

PLANNING MANAGER DECISION

DATE: October 10, 2023

FILE NO.: DR-23-07

REQUEST: Approval of a Class I Design Review at 1750 Blankenship Rd

PLANNER: Ben Gardner, Assistant Planner

Planning Manager $_$

TABLE OF CONTENTS

GENERAL INFORMATION	2
PROJECT BACKGROUND	2
DECISION	3
ADDENDUM	5

EXHIBITS

PD-1	APPLICANT SUBMITTAL	10
PD-2	PUBLIC COMMENTS	14
PD-3	COMPLETENESS LETTER	16
PD-4	AFFADAVIT AND NOTICE PACKET	18

GENERAL INFORMATION

APPLICANT:	Desmond Amper - LRS Architects 720 NW Davis St. #300 Portland, OR 97209
OWNER:	William R. Oneill 16731 Greenbriar Rd Lake Oswego, OR 97034
SITE LOCATION:	1750 Blankenship Rd
SITE SIZE:	140,626 Square Feet
LEGAL DESCRIPTION:	Lot A Tract 4 of Willamette Tracts Assessor's Map 21E35CB Tax Lot 01200
COMP PLAN DESIGNATION:	Commercial
ZONING:	OBC, Office Business Center
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 21: Office Business Center, OBC; Chapter 55: Design Review; Chapter 99: Procedures for Decision Making: Quasi-Judicial.
120-DAY RULE:	The application became complete on September 11, 2023. The 120-day period ends January 9, 2024.
PUBLIC NOTICE:	Notice was mailed to property owners within 300 feet of the subject property and to the Willamette Neighborhood Association on September 12, 2023. A sign was placed on the property on September 12, 2023. The notice was also posted on the City's website on September 12, 2023. Therefore, public notice requirements of CDC Chapter 99 have been met.

BACKGROUND

The applicant is requesting approval to demolish an existing storefront glazing system on the Southeasternmost first floor corner of the building and to replace it with a roll up glass door of matching style. The total area of the façade being altered is 117.75 square feet. The given modification will not change the square footage of the affected tenant space.

PUBLIC COMMENT

Staff received one public comment prior to the close of the comment period. See Exhibit PD-2. The comment is summarized below with a response from Staff.

Tom Butler (Email Dated September 9, 2023):

"Seems to me you would be installing a door that is appropriate for an industrial area, not for a residential area. With some creative work, I think they could design an appropriate look for a residential area instead of taking the easy way out. The building was obviously not designed and built to be a warehouse."

Staff Response: The subject structure is within the Office Business Center (OBC) zone. The proposed glazing replacement will match the existing glazing style and context of the Summerlinn Center area. Warehouses are not permitted in the OBC zone and a warehouse use is not proposed.

DECISION

The Community Development Director (designee) approves this application (DR-23-07), 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. <u>Plans, Elevations, and Narrative.</u> The project shall conform to the plans, elevations, and narrative submitted in Exhibit PD-1 and obtain all necessary building permits.

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

Ben Gardner, Assistant Planner

October 13, 2023 Date Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date. The appeal fee is \$400. The appeal must be filed by an individual who has established standing by submitting comments before the decision date. Approval will lapse 3 years from the effective approval date if the final plat is not recorded.

Mailed this 13th Day of October 2023.

Therefore, the 14-day appeal period ends at 5 p.m. on October 27th, 2023.

ADDENDUM APPROVAL CRITERIA AND FINDINGS DR-23-07

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

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 1: The proposed project is a modification of the building façade that does not increase the interior usable space. Therefore, the application requires a Class I Design Review. The criteria 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.

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.

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.

C. The Planning Director shall determine the applicability of the approval criteria in subsection A of this section.

Staff Finding 2: The project site is substantially developed, and no natural features are affected by the proposed project-- Therefore, CDC 55.100(B)(1) through (4) do not apply. The proposed project is an exterior architectural change-- Therefore, CDC 55.100(B)(5) and (6) apply. See Staff Findings 3 - 9. The proposed change will not affect the adequacy of public facilities serving the property. The criteria are met.

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

B. Relationship to the natural and physical environment.

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 3: The proposed project affects the Southeastern façade of the existing building and does not affect any distances to other properties or buildings on or off-site. Thus, the proposal will not affect light, air circulation, or fire protection. The criteria are met.

6. Architecture.

...

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

Staff Finding 4: The proposed project does not affect the scale or massing of the structure. The roll up door with glazing replacing the existing storefront glazing system will match the existing materials, colors, and form of the subject structure and the rest of the Summerlinn Center buildings, and therefore contextually matches the existing conditions. The criteria are met.

