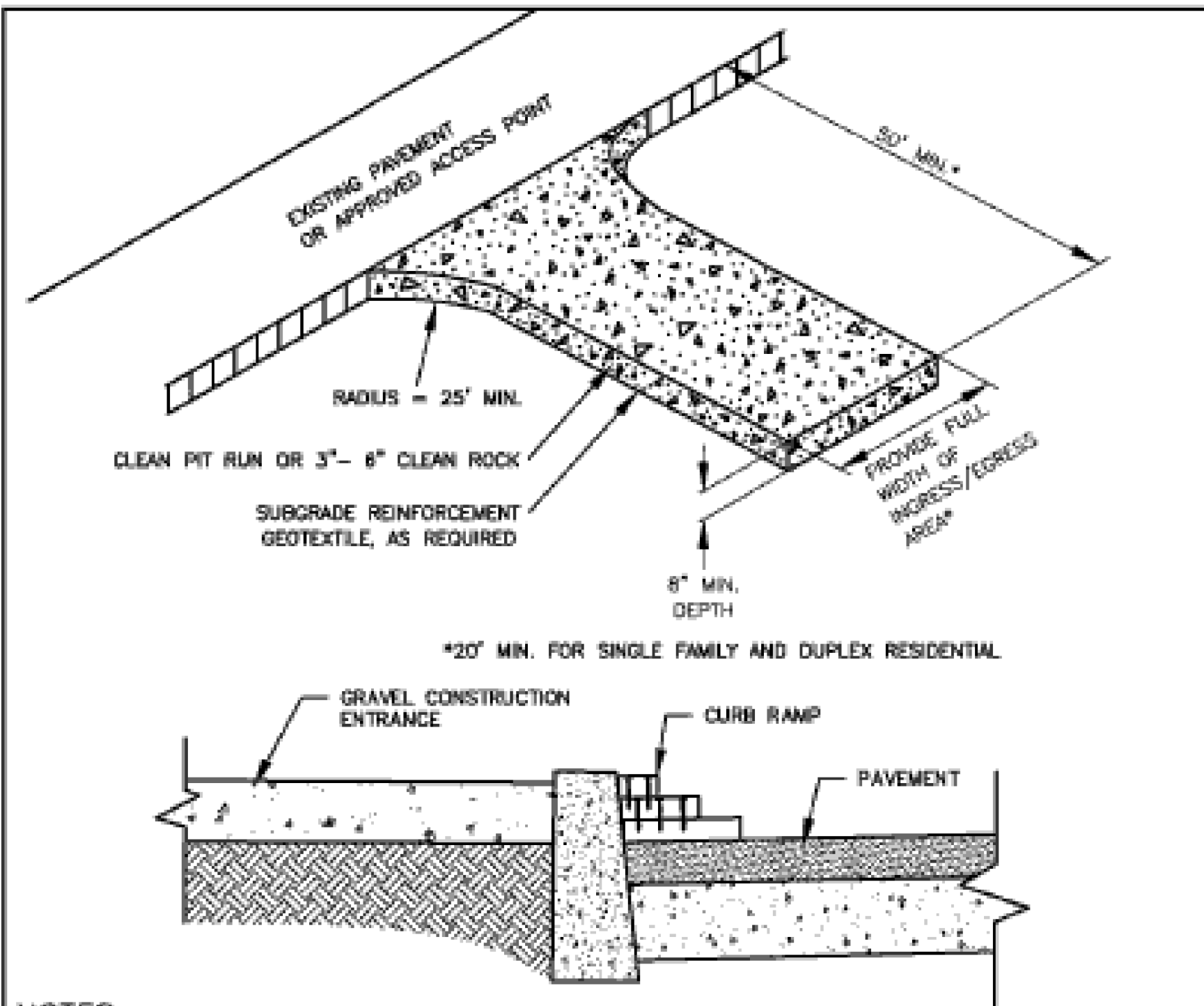
**TOC ASSOCIATES INC**  
5821 SE 82ND AVE  
Portland, OR 97266  
Phone: (503) 277-8143  
Email: yoko@tocassoc.com



DEVELOPER: **WILLAMETTE GARAGE, LLC**  
C/O JOHN STROMQUIST  
7829 SW BURNS WAY  
WILSONVILLE, OR 97070  
P: (503) 964-2440  
FAX: (503) XXX-XXXX

