



CITY OF
West Linn

Memorandum

Date: March 19, 2026

To: West Linn Planning Commission

From: Darren Wyss, Principal Planner

Subject: Written Comment Received at the public hearing for CUP-25-03/DR-25-03/VAR-25-02
(New Drive-Through Car Wash at 18850 Willamette Drive)

The following written comments were received at the March 18, 2026 public hearing.

As always, please contact me with any questions at dwyss@westlinnoregon.gov or 503-742-6064.

Concerns from Robinwood

Zachary Freeman <zachary.abbott.freeman@gmail.com>
To: <dwyss@westlinnoregon.gov>

Wed, Mar 18 at 2:07 PM

Good afternoon,

I'm writing in regards to the proposed Kaady Carwash development in Robinwood on the former McDonald's site on Willamette Drive. My family and I live at 18495 Rose CT. We've lived at the address for 5 years and are raising our little kids here. I've been attending neighborhood association meetings since we moved here and the most highly attended have been with topics pending regarding closing Cedar Oak, and the proposal for this car wash. To say that the neighborhood doesn't want it, is an understatement.

In the same vein the neighborhood successfully fought against Les Schwab going into where the Chase Bank now resides, this auto-centric business is antithetical to our community values. We want to continue putting people, safety, pedestrians, children, bikes, connectivity, walkability, and nature in the center of our lives here. Another entirely Auto-centric focused business flies in the face of that ethos and our values and in fact will inflict harm on our community.

There is written testimony from the previous property tenant (McDonalds) that the location was unfit for business due to traffic concerns, particularly vehicles attempting to turn against on-coming traffic to both enter and exit the location. As someone who needs to do this on the daily for work and shopping (exiting Fairview) it is clear the current traffic on Willamette is both heavy throughout large portions of the day and downright dangerous to get out onto when crossing on-coming. This business will drastically enhance safety concerns with potentially dozens of cars per hour with no traffic light or crosswalk assistance. Vehicles wishing to avoid this issue and gain access using a light will be now adding unnecessary vehicles to our local Robinwood streets like Walling Way, Rose Way, Fairview, and Old River Rd to Cedar Oak Drive (A School Road) to access assistance of traffic lights on Willamette Drive. These Robinwood Streets are small, are dominated by pedestrians and neighbors exercising, biking, and walking pets, while also having little to no sidewalks, crosswalks, or speed bumps. I deeply urge the commission to pause and undertake a traffic study to evaluate these concerns.

From an environmental perspective, running behind the proposed carwash is a substantial, and at places beautiful, creek and wildlife access route. The carwash owners will try to tell you they contain all of the dangerous chemicals that would wash into this stream, I'm sure they do a great job. But stand outside any car wash and watch how far the cars drag these chemical down the street. All of this eventually will wash into this creek and local water ways. Furthermore, what if there ever was a leak or spill from services these chemical wells? Is the car wash across the street enough of these localized chemicals? Is an independent environmental analysis also worthy for this site due to proximity to a riparian area? Or is it even perhaps in violation of code due to this proximity?

What about the noise? What about our neighborhood backyards? What is the impact of these carwashes and vacuums to the livability of so many of our back yards? Is it fair to compromise this tranquility? Could it lessen property values? Certainly won't add anything.

We as a neighborhood have participated deeply in the talks and planning surrounding Vision 30. We've told you what we want. We want what's best for each other! Not each others vehicles! We want safety, sidewalks, slower speeds, crosswalks, traffic lights, bike lanes, more residential mixed-use, community gathering space, parks, schools, entertainment. This businesses proposal is antithetical to every single one of those Robinwood priorities. I urge you to consider livability, safety, and the environment before you approve this business permit.

Thank you for these considerations!

Sincerely,
[Quoted text hidden]

JAKE JANOVETZ

Position Statement: Opposition to the Proposed Kaady Car Wash at 18850 Willamette Falls Drive

Submitted to the West Linn Planning Commission

Public Hearing — March 18, 2026

Executive Summary

This document presents a community-based case against granting a conditional use permit for the proposed Kaady Car Wash at the former McDonald's site at 18850 Willamette Falls Drive in the Robinwood neighborhood of West Linn, Oregon. The opposition rests on three principal grounds: (1) the proposal is fundamentally misaligned with the city's own long-range planning vision for the Highway 43 corridor; (2) it introduces redundant, low-community-value commercial use to a corridor where every parcel matters; and (3) the specific history of Kaady's prior presence in West Linn raises questions about the company's commitment to the community it claims to serve. More than 300 Robinwood residents have signed a petition opposing this application.

1. Background and Context

Kaady Car Wash, founded in 1976 in Southwest Portland, operates approximately 18 locations across Oregon, Washington, and Northern California. The company previously operated a car wash at 19303 Willamette Drive in West Linn's Robinwood neighborhood. That location closed after Kaady's lease expired, a decision Kaady confirmed publicly on its Facebook page. The property subsequently sat vacant until United Car Wash invested in revitalizing the site and now operates a functioning car wash at that same address.

Kaady is now seeking a conditional use permit and Class 2 design review approval to demolish the former McDonald's building at 18850 Willamette Falls Drive—less than half a mile from the existing United Car Wash—and construct a 3,190-square-foot automatic drive-thru car wash with 15 vacuum stations. The Business Tribune reported in April 2025 that Kaady's architect stated the company was "doing his due diligence on the site before purchasing the property" and wanted to ensure the proposal would be "supported by the city before closing on the land."