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.

Staff Finding 5: The proposed project scope does not affect the scale or massing of the subject structure, and matches the existing materials, colors, and form. It does not contrast with existing architecture. The criteria are met.

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

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

Staff Finding 6: The proposed project scope entails replacing an existing storefront glazing system with a roll up door of the same materials. This will help to break up the Southeastern façade and

improve its interface with the sunken access area adjacent to the sidewalk while still retaining the flexibility to shelter occupants from nearby traffic, thereby bringing this side of the building closer to the human-scale. The criteria are met.

e. The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-footlong building elevation shall have at least 60 feet (60 percent of 100 feet) in length of windows. The window height shall be, at minimum, three feet tall. The exception to transparency would be cases where demonstrated functional constraints or topography restrict that elevation from being used. When this exemption is applied to the main front elevation, the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations at pedestrian level in addition to any transparency required by a side elevation, and vice versa. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.

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

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

Staff Finding 7: The building currently conforms to the required proportions of glazing. The replacement of the storefront glazing system with a roll up door of the same materials will maintain this proportion. It will not affect the roofline or the rear elevation. The criteria are met.

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.

Staff Finding 8: The proposed roll up door will help to improve the interface between an existing tenant space and the sidewalk stairway access for building users and pedestrians utilizing the given access. The criteria are met.

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 9: The proposed scope does not affect the sidewalk profile. It does not propose elements such as sidewalk cafes, kiosks, vendors, or street furniture, and does not affect the existing pedestrian accessway. The criteria are met.

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 10: A pre-application conference was held on August 3, 2023. The criteria are met.

99.080 NOTICE

Notice shall be given in the following ways:

B. Class B Notice. Notice of a proposed action on a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:

- 1. At least 14 days prior to the decision date, a notice shall be sent by mail to:
- a. The applicant or their agent;
- b. The affected recognized neighborhood association or citizens advisory committee; and
- c. All property owners of record within 300 feet of the site perimeter;

Staff Finding 11: A Class B Notice was prepared and sent via mail to the applicant, the affected neighborhood association, and all property owners within 300 feet of the site perimeter of 1750 Blankenship Rd on 9/12/2023. The criteria are met.

2. At least 10 days prior to the earliest date that the approval authority can take action on the application, the applicant shall place a sign, provided by the Community Development Department, on the subject property in plain view. The sign shall state, "This property is the subject of a land use decision," with the type of use or request indicated.

Staff Finding 12: A sign detailing the property as being subject of a land use decision with case information was placed on the property on 9/12/2023. The criteria are met.

3. The Director shall cause an affidavit of mailing of notice and posting of notice to be filed and made part of the administrative record.

Staff Finding 13: An affidavit of mailing of notice and posting of notice was filed in the land use case record. See Exhibit PD-4. The criteria is met.

4. At the conclusion of the land use action the signs shall be removed.

Staff Finding 14: The sign will be removed after the conclusion of this land use action. The criteria is met.

EXHIBIT PD-1 - APPLICANT SUBMITTAL



DEVELOPMENT REVIEW APPLICATION

	Ben Gardner	PROJECT NO(S). DR-23-0)7	PRE-APPLICATION NO.
NON-REFUNDABLE FEE	\$) \$2,800	REFUNDABLE DEPOSIT(S)	TOTAL \$2,8	00
Type of Review (Pla	ease check all that apply):			
Annexation (ANX) Appeal (AP) CDC Amendment (Code Interpretatio Conditional Use (O Design Review (DR Tree Easement Vac Expediated Land D Extension of Appro Pre-Application, Home	CDC) Floc CDC) Hist In (MISC) Lot JP) Min ation (MISC) Non vision (ELD) Plan val (EXT) Stre e Occupation, Sidewalk Use	I Plat (FP) od Management Area (FMA) oric Review (HDR) Line Adjustment (LLA) or Partition (MIP) dification of Approval (MOD) -Conforming Lots, Uses & Structures ined Unit Development (PUD) et Vacation , Addressing, and Sign applications re	Water Resource A Willamette & Tua Zone Change (ZC)	(MISC) EXT) ation (VAC) rea Protection/Single Lot (WA rea Protection/Wetland (WA latin River Greenway (WRG
te Location/Address:	1750 Blankenship Rd.		Assessor's Map No.:	
Suite 130 &149 West Linn, OR 97068 Brief Description of Proposal:			Tax Lot(s): 21E35CB 01	
		Total Land Area: 3.23		Acres +/-
he proposed scope of w uilding on the 1st floor. existing storefront system oplicant Name*: LRS	ork includes the demolition The storefront glazing system n. All existing building finishe Architects (Desmor	and replacement of an existing storefrom m will be replaced with a New roll up do es and color to remain the same. and Amper) Portland, OR 97209	Phone: 503 221	azing to match the building's
vner Name (required) dress:	16731 Green	ONEILL BRIAR Rd	Phone: 50 Email:	3-7 81-76 64
y State Zip:	Lake Oswe	90 OR 97034		24.50 2 Aul
nsultant Name: dress:			Phone: Email:	L3658 a Aol. C