SHEET **4**  
of 6  
JOB # **21-018**

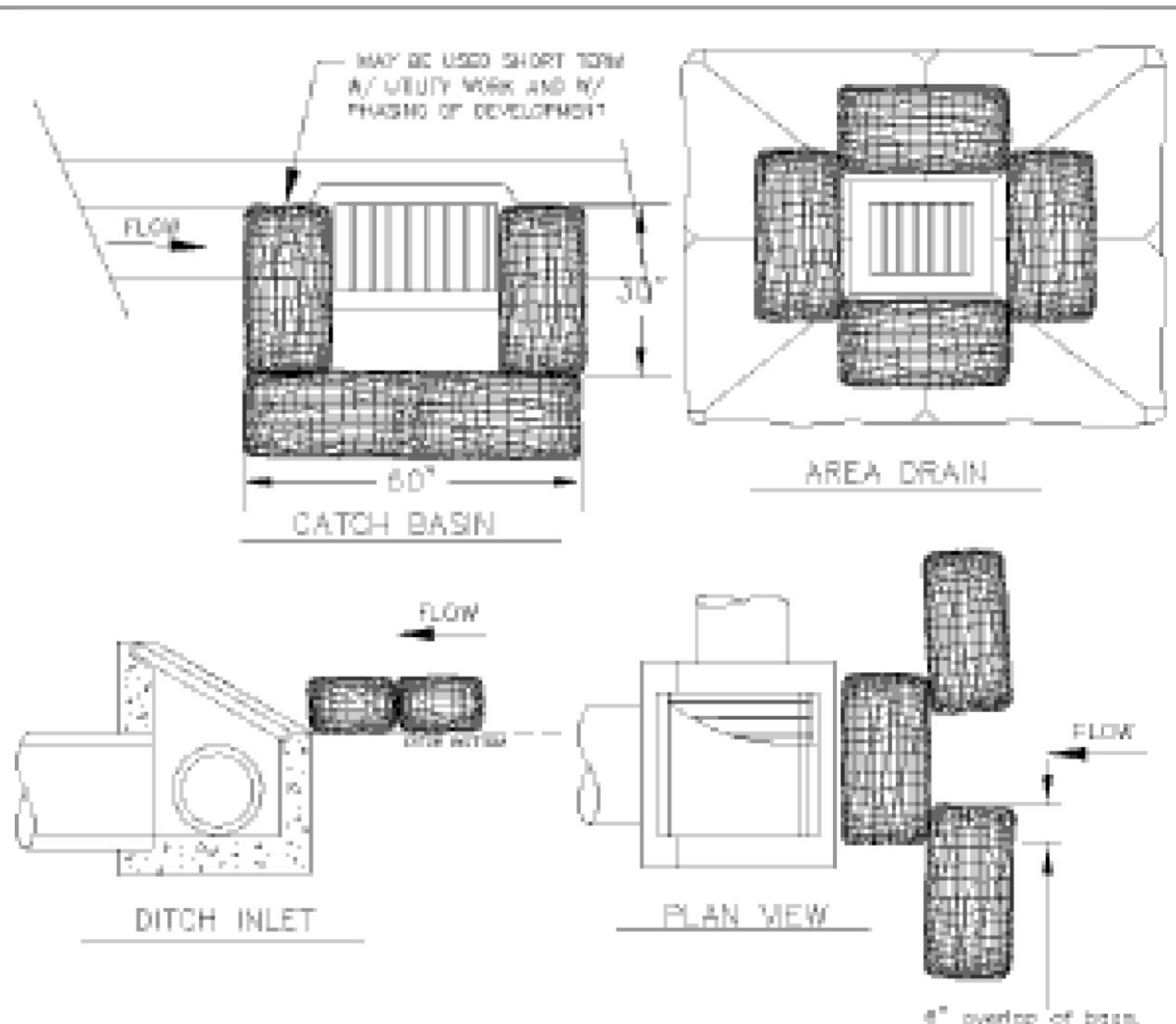




- NOTES:**
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
  2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
  3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
  4. WHERE RUNOFF CONTAINING SEDIMENT LADEN WATER IS LEAVING THE SITE VIA THE CONSTRUCTION ENTRANCE, OTHER MEASURES SHALL BE IMPLEMENTED TO DIVERT RUNOFF THROUGH AN APPROVED FILTERING SYSTEM.
  5. **DIMENSIONS**  
**SINGLE FAMILY**  
 20' LONG BY 20' WIDE 8" DEEP OF 3/4" MINUS CLEAN ROCK.  
**COMMERCIAL**  
 30' LONG BY 20' WIDE 3-6" CLEAN ROCK,  
 GOVERNING AUTHORITY MAY REQUIRE GEOTEXTILE FABRIC TO PREVENT SUB-SOIL PUMPING.

**CONSTRUCTION ENTRANCE**

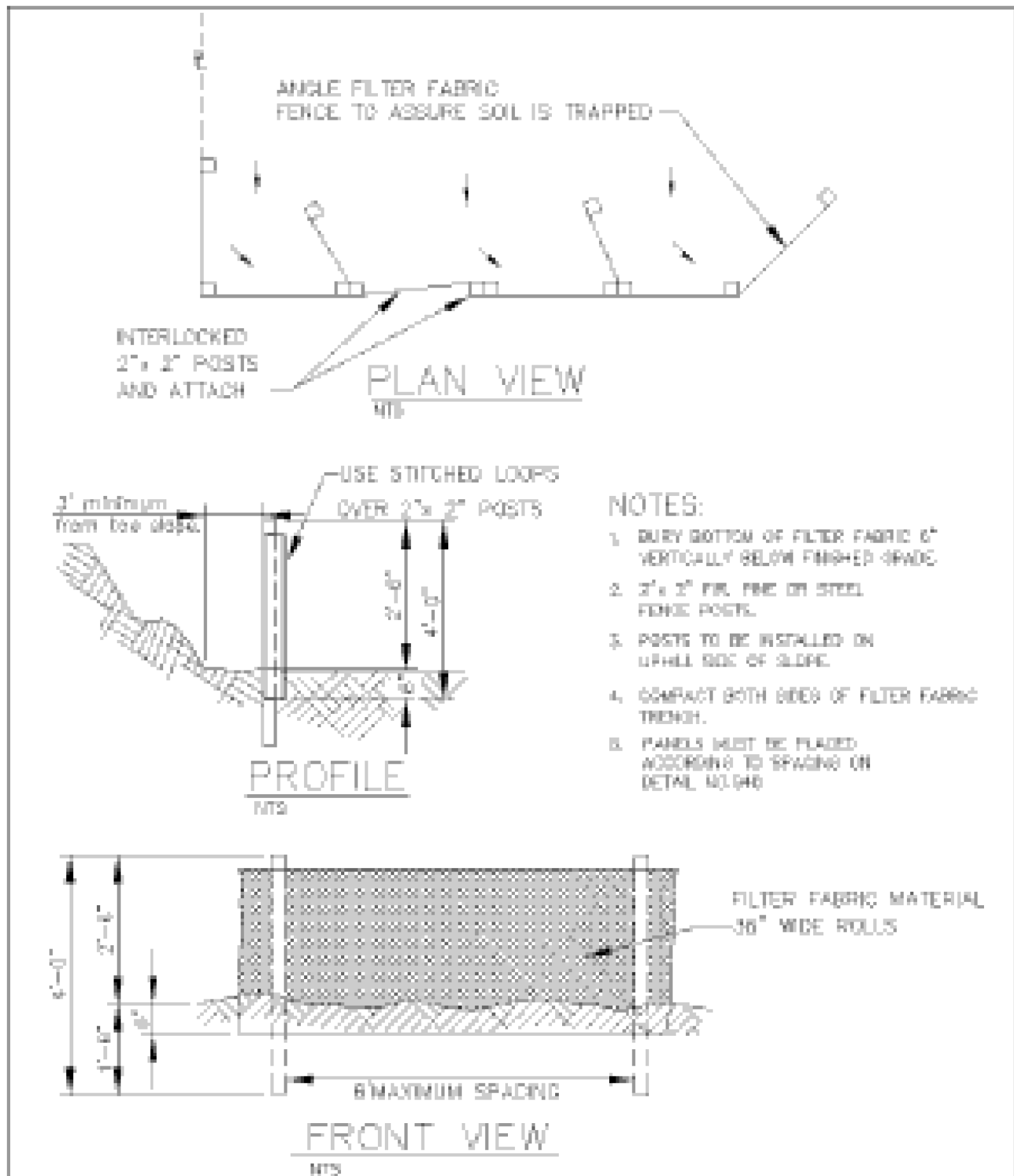
DETAIL DRAWING 4-13 REVISED 01-09



- NOTES:**
1. ADDITIONAL MEASURES MUST BE CONSIDERED DEPENDING ON SOIL TYPES.
  2. BIO-FILTER BAGS SHOULD BE STAKED WHERE APPLICABLE USING (2) 1"x2" WOODEN STAKES OR APPROVED EQUAL PER BAG.
  3. WHEN USING 30" BIO-BAGS TO PROTECT A CATCH BASIN YOU MUST HAVE 4 BAGS AND THEY SHALL BE OVERLAPPED BY 6".