2. Conflict with VISION43 and the City's Long-Range Planning

The most compelling reason to deny this application is that it directly contradicts the city's own adopted and in-progress planning frameworks for this corridor. West Linn has invested years of

public engagement and \$200,000 in budget allocation to develop VISION43, a 50-year plan for the Highway 43 corridor. The proposed Kaady site falls squarely within this planning area.

2.1 VISION43: A Community-Driven Framework

VISION43 is described by the city as “a land use framework that aims to improve walking and biking opportunities within the corridor and create opportunities for businesses, housing, and gathering places.” The plan identifies three focus areas for mixed-use rezoning along Highway 43, one of which is the Robinwood/Walmart/Sourdough Willy’s node—the immediate vicinity of the proposed Kaady site.

The VISION43 framework explicitly envisions these focus areas as “walkable, mixed-use environments that can support small businesses, services, and community-oriented retail.” The City Council’s stated goals for the corridor include: creating safe facilities for pedestrians, cyclists, and transit users; commercial services that meet neighborhood needs; and pedestrian connections to essential goods and services. An automatic drive-thru car wash with 15 vacuum stations is the antithesis of this vision—it is auto-oriented by definition, does not create a gathering place, does not invite foot traffic, and does not contribute to the walkable, community-centered environment the city is trying to build.

2.2 The Robinwood Neighborhood Plan

The adopted Robinwood Neighborhood Plan reinforces this direction. The plan’s vision statement describes a future in which the neighborhood’s “business district” along Highway 43 is one “where locally-owned businesses thrive,” where “there are no large retailers,” and where residents “enjoy walking and biking in the business district.” The plan emphasizes that “new development matches what has been here and fits in to enhance our sense of livability and friendliness.” A chain-operated drive-thru car wash does not match this description.

2.3 The West Linn Waterfront Community Vision Plan

In November 2025, the West Linn City Council unanimously adopted the Waterfront Community Vision Plan for approximately 275 acres of waterfront land. The plan’s Ponds District focuses on wetlands restoration and development along the Willamette Falls Drive area. Council members expressed hope that the area would become “a gathering place with shops, restaurants, parks, tribal space, another main street maybe and other opportunities.” These concurrent planning efforts represent a clear and consistent community mandate: the corridor should be evolving toward higher-value, community-building uses—not accommodating additional auto-oriented services.

3. Redundancy and Missed Opportunity Cost

United Car Wash already operates at 19303 Willamette Drive, less than half a mile from the proposed Kaady site. The existing facility provides car wash services to the community, including touchless wash options, paint and exterior protection, self-serve vacuums, and ADA-compliant access. Robinwood residents are not underserved for car wash capacity.

The relevant question is not whether Kaady can legally build a car wash, but whether this is the best and highest use of a limited commercial parcel in a corridor the city is actively trying to transform. Every commercially zoned parcel along Highway 43 that gets locked into a low-community-value, auto-oriented use is a parcel that cannot become the kind of place VISION43 envisions: a coffee shop, a community-oriented retail space, a mixed-use development with housing above and neighborhood services below, or any of the other uses that build community identity and foot traffic.

The Robinwood Neighborhood Association Vice-President, Elizabeth Dietz, captured this sentiment: “I don’t think people really want another thing that doesn’t build a community... I think people would rather see a retail shop or something like that.” This is not merely a personal preference—it is consistent with every planning document the city has produced for this corridor.

4. Kaady’s History in West Linn

Kaady’s prior presence in West Linn deserves scrutiny. The company operated at 19303 Willamette Drive for years before allowing its lease to expire and departing the community. The property sat vacant until United Car Wash invested in rehabilitating the site and reopening it as a functioning business.

Now, rather than returning to support the community it left, Kaady seeks to open a new location just blocks away—directly competing with the business that made productive use of the property Kaady abandoned. This pattern raises a legitimate question about the company’s stated commitment to being “good neighbors and a positive addition to every community.” A good neighbor does not leave a property vacant, wait for someone else to invest in revitalizing it, and then return to undercut that investment.

5. Community Sentiment

More than 300 Robinwood residents have signed a petition opposing this proposal. The petition was organized by neighborhood residents and will be submitted to the Planning Commission. Concerns include noise from 15 vacuum stations operating throughout the day, increased auto-oriented traffic on a corridor the city is trying to make more pedestrian-friendly, and the fundamental mismatch between a drive-thru car wash and the neighborhood’s character and aspirations.

Kaady’s representative, Adam Wilde, has stated that noise and traffic studies show the facility would operate within city ordinances. Even if that is true in a narrow regulatory sense, compliance with minimum standards is not the same as alignment with community vision. The question before the Planning Commission is not merely whether this application satisfies the technical requirements for a conditional use permit, but whether it serves the long-term interests of the Robinwood neighborhood and the Highway 43 corridor.