- 3. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
- 4.5 ubmit this form, application narrative, and all supporting documents as a single PDF through the Submit a Land Use Application web page: <u>https://westlinnoregon.gov/planning/submit-land-use-application</u>

The undersigned property owner authorizes the application and grants city staff the **right of entry** onto the property to review the application. Applications with deposits will be billed monthly for time and materials incurred above the initial deposit. The applicant agrees to pay additional billable charges.

08/15/2023 Applicant's signature Date

Sate |

2023

8

Owner's signature (required)

DESIGN REVIEW – CLASS 1 NARRATIVE Summerlinn Center - Ste 130 & 140

Site Information

Address:	1750 BLANKENSHIP RD., SUITE 130 & 140, WEST LINN, OR 97068
Zoning:	Office Business Center
Tax Lot #:	21E35CB01200

Monday, August 21, 2023

Scope of Work

The proposed scope of work includes the demolition and replacement of an existing storefront glazing system located on the northeast end of the building on the 1st floor. The storefront glazing system will be replaced with a New rollup door with black frame and glazing to match the building's existing storefront system. All existing building finishes and color to remain the same.

55.090 APPROVAL STANDARDS - CLASS I DESIGN REVIEW

CDC 55.100(b)(1-4) - Relationship to the natural and physical environment

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.

<u>Response</u>: The site of the project location is on a fully developed site and the proposed scope of work will not affect the existing site elements or natural environment.

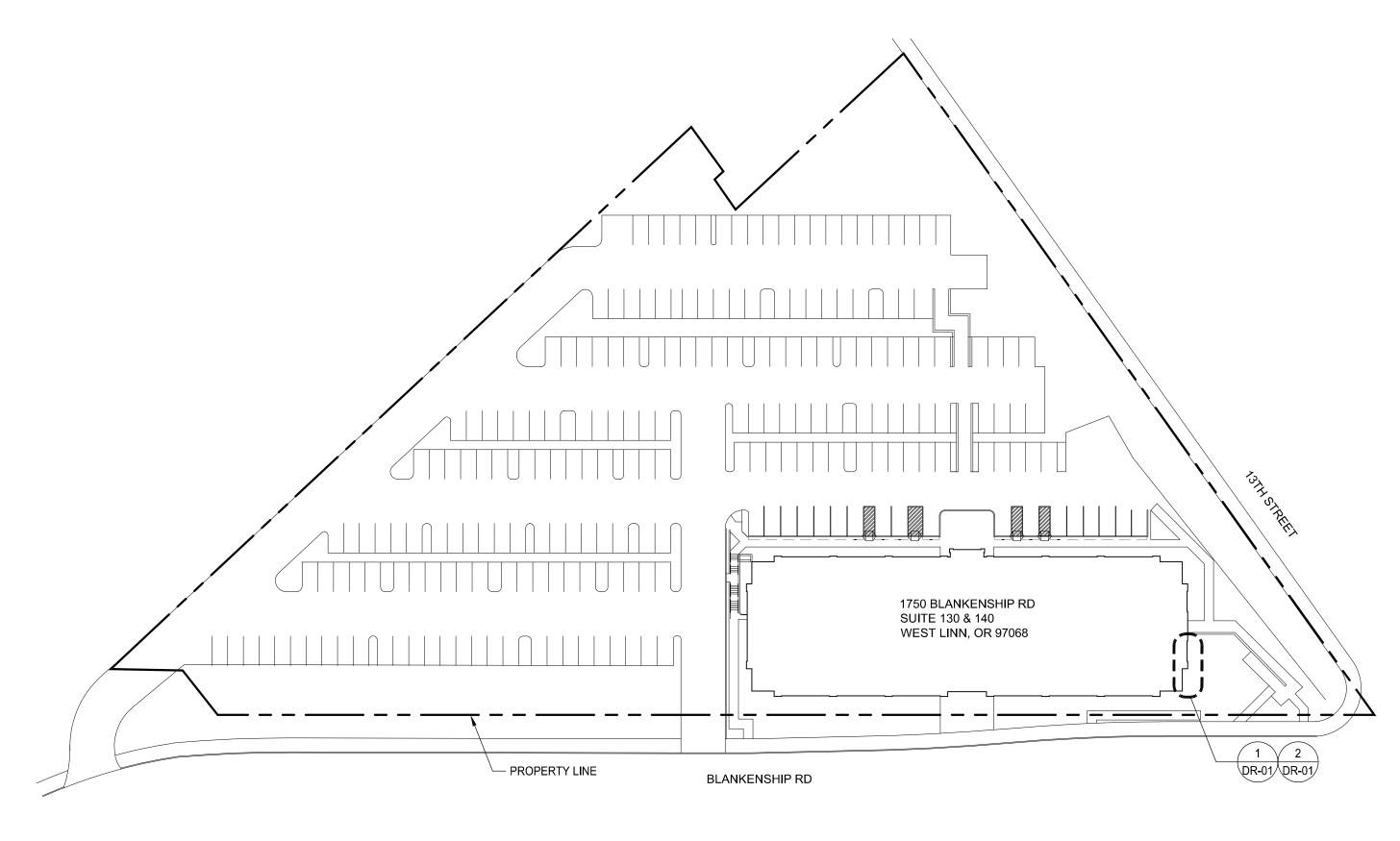
CDC 55.100(b)(5-6) - Relationship to the natural and physical environment