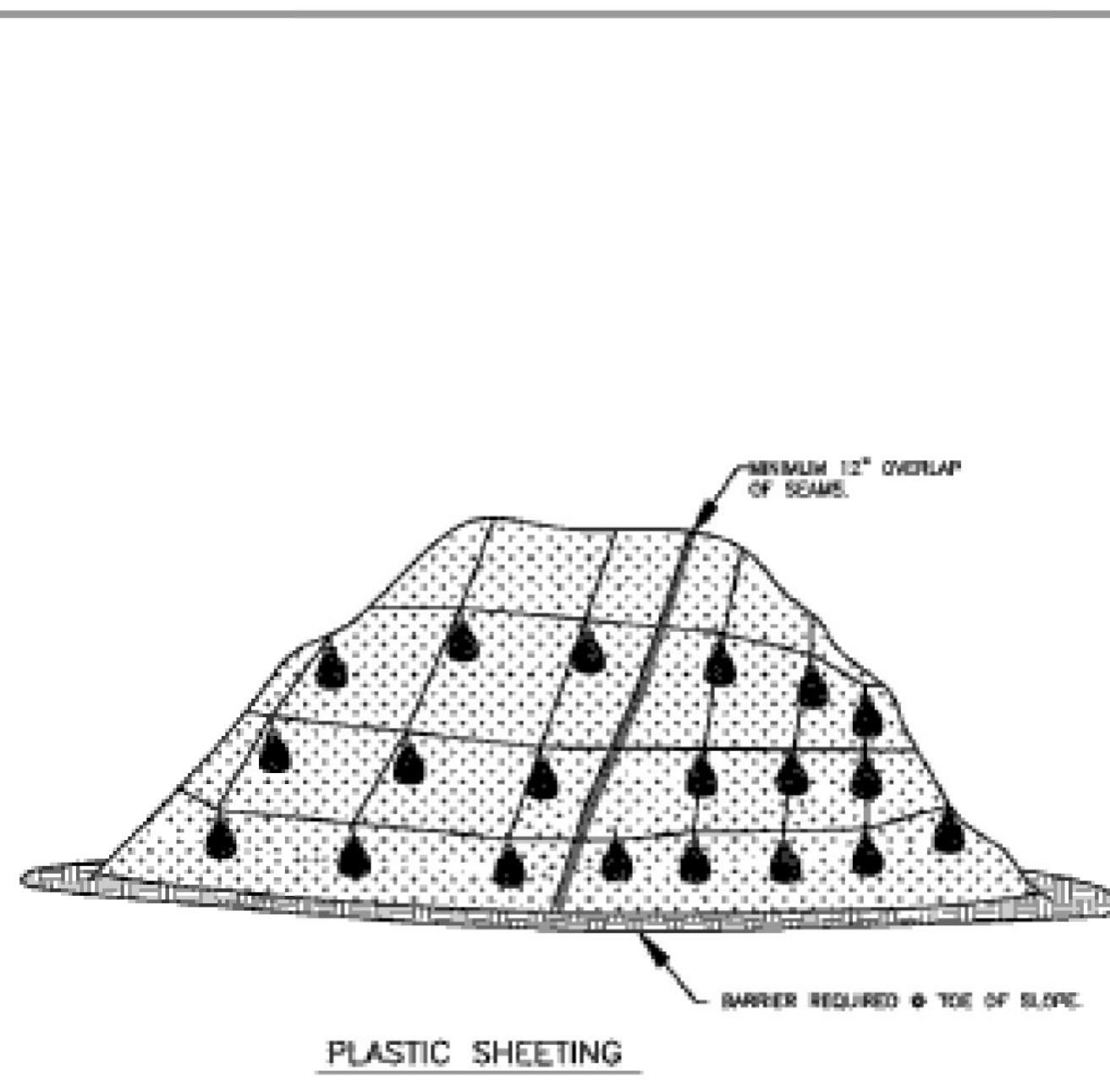
**INLET PROTECTION TYPE 4**

DETAIL DRAWING 4-16 REVISED 01-09



**SEDIMENT FENCE**

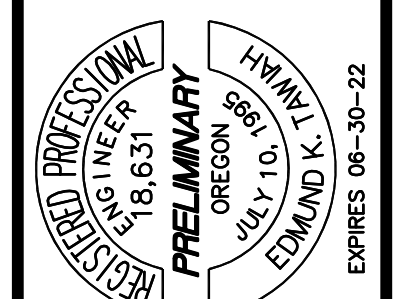
DETAIL DRAWING 4-23 REVISED 01-09



- NOTES:**
1. MINIMUM 12" OVERLAP OF ALL SEAMS REQUIRED.
  2. BARRIER REQUIRED @ TOE OF STOCK PILE.
  3. COVERING MAINTAINED TIGHTLY IN PLACE BY USING SANDBAGS OR TIRES ON ROPES WITH A MAXIMUM 10' GRID SPACING IN ALL DIRECTIONS.

**PLASTIC SHEETING**

DETAIL DRAWING 4-3 REVISED 01-09

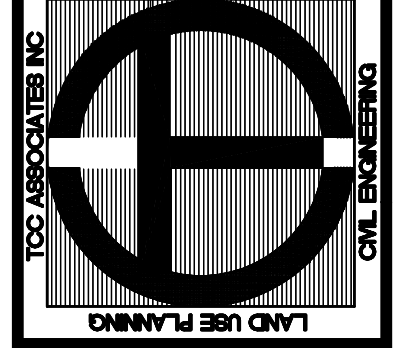


**PROJECT**  
 WILLAMETTE GARAGE EATERY  
 1590 WILLAMETTE DR  
 PORTLAND, OREGON 97233  
 L 05800, TJS RIE SEC 021B8  
 CLACKAMAS COUNTY