6. Recommendation

We respectfully urge the West Linn Planning Commission to recommend denial of the conditional use permit application for the proposed Kaady Car Wash at 18850 Willamette Falls Drive. The grounds for denial include:

1. **Misalignment with VISION43.** The proposal conflicts with the city's community-driven, \$200,000 planning effort to transform the Highway 43 corridor into a walkable, mixed-use environment with gathering places and community-oriented retail.
2. **Inconsistency with the Robinwood Neighborhood Plan.** The adopted plan envisions a business district of locally-owned, pedestrian-friendly enterprises—not chain-operated drive-thru facilities.
3. **Conflict with the Waterfront Community Vision Plan.** The unanimously adopted plan further reinforces the community's desire for gathering places, shops, restaurants, and cultural spaces along this corridor.
4. **Service redundancy.** An existing car wash operates less than half a mile away, making a second facility unnecessary and reducing the community benefit of the proposed use.
5. **Opportunity cost.** Approving a low-community-value, auto-oriented use on a limited commercial parcel forecloses higher-value uses that would better serve the corridor's long-term transformation.
6. **Questionable community commitment.** Kaady's decision to leave West Linn, allow its former property to sit vacant, and then return to compete with the business that revitalized that property raises concerns about the company's long-term investment in this community.

The residents of Robinwood have spoken clearly, the city's planning documents are unambiguous, and the corridor's future depends on decisions made today. We ask the Commission to prioritize the community's long-term vision over a single company's short-term expansion plans.

References

- [1] West Linn Tidings, "West Linn neighbors petition against car wash as the proposal heads for a hearing," March 5, 2026. <https://westlinntidings.com/2026/03/05/west-linn-neighbors-petition-against-car-wash-as-the-proposal-heads-for-a-hearing/>
- [2] Business Tribune, "Old McDonald's building on Highway 43 could become Kaady Car Wash," April 8, 2025. <https://biztrib.com/2025/04/08/old-mcdonalds-building-on-highway-43-could-become-kaady-car-wash/>
- [3] City of West Linn, "VISION43," Your West Linn community engagement platform. <https://yourwestlinn.com/vision43>
- [4] City of West Linn, "VISION43 — Frequently Asked Questions." <https://yourwestlinn.com/vision43/widgets/72235/faqs>
- [5] City of West Linn, "Robinwood Neighborhood Plan." <https://westlinnoregon.gov/robinwood/neighborhood-plan>
- [6] West Linn Tidings, "West Linn City Council adopts Waterfront Vision Plan after years of discussions," November 20, 2025. <https://westlinntidings.com/2025/11/20/west-linn-city-council-adopts-waterfront-vision-plan-after-years-of-development/>

- [7] City of West Linn, "West Linn Waterfront Community Vision Plan."
<https://yourwestlinn.com/waterfront-community-vision>
- [8] City of West Linn, "Highway 43 Conceptual Design Plan / Transportation Planning."
<https://westlinnoregon.gov/planning/highway-43-conceptual-design-plan>
- [9] Kaady Car Washes, Facebook post confirming West Linn closure. <https://www.facebook.com/KaadyCarWash/posts/were-closed-in-west-linnbut-were-still-closeby-due-to-expiration-of-our-lease-ou/3694691230597123/>
- [10] United Car Wash, Yelp business listing, 19303 Willamette Dr, West Linn, OR.
<https://www.yelp.com/biz/united-car-wash-west-linn-4>
- [11] City of West Linn, "Arterial Roadway Preliminary Design (Highway 43 & Willamette Falls Drive)."
<https://westlinnoregon.gov/publicworks/arterial-roadway-preliminary-design-highway-43-willamette-falls-drive>
- [12] City of West Linn, "VISION43 — Community Engagement Events."
https://yourwestlinn.com/vision43/widgets/82145/key_dates