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.

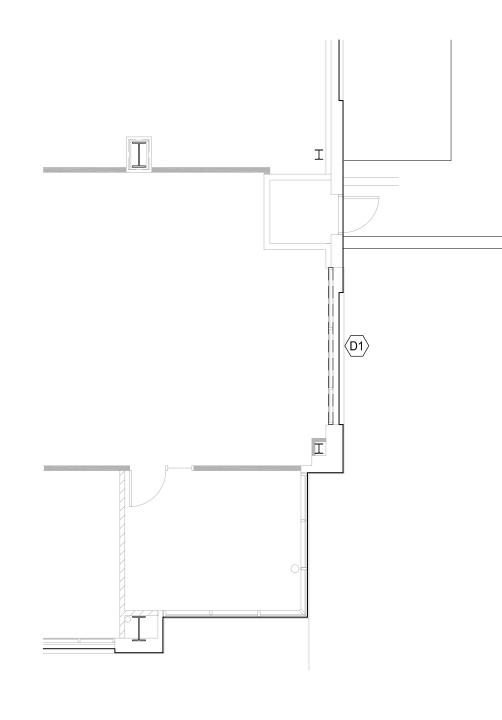
<u>Response:</u> The proposed scope of work will not change the footprint of the existing building. The existing building will maintain adequate light and air circulation for fire protection.

6. Architecture. (a)(b)(c)(d)(e)(f)(g)(h)(i)

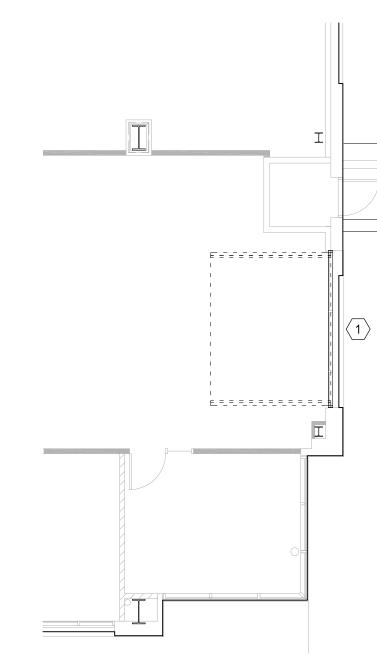
<u>Response:</u> The proposed scope of work includes removing and replacing an existing storefront system on the northeast end of the building on the 1st floor with a new roll up door. The new roll up door will match the same finish and glazing as the existing building storefront system.