**DRAWING TITLE**  
 GRADING & EROSION CONTROL DETAILS  
 FILE NAME: GAR\_EAT\_SITE

DESIGNED	ET	DATE
DRAWN	ET	
CHECKED	WC	
DATE		06-09-21

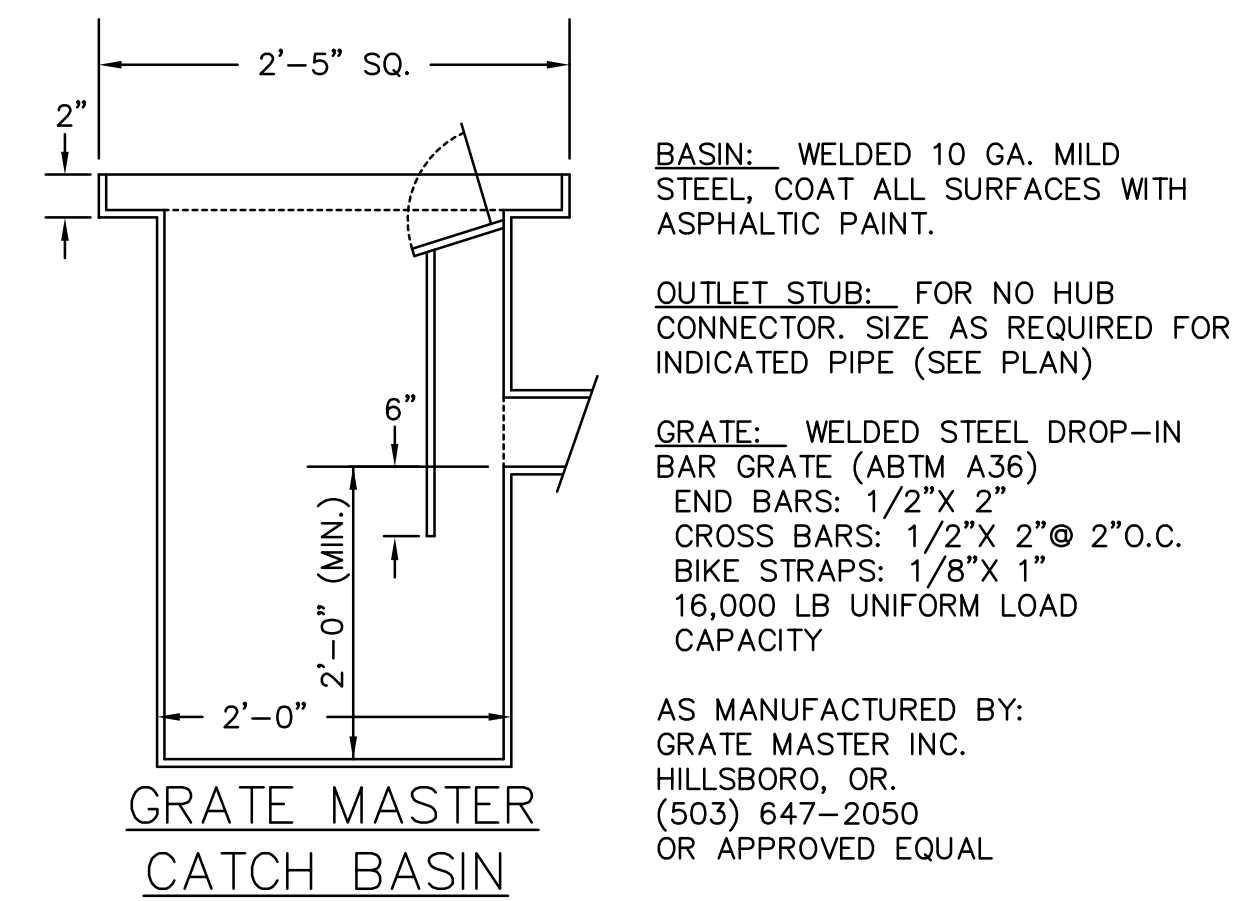
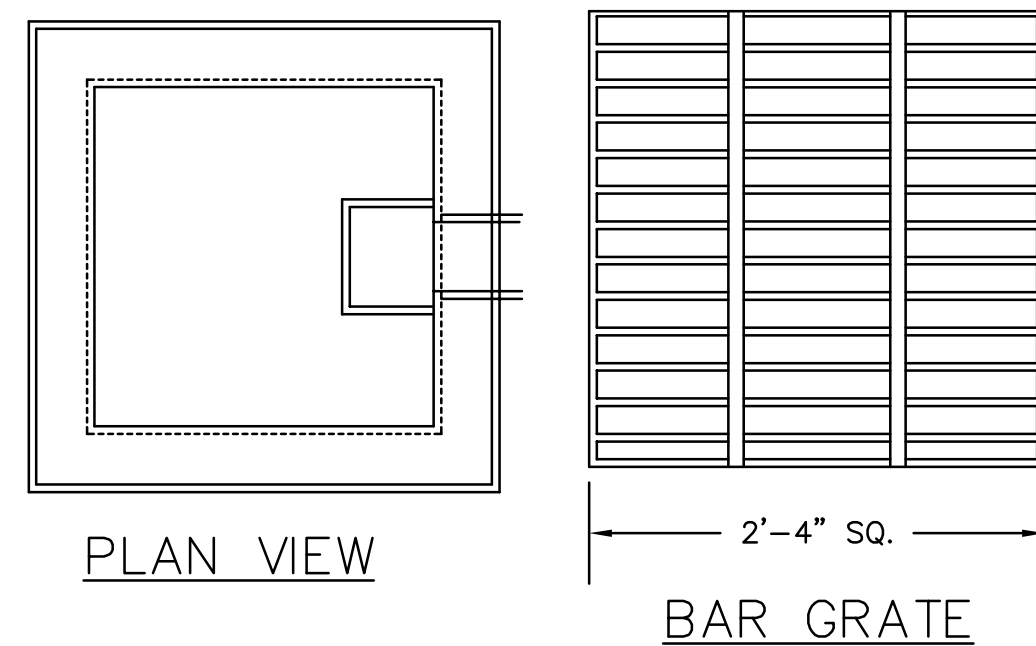
**TOC ASSOCIATES INC**  
 5821 SE 82ND AVE  
 PORTLAND, OR 97266  
 Phone: (503) 277-8143  
 Email: yoko@tocassoc.com



**DEVELOPER**  
 WILLAMETTE GARAGE, LLC.  
 C/O JOHN STROMQUIST  
 7829 SW BURNS WAY  
 WILSONVILLE, OR 97170  
 P: (503) 964-2440  
 FAX: (503) XXX-XXXX

**SHEET**  
 5  
 of 6  
 JOB #  
 21-018





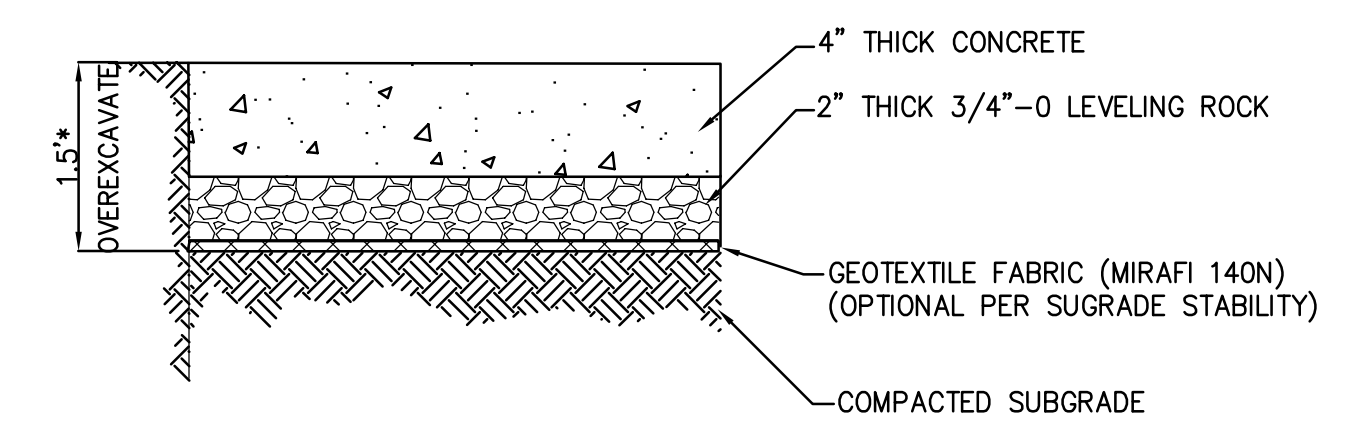
**LYNCH TYPE CATCH BASIN**  
NTS

**BASIN:** WELDED 10 GA. MILD STEEL. COAT ALL SURFACES WITH ASPHALTIC PAINT.

**OUTLET STUB:** FOR NO HUB CONNECTOR. SIZE AS REQUIRED FOR INDICATED PIPE (SEE PLAN)

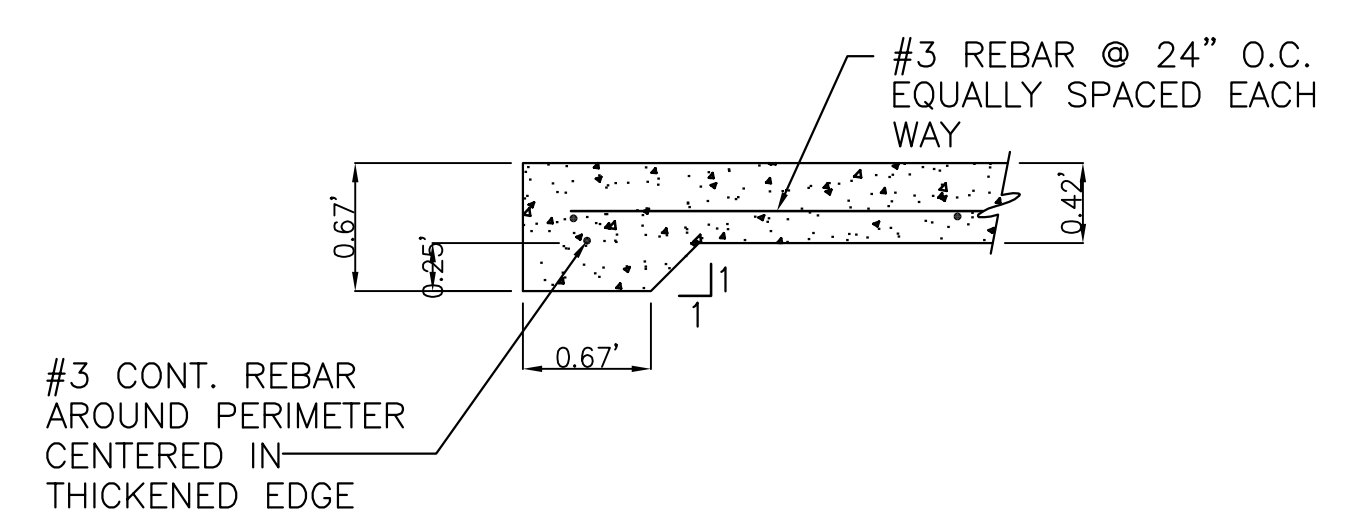
**GRATE:** WELDED STEEL DROP-IN BAR GRATE (ABTM A36)  
END BARS: 1/2" X 2"  
CROSS BARS: 1/2" X 2" @ 2" O.C.  
BIKE STRAPS: 1/8" X 1"  
16,000 LB UNIFORM LOAD CAPACITY