Kaady Car Wash: Land Use Review and Conditional Use Permit

18850 Willamette Drive

CITY OF WEST LINN
PRESENTATION
MARCH 18, 2026

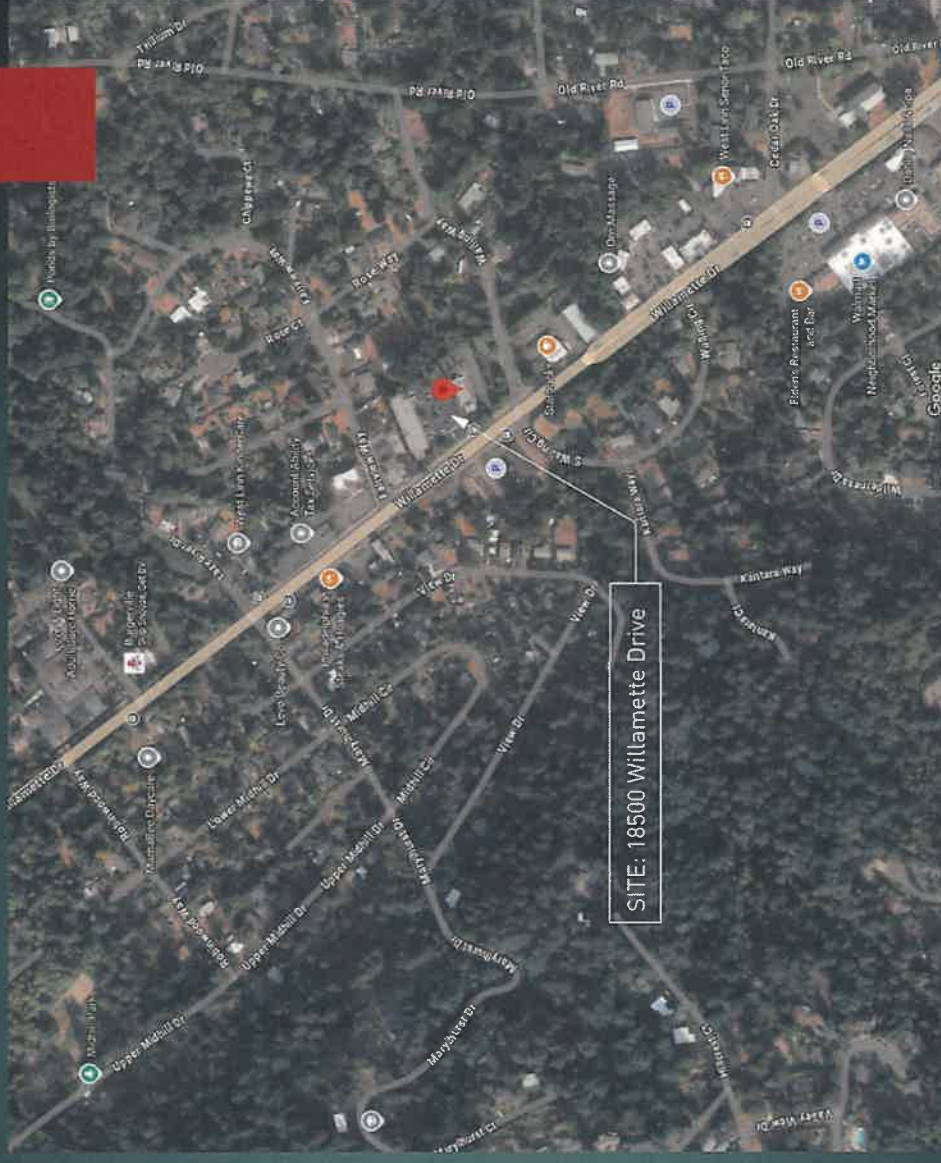
Introduction

- ▶ Chuck Kaady - Portland native innovating car wash technology since 1976. Kaady's Advanced Technology Car Washes are effective, efficient and the recipient of environmental awards – the first car wash in Oregon to receive the prestigious Oregon Pollution Prevention Resource Center (PPRC) (a consortium of DEQ/Clean Water Services/City of Portland Environmental Services/Lake Oswego Office of Water Quality) "EcoBiz" program certification for all locations, a certification the company proudly maintains to this day.
- ▶ TVA has partnered with Kaady Car Wash since 1988, with the AIA award winning Barber Boulevard car wash. These are not "disco" car washes. The proposed car wash would be the seventh car wash that TVA has designed for Mr. Kaady.
- ▶ Chuck Kaady, Owner of Kaady Car Wash
- ▶ Bob Thompson, design Principal, TVA Architects
- ▶ Eric Li, Project Architect, TVA Architects
- ▶ Wendie Kellington, Land Use Attorney, The Kellington Law Group
- ▶ Evan Eykelbosch, Civil Engineer, Froelich Engineers
- ▶ Mike Ard, Traffic Engineer, Ard Engineering
- ▶ Erik Miller Klein, Acoustic Engineer, Tenor Engineering



