

**WEST LINN PLANNING COMMISSION  
FINAL DECISION AND ORDER  
FILE NO. CUP-25-01/DR-25-01**

**IN THE MATTER OF A PROPOSAL FOR A CONDITIONAL USE PERMIT AND CLASS II  
DESIGN REVIEW AT 1553 11<sup>TH</sup> STREET**

**I. Overview**

At its meeting on November 19, 2025, the West Linn Planning Commission (“Commission”) held a public hearing to consider a request by David Lawrence to approve a Conditional Use Permit and Class II Design for an eight-unit food cart pod, new dining/restroom structure, and conversion of existing space into a taproom. The approval criteria are found in Chapters 34, 44, 46, 48, 54, 55, 59, 96, and 99 of the Community Development Code (CDC). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Darren Wyss, Principal Planner. Jessica Iselin, project architect, presented on the applicant’s behalf and the applicant, David Lawrence, answered questions from the Commission. Oral testimony in opposition to the proposal was provided by Kathi Halicki, President of the Willamette Neighborhood Association (WNA), Beau Genot, Lance Finnefrock, Paul Reim, and Ian Brown. Written testimony in opposition of the proposal was submitted by Katie Zabrocki.

The primary concerns raised at the public hearing included:

1. No onsite parking for vendors.
2. Proximity to roundabout is a safety issue.
3. Overflow parking into the neighborhood and school property.
4. Increase in traffic congestion, effect on emergency response, and conflict with primary school pickup.
5. Effect on existing businesses.
6. Noise levels.
7. Serving alcohol in close proximity to a day care and primary school.
8. Child safety and drunk driving.
9. Greenlight traffic memo did not account for proximity to the school or observe the traffic/parking issues at the other food cart pod.
10. Potential for attracting rodents.
11. Overall benefit to the city.

Jessica Iselin and David Lawrence provided applicant rebuttal. Principal Planner Wyss answered questions from the commission.

The public hearing was closed and the Commission entered deliberations. The Commission discussed restricting operating hours to non-school hours, policing of people not the

Commission's responsibility, parking availability, regulating the number of restaurants not the Commission's responsibility, noise is regulated by the West Linn Municipal Code, benefit of restoring the curb at closed west access drive, and the need to widen the existing driveway.

After deliberations a motion was made by Commissioner Evans and seconded by Commissioner Schulte-Hillen to approve the application with modified recommended conditions of approval from the November 19, 2025 staff report. This included retaining Staff recommended Conditions of Approval 1, 2, 5, and 6, rewording Staff recommended Condition of Approval 3 to "work with staff to find a solution to separate the access drive for safety purposes, possibly by using bollards, planters, or signage", and removing Staff recommended Condition of Approval 4. The motion passed five (5) in favor (Commissioners Jones, Evans, Watton, Schulte-Hillen, and Chair Metlen) and one (1) opposed (Commissioner Walvatne).

## **II. The Record**

The record was finalized at the November 19, 2025, hearing. The record includes the entire file from CUP-25-01/DR-25-01.

## **Findings of Fact**

- 1) The Overview set forth above is true and correct.
- 2) The applicant is David Lawrence.
- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; public comment, if any; and the evidence in the whole record, including any exhibits received at the hearing.

## **III. Findings**

The Commission adopts the Staff Report for CUP-25-01/DR-25-01, with attachments, as its findings, which are incorporated by this reference with five conditions of approval. With the incorporated findings and the supplemental findings below, the Commission concludes that all required approval criteria are met subject to the following conditions of approval:

### **Supplemental Findings:**

1. CDC 59.060(8) – Eating and Drinking Establishments as Conditional Uses  
The Commission found the proposed use compliant with the code. The Commission does not have the authority or responsibility to manage the number of similar businesses in a commercial area.
2. CDC 46.090 Off-Street Parking Spaces  
The Commission found the applicant is not required to provide vendor parking spaces, nor is it the Commission's responsibility to manage on-street parking in the neighborhood.

3. CDC 55.100.D(4) Privacy and Noise.

The Commission found that future noise issues will be enforced through the West Linn Municipal Code and no noise study or additional screening was necessary.

4. CDC 60.070.A(3) Overall Benefit to the City.

The Commission found the proposed use compliant with the code. Uses permitted outright, or conditionally, have been determined through the adopted code to be acceptable and compatible in that zoning designation.

5. CDC 46.150.A(4) and (9) Access Drive Safety

The Commission found alternative solutions are acceptable to separate the access drive for safety purposes and the post/cable fence is not necessary. The Commission found using bollards, planters, or signage will meet the code.

6. CDC 48.040.A(1) and CDC 60.070.C(5) Vehicle Access

The Commission found the existing 18 ft. 8 in. access drive to be sufficient to serve the existing Pool/Spa Supply business as it has sufficient width to accommodate two-way traffic.

#### **IV. Order**

The Commission orders that CUP-25-01/DR-25-01 is approved based on the Record, Findings of Fact, and Findings above.

1. Approved Plans. With the exception of modifications required by these conditions, the project shall substantially conform to all Tentative Plan Sheets.
2. Engineering Standards. All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These must be designed, constructed, and completed prior to final building certificate of occupancy. Public Works may coordinate with the applicant to complete additional, voluntary, off-site improvements.
3. Service Drive Barrier. To maximize safety of pedestrians associated with the food cart pod and tap room, the applicant shall work with staff to find a solution to separate the access drive for safety purposes, possibly by using bollards, planters, or signage.
4. Closed Driveway Approach. The applicant will close the west access drive from Willamette Fall Drive by removing the existing driveway approach and installing a curb and pavers to match the existing improvements on Willamette Falls Drive.

5. Refuse/Recycling Enclosure. The applicant shall install a continuous, curbed landscape area at least three feet in width on the sides and rear of the enclosure. Landscaping shall include a continuous hedge maintained at a height of 36 inches.



JOEL METLEN, CHAIR  
WEST LINN PLANNING COMMISSION

11/20/25

DATE

This decision may be appealed to the City Council pursuant to the provisions of Chapter 99 of the Community Development Code and any other applicable rules and statutes. This decision will become effective 14 days from the date of mailing of this final decision as identified below.

Mailed this 21 day of November, 2025.

Therefore, this decision becomes effective at 5 p.m., December 5, 2025.