AS MANUFACTURED BY:  
GRATE MASTER INC.  
HILLSBORO, OR.  
(503) 647-2050  
OR APPROVED EQUAL

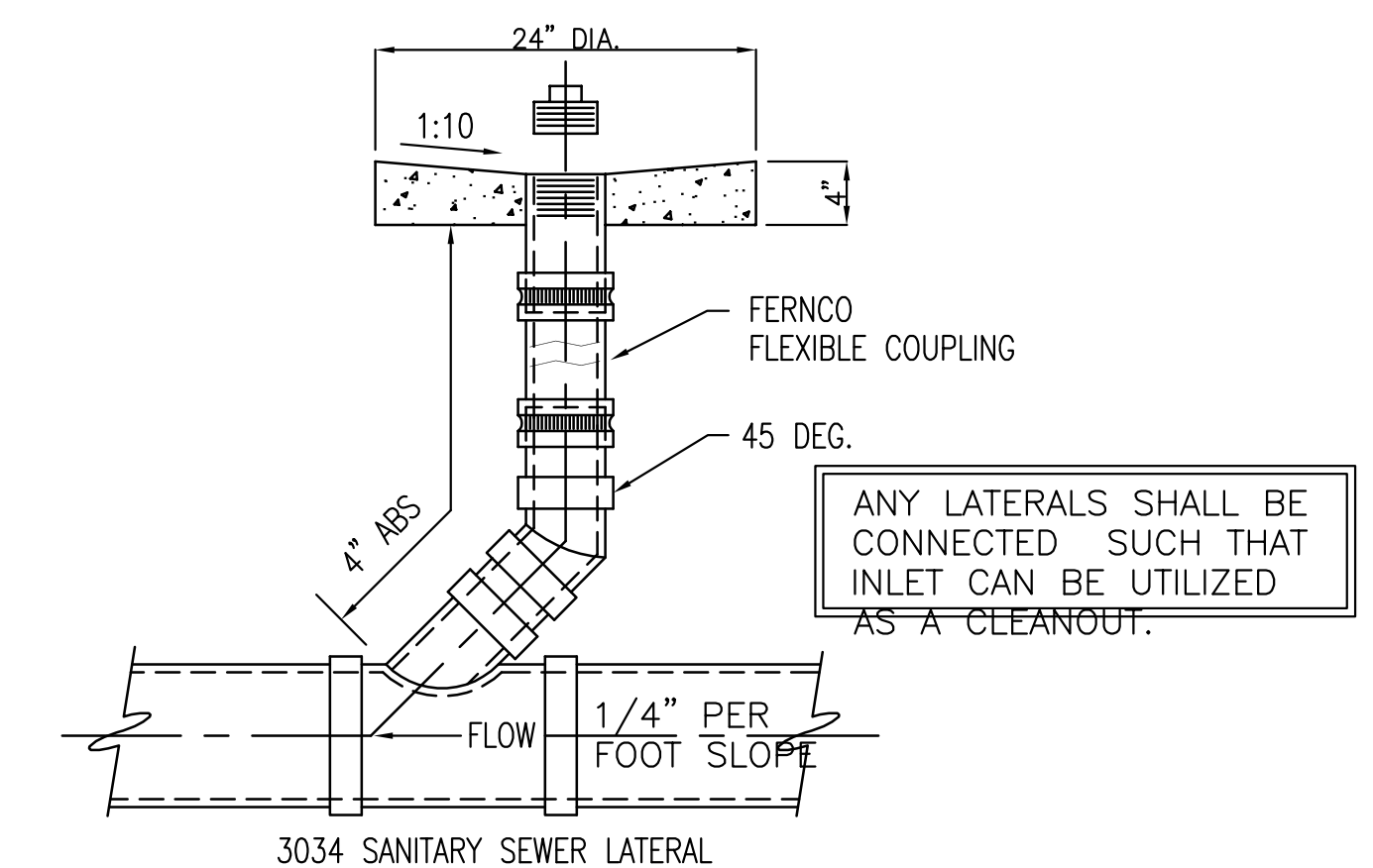


**CONCRETE PAVED SECTION**  
NTS

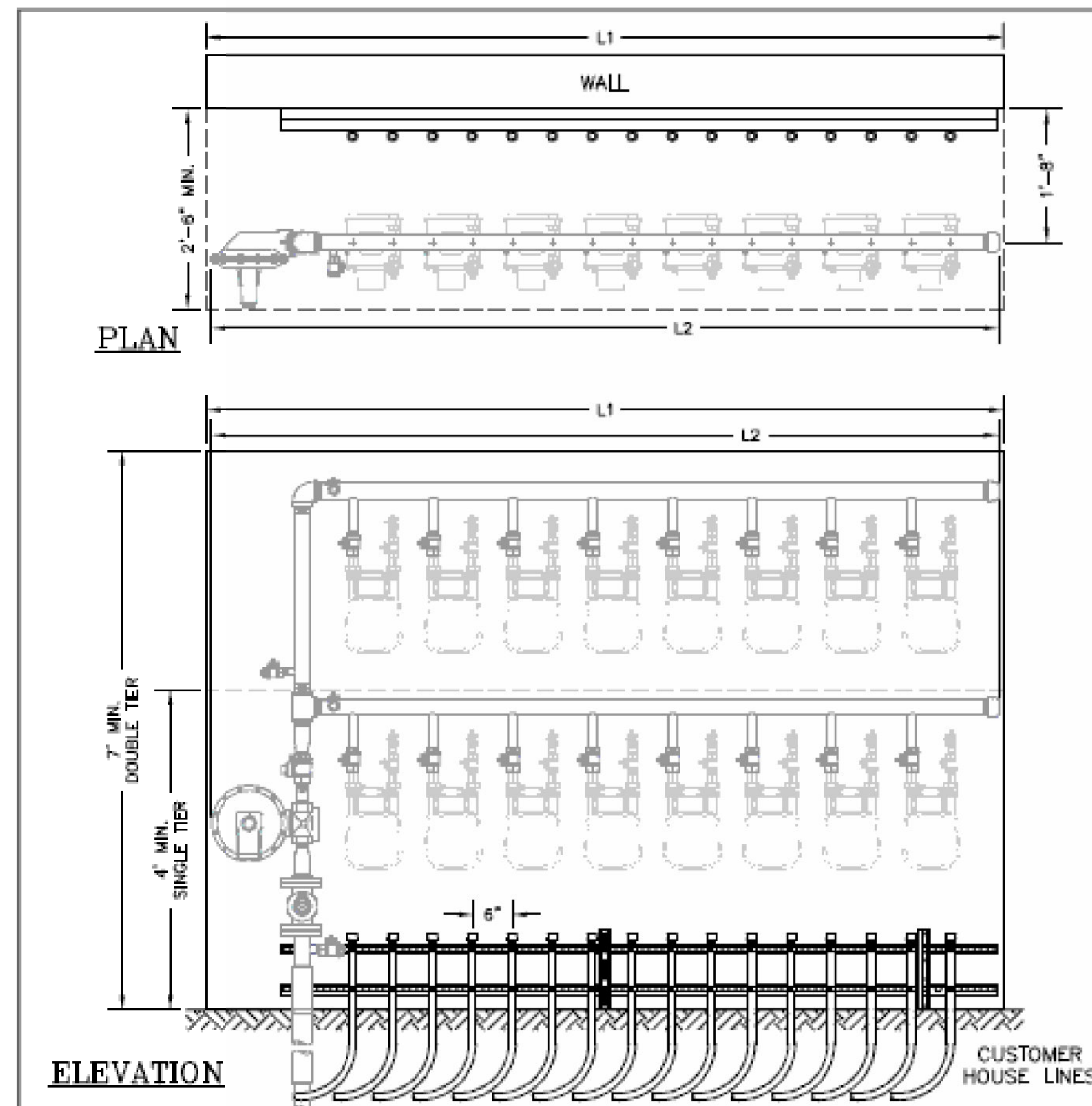
\*DEPTH OF OVEREXCAVATION DEPENDS ON SOIL CONDITIONS  
OVER-EXCAVATE TO A DEEPER DEPTH TO REMOVE POOR SOILS.