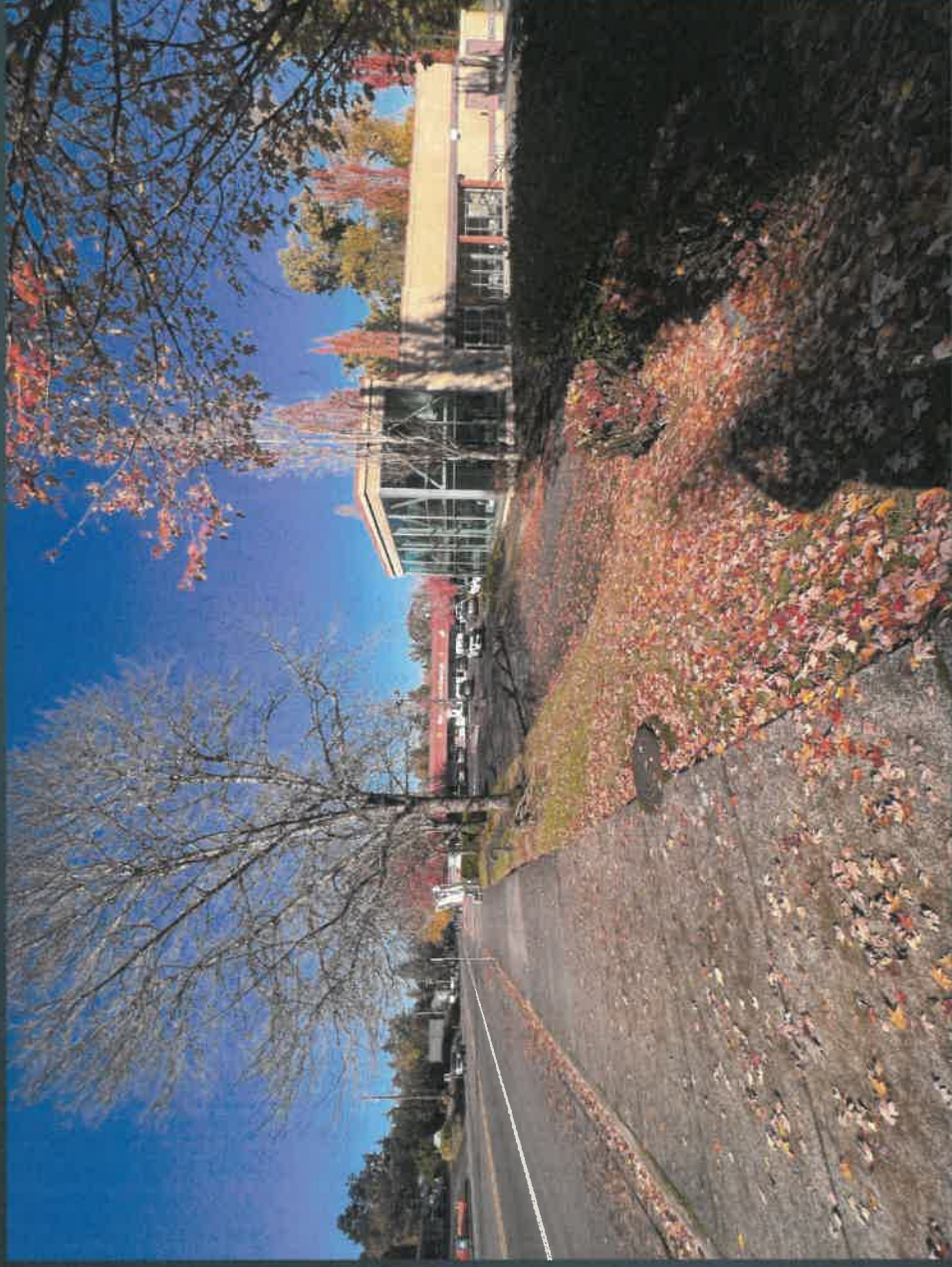
Project Data

- ▲ Site Area: 1.29 Acres (56,378 sf)
- ▲ Building Area: 3,190 sf
- ▲ Single Story, 14'-2" height
- ▲ 17 parking spaces
- ▲ Zone: General Commercial
- ▲ Business operating hours: 8 AM to 8 PM
- ▲ Site currently occupied by an abandoned blighted McDonald's drive through restaurant.
- ▲ The site is in an existing shopping center - shares existing drive entries and dedicated access easements with other shopping center businesses to the north.



City's Professional Staff Got it Right – the Proposal Meets All Relevant Standards

- ▶ The evidence in the record demonstrates that the proposal:
- ▶ Meets all noise standards
- ▶ Meets all traffic related standards – has significantly less traffic than other uses allowed outright on the site
- ▶ Meets all environmental standards:
 - ▶ Storm water (parking lots - non carwash processing areas) is thoroughly addressed and complies with all City standards
 - ▶ Car Wash process water and solids in separately managed in an award winning manner – liquids are completely recycled and solids are flushed to bottom on tanks and periodically trucked off the site to lawful disposal locations elsewhere.
- ▶ Meets all Plan standards: Note only standards in effect when application submitted can be applied. VISION43 still not adopted and is not an applicable standard.
- ▶ Meets all other City standards, has City Professional Staff explain.