OVERALL SITE PLAN 1. SCALE: 1" = 50'-0

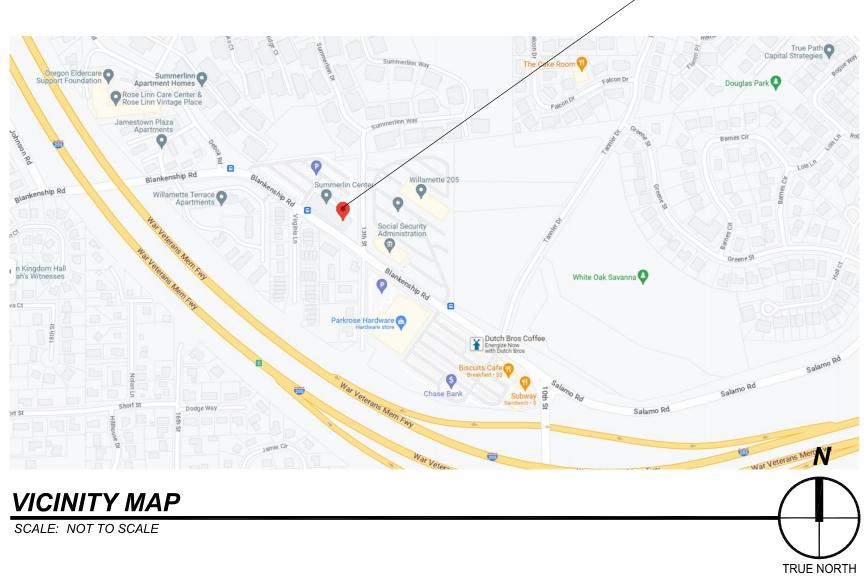




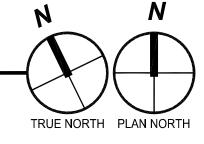


4 DR-01













- SITE LOCATION

SITE INFORMATION

ADDRESS:	1750 BLANKENSHIP RD., SUITE 130 & 140, WEST LINN, OR 97068
ZONING:	OFFICE BUSINESS CENTER
TAX LOT #:	21E35CB01200
ACRES:	3.228 ACRES

LEGEND

	EXISTING TO REMAIN	
c = = = = =	DEMOLISH EXISTING ELEMENT	
	NEW GLASS ROLL UP DOOR	

CONSULTANT:

PLAN KEYNOTES

 $\langle D1 \rangle$ DEMO EXISTING STOREFRONT

- NEW ROLL UP DOOR WITH BLACK FRAME AND GLAZING TO MATCH EXISTING STOREFRONT SYSTEM. MFR: HORMANN STYLE: 750A
- $\langle 2 \rangle$ EXISTING BUILDING FINISH TO REMAIN, TYP.
- $\langle 3 \rangle$ EXISTING GLAZING SYSTEM TO REMAIN, TYP.

PROJECT NUMBER:

223120

Summerlinn Building TI -Roll Up Door 1750 BLANKENSHIP RD., SUITE 130 & 140, WEST LINN, OR 97068

SHEET TITLE: SITE PLAN, ENLARGED PLAN, ELEVATION

DRAWN BY: DATE ISSUED:	DLA
DESIGN REVIEW CLASS 1	08.21.2023



EXHIBIT PD-2 - PUBLIC COMMENTS

Gardner, Benjamin

From:Tom Butler <tjbutleriii@gmail.com>Sent:Tuesday, September 19, 2023 10:01 AMTo:Gardner, BenjaminSubject:1750 Blankenship Rd.

[You don't often get email from tjbutleriii@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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.

Seems to me you would be installing a door that is appropriate for an industrial area, not for a residential area. With some creative work, I think they could design an appropriate look for a residential area instead of taking the easy way out. The building was obviously not designed and built to be a warehouse.

Tom Butler 975 Springtree Lane 503-577-0665

Sent from my iPhone

EXHIBIT PD-3 - COMPLETENESS LETTER



September 11, 2023

Desmond Amper 720 NW Davis St #300 Portland, OR 97209

SUBJECT: Class I Design Review at 1750 Blankenship (DR-23-07)

Desmond Amper,

Your application submitted on August 24, 2023 has been deemed **complete**. The city has 120 days to exhaust all local review; that period ends January 9, 2024.

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 Director to render a decision on your proposal.

A 14-day public notice will be prepared and mailed. This notice will identify the earliest potential decision date by the Planning Director.

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

Sincerely,

Ben Gardner Assistant Planner

EXHIBIT PD-3 - AFFIDAVIT AND NOTICE PACKET



AFFIDAVIT OF NOTICE PLANNING MANAGER 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-23-07Applicant's Name: Desmond Amper, LRS ArchitectsDevelopment Address: 1750 Blankenship RdPlanning Manager Decision no earlier than 9/26/23

APPLICATION

The application was posted on the website at least 14 days before the decision.