**TYPICAL CART STATION PAD EDGE DETAIL**  
NTS



**SEWER HOOKUP DETAIL**  
NTS



REV	BR.	APP.	REVISION	DATE	REV	DR.	APP.	REVISION	DATE
1	B3H	JAB	UPDATED NOTES & TITLE	8/5/21					

Meters per Row	L1 min. Wall Width	L2 Meterset Width
2	4'-0"	3'-10 1/2"
3	5'-0"	4'-10 1/2"
4	6'-0"	5'-10 1/2"
5	7'-0"	6'-10 1/2"
6	8'-0"	7'-10 1/2"
7	9'-0"	8'-10 1/2"
8	10'-0"	9'-10 1/2"

- CINDERBLOCK NOTES:**
- CONTRACTOR TO CONSTRUCT CINDERBLOCK WALL.
  - CONTRACTOR TO INSTALL 2 ROWS OF UNISTRUT - BOLTED TO WALL PER DRAWING.
  - NWN TO INSTALL VERTICAL UNISTRUTS AS NEEDED TO SUPPORT HEADER ASSEMBLY.
  - OPTIONAL ROOF OVERHANG NOT MORE THAN 30".
  - CUSTOMER UNDERGROUND HOUSE-LINE RISERS: 6" APART - DOUBLE TIER AND 12" APART - SINGLE TIER.
  - IF REQUIRED, CONTRACTOR TO INSTALL GUARD POSTS, PER NW NATURAL GUIDELINES.

- SEQUENCE OF CONSTRUCTION:**
- PRE-CONSTRUCTION MEETING WITH NW NATURAL WITH COMPLETE MEASURE.
  - CONTRACTOR INSTALLS MOUNTING STRUCTURE AS SHOWN IN NW NATURAL DRAWING.
  - CONTRACTOR CONTACTS NW NATURAL FOR STRUCTURE INSPECTION.
  - CONTRACTOR CONTACTS NW NATURAL MARKETING TO REQUEST SERVICE INSTALLATION JOB RELEASE.
  - NW NATURAL CREW INSTALLS SERVICE RISER WITH COMMERCIAL TECH ADVISING CREW.
  - NW NATURAL COMMERCIAL TECH INSTALLS HEADER MANFOLD ASSEMBLY AND MARKS HOUSE LINE RISER LOCATIONS.
  - CONTRACTOR INSTALLS UNDERGROUND HOUSE LINE RISERS, SECURED TO UNISTRUTS AS SHOWN IN NW NATURAL DRAWING.
  - CONTRACTOR NOTIFIES NW NATURAL TO SCHEDULE PRE-INSPECTION FOR METER SETS ONCE HOUSE LINES ARE GREEN TAGGED AT METER LOCATION AND ID-TAGS ARE ON BOTH ENDS OF HOUSE LINE.
  - ALL METERS ARE SET AT ONE TIME.

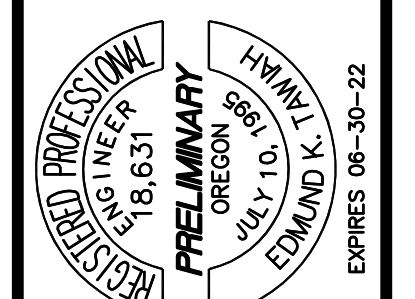


STANDARD DRAWING  
FOOD CART POD - HEADER ASSEMBLY OPTIONS  
WALL MOUNT - 2 PSIG DELIVERY PRESSURE

BAR IS ONE INCH ON ORIGINAL DRAWING.  
ADJUST SCALE AS SHOWN ACCORDINGLY.

**D-05-90-B**  
DWG. NO. B3H  
DATE 6/24/2021  
SCALE 5/8" = 1' 0"  
APP. BY RSB - INITIAL REL.

C:\Projects\1590 Willamette Drive\Engineering\Garage Eat-Details.dwg 11/1/2021 7:23:18 PM PDT

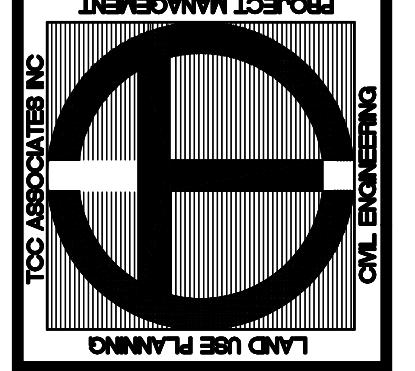


PROJECT: **WILLAMETTE GARAGE EATERY**  
1590 WILLAMETTE DR  
PORTLAND, OREGON 97233  
L 05800, TJS RIE SEC 021BB  
CLACKAMAS COUNTY

DRAWING TITLE: **CONSTRUCTION DETAILS**  
FILE NAME: GAR\_EAT\_SITE

DESIGNED BY	ET	DATE
ET	ET	06-09-21

**TOC ASSOCIATES INC**  
5821 SE 82ND AVE  
PORTLAND, OR 97266  
Phone: (503) 277-8143  
Fax: (503) 277-8143  
Email: yoko@tocassoc.com



DEVELOPER: **WILLAMETTE GARAGE, LLC**  
C/O JOHN STROMQUIST  
7829 SW BURNS WAY  
WILSONVILLE, OR 97170  
P: (503) 966-2440  
FAX: (503) XXX-XXXX

SHEET **6**  
OF 6  
JOB # **21-018**

**EXHIBIT HRB-2: PUBLIC COMMENT**

**From:** [A Sight for Sport Eyes](#)  
**To:** [Floyd, John](#)  
**Subject:** Testimony for FILE NO. DR-21-11 / MISC-21-14 / SGN-21-10  
**Date:** Thursday, February 3, 2022 4:35:06 PM

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**CAUTION:** This email originated from an External source. Do not click links, open attachments, or follow instructions from this sender unless you recognize the sender and know the content is safe. If you are unsure, please contact the Help Desk immediately for further assistance.