View of site looking north along Willamette Drive



View of site looking south along Willamette Drive



Precedent Photo of Existing Burnside Kaady Car Wash at Exit

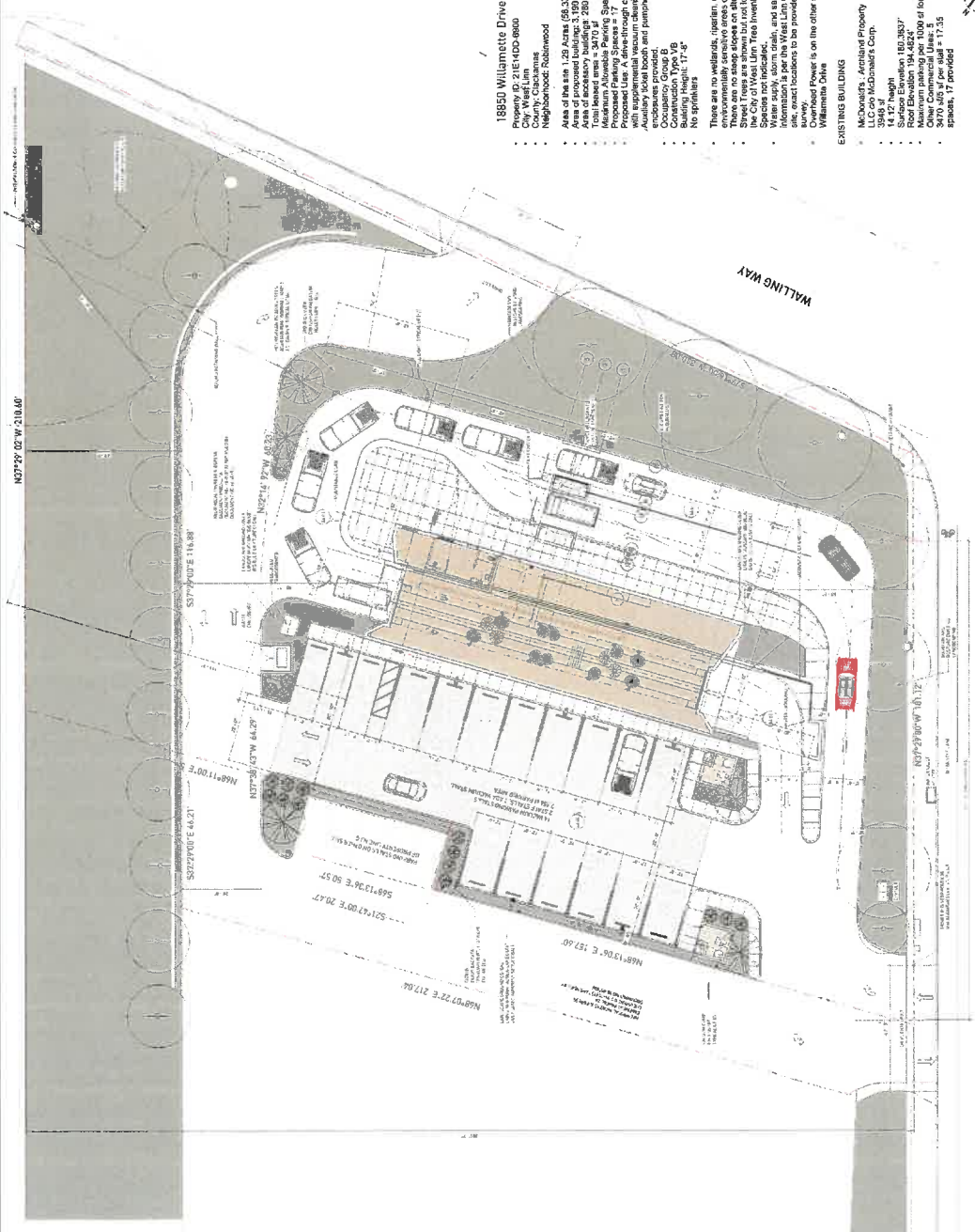


Precedent Photo of Existing Burnside Kaady Car Wash at Entry



1850 WILLAMETTE DRIVE, WEST LINN, OREGON 97068

KADY CAR WASH



- 1850 Willamette Drive**
 Project # 2010-0000
 City: West Linn
 County: Clatsop
 Neighborhood: Nulwood
- Area of the site: 1.20 Acres (65,376 sf)
 - Total lot area: 1.20 Acres (65,376 sf)
 - Total paved area: 34,000 sf
 - Proposed Building: 2000 sf
 - Proposed Parking Spaces: 17
 - Proposed Use: A drive-through car wash
 - Proposed Construction: 17' height
 - Auxiliary: Social booth and pump house
 - enclosures provided.
 - Construction Type: VB
 - Building Height: 17'-8"
 - No sprinklers
 - There are no wetlands, riparian, or other sensitive areas on site.
 - There are no steep slopes on site.
 - Street Frontage is shown but not identified on this plan.
 - Water supply, storm drain, and sewer systems are shown but not identified on this plan.
 - Water supply, storm drain, and sewer systems are shown but not identified on this plan.
 - Utility locations to be provided by owner.
 - Proposed Power is on the other side of Willamette Drive

EXISTING BUILDING

- MCDonald's, Franchised Property
- LLC on McDonald's Corp.
- 3946 sf
- 3946 sf
- Surface Elevation: 160.3507
- Floor Elevation: 194.4824
- 3470 sq ft per stall = 17.35 stalls, 17 provided

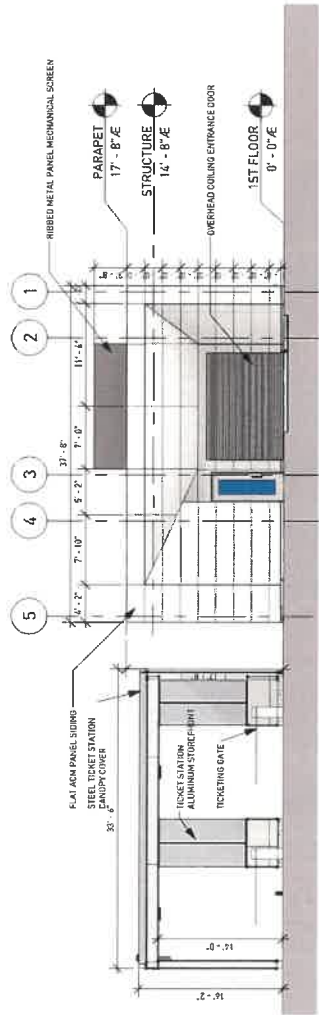
CONDITIONAL USE PERMIT

OVERALL SITE PLAN

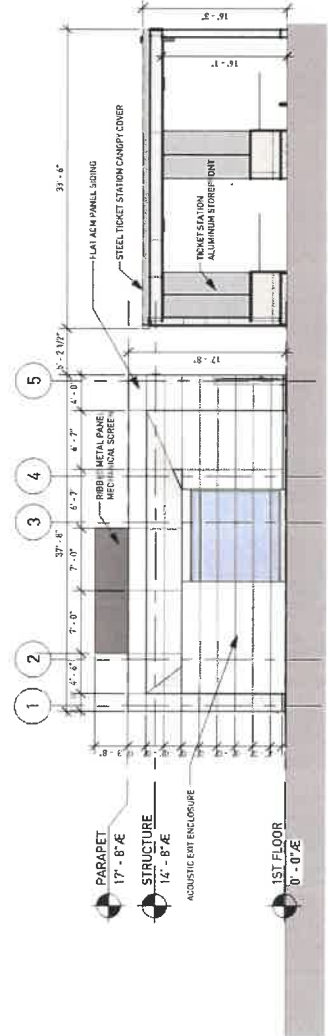
Scale: 1" = 200'