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9/12/23	LynnSchroder

MAILED NOTICE

Notice of Upcoming Planning Manager Decision was mailed at least 14 days before the decision, per Section 99.080 of the CDC to:

Desmond Amper - LRS Architects, applicant representative	9/12/23	LynnSchroder
William R Oneill, property owner	9/12/23	Lynn Schroder
Property owners within 300ft of the site perimeter	9/12/23	Lynn Schroder
Willamette Neighborhood Association	9/12/23	LynnSchroder

EMAILED NOTICE

Notice of Upcoming Planning Manager Decision was emailed at least 14 days before the decision date to:

Neighborhood Association	9/12/23	Lynn Schroder
Desmond Amper - LRS Architects, applicant	9/12/23	Lynn Schroder

WEBSITE

Notice was posted on the City's website at least 14 days before the decision.

9/12/23 LynnSchroder

<u>SIGN</u>

A sign was posted on the property at least 10 days before the decision, per Section 99.080 of the CDC.

9/12/23 BenGardner

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.

10/13/23 Lynn Schroder

CITY OF WEST LINN NOTICE OF UPCOMING PLANNING MANAGER DECISION FILE NO. DR-23-07

The West Linn Planning Manager is considering a Class I Design Review at 1750 Blankenship Rd to allow the replacement of storefront glazing with a roll up door.

You have been notified of this proposal because County records indicate that you own property within 300 feet of the property (Clackamas County Assessor's Map 21E35CB01200), or as otherwise required by CDC Chapter 99.080.

The Planning Manager will decide the application based on criteria in Chapters 19, 55, and 99 of the Community Development Code (CDC). The CDC approval criteria 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, <u>https://westlinnoregon.gov/planning/1750-blankenship-road-class-1-design-review</u>. 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.

A public hearing will not be held for this decision. **Anyone wishing to submit comments for consideration** must submit all material before <u>4:00 p.m. on September 26, 2023</u> to <u>bgardner@westlinnoregon.gov</u> or mail them to City Hall at the address below. All comments must be received by the deadline.

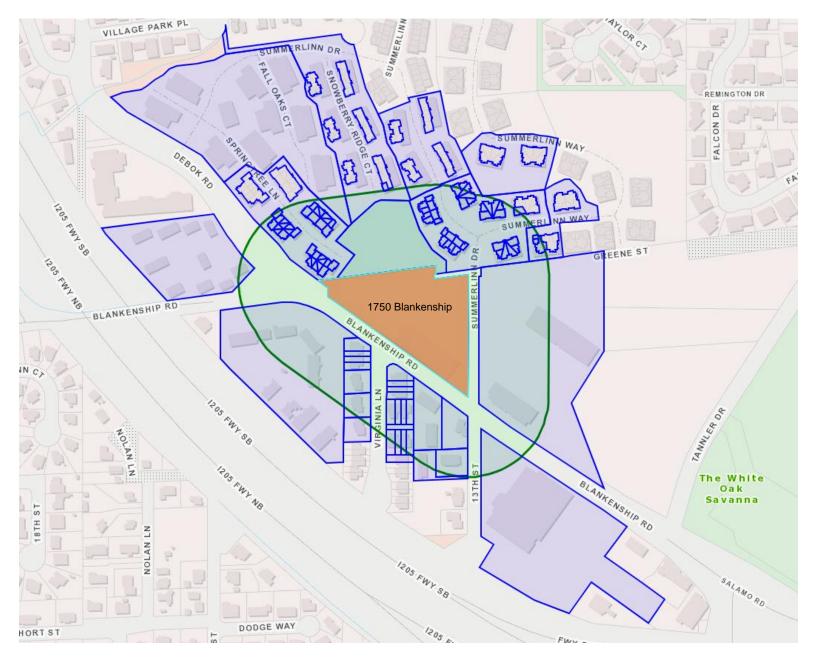
It is important to submit all testimony in response to this notice. All comments submitted for consideration of this application should relate specifically to the applicable criteria. Failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the Oregon Land Use Board of Appeals based on that issue (CDC Section 99.090).

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 <u>99.240</u>.

For additional information, please contact Ben Gardner, Assistant Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6057.

Scan this QR Code to go to Project Web Page:





DR-23-07 – Notified Properties within 300 feet of 1750 Blankenship Road



NOTICE OF UPCOMING PLANNING MANAGER DECISION

PROJECT # DR-23-07 MAIL: 9/12/23 TIDINGS: N/A

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets and land use application notice, and to address the concerns of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.