Just wanted to give some quick testimony on **FILE NO. DR-21-11 / MISC-21-14 / SGN-21-10.**

Please, please approve this. We need this for the business district. As a business owner, this will help keep the area thriving and bring in customers from outside the area which all our businesses desperately need to stay alive after Covid hit them hard. The design does look like it is still playing ohmage to the historic design. This property is already non-conforming for the historic overlay zone as it was built in the 50's, not the early 1900's. It is not a new build, and thus should be approved similarly to how Youth Music Project was approved based on the fact that it was never conforming, and it is just an enhancement of the existing structure. This place is an eyesore now. A remodel should be treated differently than a rebuild as it will be a huge improvement without changing the structural part of the building that is already there.

Thanks!

Shannen Knight  
A Sight for Sport Eyes  
1553 11<sup>th</sup> St.  
West Linn, OR 97068  
503-699-4160  
888-223-2669  
Fax: 888-240-6551  
[www.sporteyes.com](http://www.sporteyes.com)



February 15, 2022

John Floyd, Associate Planner  
jfloyd@westlinnoregon.gov  
City of West Linn

**Subject: 1590 Willamette Falls Drive Adaptive Reuse  
File No. DR-21-11/Misc-21-14/SGN-21-10**

Dear Mr. Floyd,

We are residents of West Linn and wish to submit written testimony to the Historic Review Board and Planning Commission on the above noted project. We reside at 1592 6<sup>th</sup> Avenue, West Linn, OR.

We would like to support the project that our neighbors are proposing, but are concerned about the traffic and parking impacts to the surrounding residential area. After reviewing the preliminary plans submitted for the land use process, we find that additional parking is not included with the proposed change in use on the site. Parking associated with the previous uses, a gas station and vehicle repair business, occurred primarily on-site. The proposed re-use will generate much more traffic and the parking will need to occur completely off-site.

We realize that living in close proximity to a commercial area will result in occasional parking that overflows into our residential area. This currently occurs with the special events that take place along Willamette Falls Drive, such as the weekly summer market. These occurrences are primarily limited to the afternoon and evening of the event. With the change in use on the subject site, we fear that this will now be an everyday, all day, occurrence because of the lack of proposed on-site parking.

The existing parking on Willamette Falls Drive in front of the subject site is generally 40-50% full during the week. The increased vehicle parking needs from the redevelopment will need to spill over onto the surrounding residential streets. 15<sup>th</sup> Avenue, the closest street with available on-street parking, will likely be where these vehicles park. Similar developments in Oregon City and Happy Valley provide on-site parking.

We would like to know how this development will to address the parking issues raised, given that the proposed re-use will significantly increase the parking needs in the area with respect to the property's existing use.

Thank you for the opportunity to comment on this development.

Sincerely,

Lance and Carol Earle  
1592 6<sup>th</sup> Avenue  
West Linn, OR 97068



# Tualatin Valley Fire & Rescue

February 17, 2022

TVFR SPP# 2022-0015

John Floyd  
Associate Planner  
City of West Linn Planning & Zoning  
22500 Salamo Rd.  
West Linn, Oregon  
97068

**Re: DR-21-11/ PA-21-12, Willamette Falls Drive Food Cart Pod.  
Tax Lot I.D. 31E02BB05800 1590 Willamette Falls Drive, West Linn**

John,

Thank you for the opportunity to review the proposed land-use application surrounding the Willamette Falls Drive food cart pod. The current proposal meets all our fire access and water supply requirements. Please ensure the building has an approved address that is visible from the street fronting the property.

1. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification or would like to discuss any alternate methods and/or materials, please feel free to contact me at **503-259-1510**.

Sincerely,

*Jason Arn*

Jason Arn  
Deputy Fire Marshal II

Email [Jason.arn@tvfr.com](mailto:Jason.arn@tvfr.com)

Cc: File

A full copy of the New Construction Fire Code Applications Guide for Commercial and Multi-Family Developments is available at [Commercial Fire Code Guide \(tvfr.com\)](http://Commercial Fire Code Guide (tvfr.com))



**EXHIBIT HRB-3: COMPLETENESS LETTER**



## CITY OF West Linn

February 2, 2022

Iselin Architects, PC  
Attn: Jessica Iselin  
1307 7<sup>th</sup> Street  
Oregon City, OR 97045

SUBJECT: Application for Class 1 Design Review, Alteration of a Nonconforming Structure, and Sign Permit (DR-21-11 et. al.)

Ms. Iselin,

The City received this application on November 16, 2021 and the city issued an incomplete determination on December 16, 2021. Additional materials were submitted on January 4<sup>th</sup>, 2022 and the city now finds the application to be **complete**.

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

The 20-day public notice will be prepared and mailed for a public hearing before the West Linn Historic Review Board and West Linn Planning Commission, tentatively scheduled for March 1, 2022 and March 16, 2022 respectively.

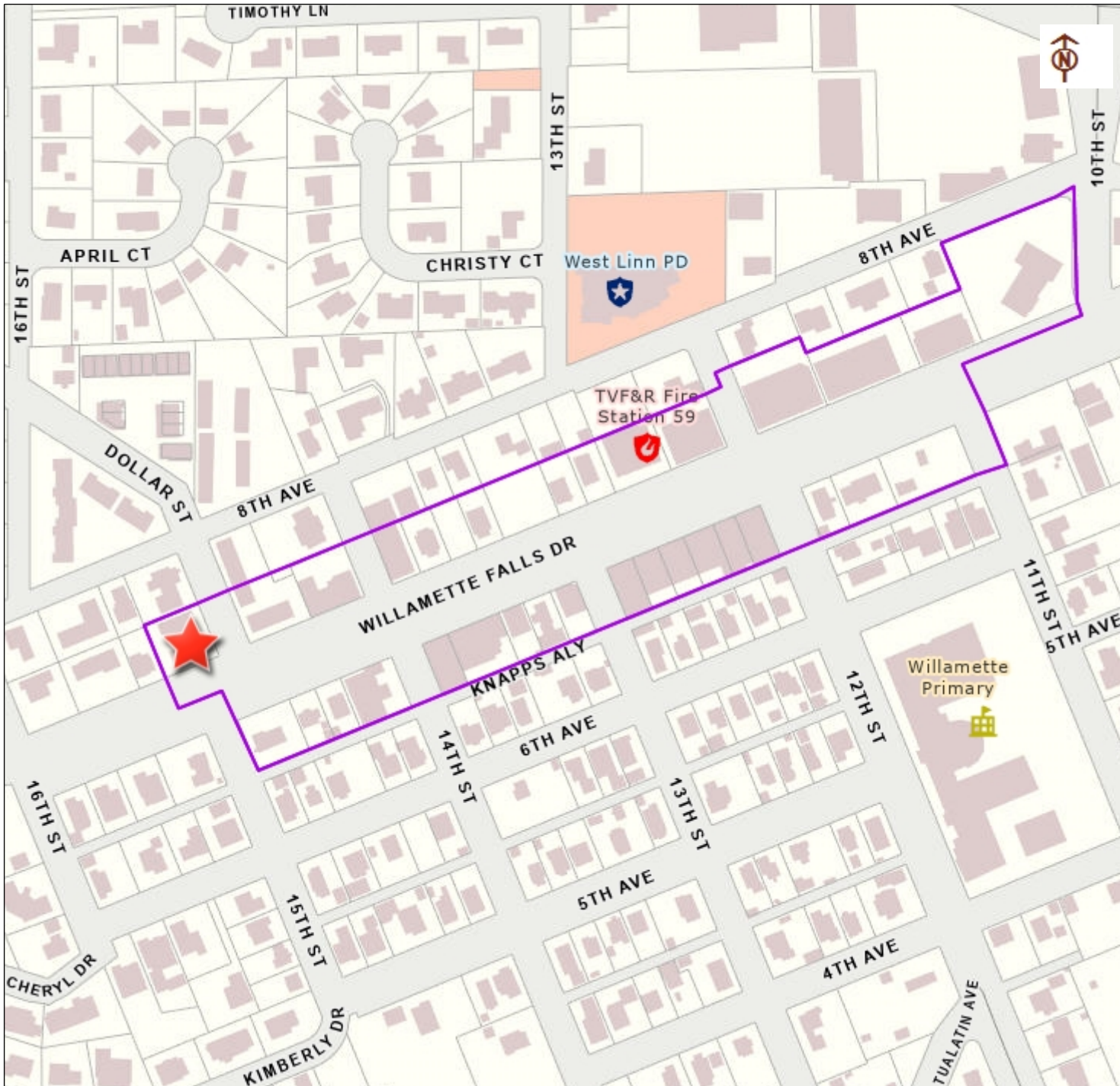
Please contact me at 503-742-6058, or by email at [jfloyd@westlinnoregon.gov](mailto:jfloyd@westlinnoregon.gov) if you have any questions or comments.