A0.01

DATE: 7/1/07



1 ENTRANCE ELEVATION 1/8"
 3/32" = 1'-0"



2 EXIT ELEVATION 1/8"
 3/32" = 1'-0"

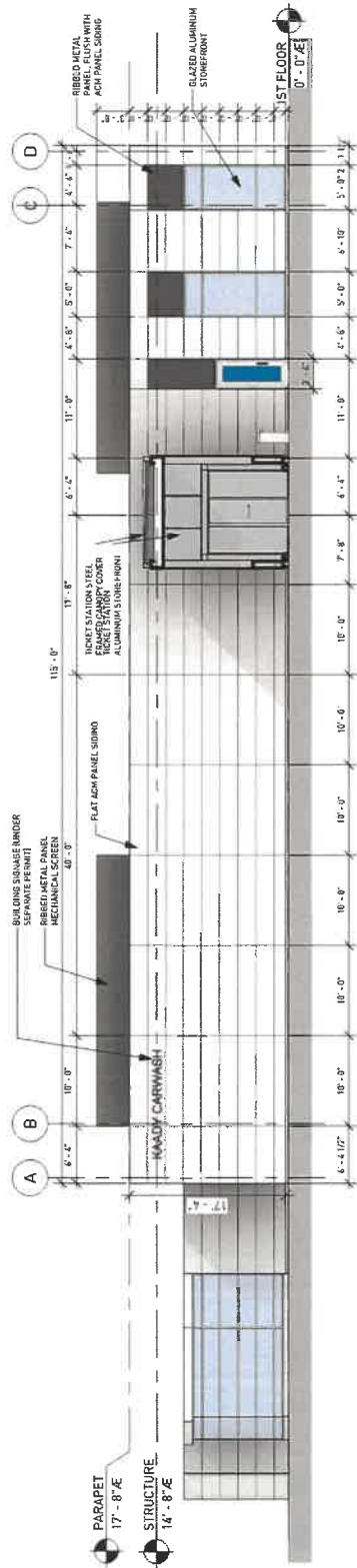


tva architects inc.
 920 sw sixth avenue | suite 1500 | portland, oregon 97204
 phone: 503.220.0668 | www.tvaarchitects.com

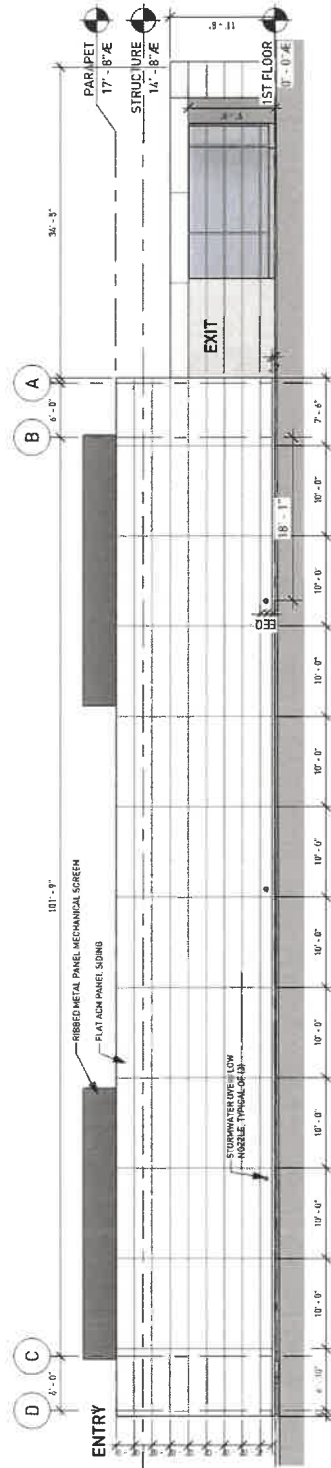
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 EXTERIOR ELEVATIONS

3/32" = 1'-0"
 1/08/2026

KAADY CAR WASH
 18850 WILLAMETTE DRIVE, WEST LINN, OREGON
 97068



1 DRIVER'S SIDE ELEVATION
 | 3/32" = 1'-0"



2 PASSENGER'S SIDE ELEVATION
 | 3/32" = 1'-0"

tva architects inc.
 920 sw sixth avenue | suite 1500 | portland, oregon 97204
 phone: 503 220 0668 | www.tvaarchitects.com

A4.2
 EXTERIOR ELEVATIONS

3/32" = 1'-0"
 01/08/2026

KAADY CAR WASH
 18850 WILLAMETTE DRIVE, WEST LINN, OREGON
 97068

Addressed Neighborhood Concerns

- ▶ Neighborhood meeting with the Robinwood Neighborhood Association
- ▶ Design team responded:
 - ▶ Applicant took all concerns seriously, addressing them with requested studies (noise, traffic environmental) and providing design adjustments.
 - ▶ The proposed car wash was redesigned to reduce noise to either inaudible or as to a small area of the outside of the commercial businesses to north furthest from Hwy 43 - to only slightly perceptible levels – like a human conversation at 3 feet.
 - ▶ The carwash redesign worked – the evidence demonstrates that the proposed car wash meets all DEQ standards at all “noise sensitive receptors” – residences - and it is not perceptible at all inside the businesses to north and only barely perceptible at the outside of the shopping center businesses to the north furthest from Hwy 43.
 - ▶ Background noise at the site of the proposed car wash – without the car wash – is already extremely high from Hwy 43 noise.
 - ▶ At the shopping center businesses, the addition of Kaady is not the difference between a quiet place and a noisy one; it is the difference between hearing existing Highway 43 traffic and hearing that same traffic with a faint added sound component near the easternmost business sidewalk area.