Sincerely,









John Floyd  
Associate Planner

**EXHIBIT HRB-4: WILLAMETTE FALLS DRIVE COMMERCIAL DESIGN DISTRICT  
OVERLAY BOUNDARY MAP**



**Legend**

-  Willamette Falls Drive Comr District
-  Unofficial Tax Lots
-  City Limit
-  Unimproved ROW
-  Parks and Open Space
-  City Owned Property

0 0.06 0.11 Miles



1: 4,514



**Notes**

Project Site & Willamette Falls Drive Commercial Design District

**EXHIBIT HRB-5: AFFIDAVIT AND NOTICE PACKET**

**CITY OF WEST LINN HISTORIC REVIEW BOARD AND PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
FILE NO. DR-21-11 / MISC-21-14 / SGN-21-10**

The West Linn Historic Review Board (HRB) will hold a virtual public hearing on **Tuesday, March 1, 2022 at 6pm** to make a recommendation to the Planning Commission regarding a Class I Design Review and Alteration of a Nonconforming Structure at 1590 Willamette Falls Drive (Clackamas County Assessor's Map 31E02BB05800). The applicant is requesting approval for the adaptive reuse of a vacant gas and service station into a food cart pod with an indoor pub and indoor and outdoor seating. The Planning Commission will consider the HRB recommendation and make a decision at a virtual public hearing on **Wednesday, March 16, 2022 at 6:30pm**. The public can watch the meeting online at <https://westlinnoregon.gov/meetings> or on Cable Channel 30.

The HRB and Planning Commission will make their decisions based on applicable criteria found in Chapters 19, 42, 48, 52, 55, 58, 66, 96, and 99 of the Community Development Code (CDC). The approval criteria from the CDC are available for review on the City website <http://www.westlinnoregon.gov/cdc> or at City Hall and the City Library.

The application is posted on the City's website, <https://westlinnoregon.gov/planning/1590-willamette-falls-drive-class-1-design-review-and-alteration-nonconforming-structure>. Alternatively, the application, all documents or evidence relied upon by the applicant, and applicable criteria are available for inspection at City Hall at no cost. Copies may be obtained at reasonable cost. The staff report will be available for inspection at no cost, or copies may be obtained at a reasonable cost, at least ten days before the hearing.

The hearings will be conducted according to CDC Section 99.170. **Anyone wishing to present written testimony for consideration must submit all materials before 12:00 pm on the meeting days to [jfloyd@westlinnoregon.gov](mailto:jfloyd@westlinnoregon.gov) or mail them to City Hall. The City cannot accept *emailed* testimony after 12:00 pm on the meeting day. The Historic Review Board and Planning Commission will accept oral testimony at the virtual public hearings.**

**Those who wish to provide oral testimony at the hearing should complete the speaker form <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> before 12:00 pm on the meeting day** to receive an invitation to join the meeting. Virtual participants can log in through a computer, mobile device, or call in.

**It is important to submit all testimony in response to this notice.** All comments submitted for consideration of this application should relate specifically to the applicable criteria. Failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the Oregon Land Use Board of Appeals based on that issue.

The final decision will be posted on the website and available at City Hall. Persons with party status may appeal the decision by submitting an appeal application to the Planning Department within 14 days of mailing the notice of the final decision pursuant to CDC [99.240](#).

For additional information, please contact John Floyd, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6058.



DR-21-14/MISC-21-14/SGN-21-20 - Notified Property Owners Within 500 Ft of 1590 Willamette Falls Drive





**NOTICE OF UPCOMING  
PLANNING MANAGER DECISION**

**PROJECT # DR-21-11/MISC-21-14/SGN-21-20  
MAIL: February 4, 2022 TIDINGS: February 16, 2022**

**CITIZEN CONTACT INFORMATION**

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

**AFFIDAVIT OF NOTICE  
TYPE A  
HISTORIC REVIEW BOARD DECISION**

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

**PROJECT**

File No.: **DR-21-11/MISC-21-14/SGN-21-20**

Applicant's Name: **Jessica Iselin**

Development Name: **Willamette Garage Food Cart Pod**

Scheduled Decision Date: **HRB Recommendation 3/2/22 and Planning Commission 3/16/22**

**APPLICATION**

The application was posted on the website at least 20 days before the hearing. All documents or evidence relied upon by the applicant, and applicable criteria are available for review at least 20 days before the hearing at City Hall, per Section 99.040 of the Community Development Code.

<b>2/3/22</b>	<i>Lynn Schroder</i>
---------------	----------------------

**MAILED NOTICE**

Notice of Upcoming Hearing was mailed at least 20 days before the hearing, per Section 99.080 of the CDC to:

<b>Jessica Iselin, applicant representative</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>
<b>John Stromquist, applicant</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>
<b>Willamette Garage, LLC, applicant</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>
<b>Tri-Met</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>
<b>Jason Arn, TVFR</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>
<b>Property owners within 500ft of the site perimeter</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>
<b>All Neighborhood Associations</b>	<b>2/4/22</b>	<i>Lynn Schroder</i>

**WEBSITE**

Notice was posted on the City's website at least 20 days before the hearing.

<b>2/3/22</b>	<i>Lynn Schroder</i>
---------------	----------------------

**TIDINGS**

Notice was posted in the West Linn Tidings at least 10 days before the hearing, per Section 99.080 of the CDC.

<b>2/16/22</b>	<i>Lynn Schroder</i>
----------------	----------------------

**SIGN**

A sign was posted on the property at least 10 days before the hearing, per Section 99.080 of the CDC.

<b>2/4/22</b>	<i>John Floyd</i>
---------------	-------------------

**STAFF REPORT**

The staff report was posted on the website and provided to the applicant and Planning Commissioners at least 10 days before the hearing, per Section 99.040 of the CDC.

<b>2/18/2022</b>	<i>Lynn Schroder</i>
------------------	----------------------

**FINAL DECISION**

Notice of Final Decision was mailed to the applicant, all parties with standing, and posted on the City's website, per Section 99.040 of the CDC.

--	--