Environmental Impact

▲ Kaady Car wash has two separate systems to handle two separate kinds of water.

▲ (1) The car wash process liquids are controlled internally through a custom filtration system that reclaims car wash water for reuse. It uses a series of concrete baffles that separates out the detergents and particulates from the process water. Water not reclaimed is sent to the sanitary sewer system, and is not introduced into the stormwater sewer.

▲ (2) A new stormwater system will be established to capture on-site stormwater and entirely meet scurrent code.

▲ On site stormwater, includes runoff from the roof, the parking lot, the drive aisle, and the vacuum stations, it is sent to a new SD SC-800 Chamber detention system below the new drive aisle. Storm water is then filtered once in the new detention chamber. Then, that stormwater goes into a second existing stormwater filtration vault shared with the shopping mall. After the second filtration, the water gets introduced to an existing stormwater pond which acts as a further retention and quantity control facility prior to going to the public storm main.

▲ BUT AS NOTED: Liquids from inside the carwash are treated ENTIRELY DIFFERENTLY. It is collected, filtered and treated and mostly reused. Water not reused is sent to the **sanitary sewer system NOT storm system.** **Car wash process liquids do not go to the stormwater system.** Process solids fall to the bottom of the custom system filtration system and are periodically collected and disposed of by truck elsewhere.

▲ Ecobiz, a program of the State of Oregon DEQ, along with the Clean Water Services Management Utility for the Tualatin River Watershed, the City of Portland Environmental Services (BES), and the Lake Oswego Office of Water Quality, certified all twelve Oregon Kaady car washes as EcoLogical Businesses. This certification is part of the Pollution Prevention Resource Center.

▲ Ecobiz lauds Kaady Carwash as "Setting the pace" for ecology in car wash businesses, and that they are "very impressed **with the environmental standards they already had in place, as well as their 'can-do' attitude.**"



Expires 03/31/2025

Kaady Car Wash

7400 SW Barbur Blvd, Portland, OR

Marney Jett

Marney Jett

Clean Water Services

News

Kaady Car Washes first to be certified safe for the environment by independent pollution prevention agency.

April 15, 2011

A team of experts from the Oregon Department of Environmental Quality, the Clean Water Services Management Utility for the Tualatin River Watershed, the City of Portland Environmental Services and the Lake Oswego Office of Water Quality have certified all 12 Kaady Car Washes in Oregon as Ecological Businesses.

Acting on behalf of the Pollution Prevention Resource Center, the team visited each individual Kaady location before granting the certification, which is the first given to any car wash operation since the "Ecobiz" program was launched.

Debra Taevs, PPRC Deputy Director, called Kaady "ahead of the curve" in adopting environmentally conscious practices, and described the company as "setting the pace" for ecology in the car wash business. "We were very impressed with the environmental standards they already had in place", Taevs said, "as well as with their 'can-do' attitude".

Signs displaying the certification are now posted at all Kaady Car Washes, said Owner Charles Kaady, who describes the honor as a validation of the environmental standards he has been implementing since starting the business 35 years ago.

"Whether we're talking about safely discharging overflow into the water treatment system, using environmentally friendly shampoos, or conserving water and electricity", said Kaady, "every day is 'Earth Day' at all our locations... and has been from the beginning."



ABOUT US >

Ecobiz is a partnership program of the **Pollution Prevention Resource Center**. We are dedicated to certifying and promoting environmentally friendly automotive and landscaping businesses in the state of Oregon. Certified businesses adhere to high standards to reduce toxics, prevent pollution, and protect the environment.

Our Ecobiz partners are: City of Gresham, City of Bend, City of Albany, City of Wilsonville, City of Salem, and Oak Lodge Water Services. Areas also implementing an Ecobiz program include City of Springfield and BRINS Recycling in Lane County.



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Floor Plan



THE ARCHITECTS, INC.
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MIAMI, FL 33136
TEL: 305.575.1100
WWW.TVA-ARCHITECTS.COM



KADY CAR WASH
WEST LINN, OREGON

DATE: 08/11/2011

CONSTRUCTION SET
UTILITY PLAN

SHEET 1 OF 2

C4.0
1/4" = 1'-0"

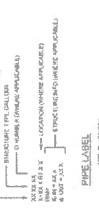
SHEET NOTES

1. ALL UTILITIES SHOWN ARE BASED ON EXISTING RECORD DRAWINGS AND FIELD SURVEY DATA.
2. STRUCTURES, TOLERANCES AND DIMENSIONS ARE BASED ON CENTER OF GRAVITY UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

KEY NOTES

1. CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
2. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).

UTILITY LABEL LEGEND



PIPE LABEL

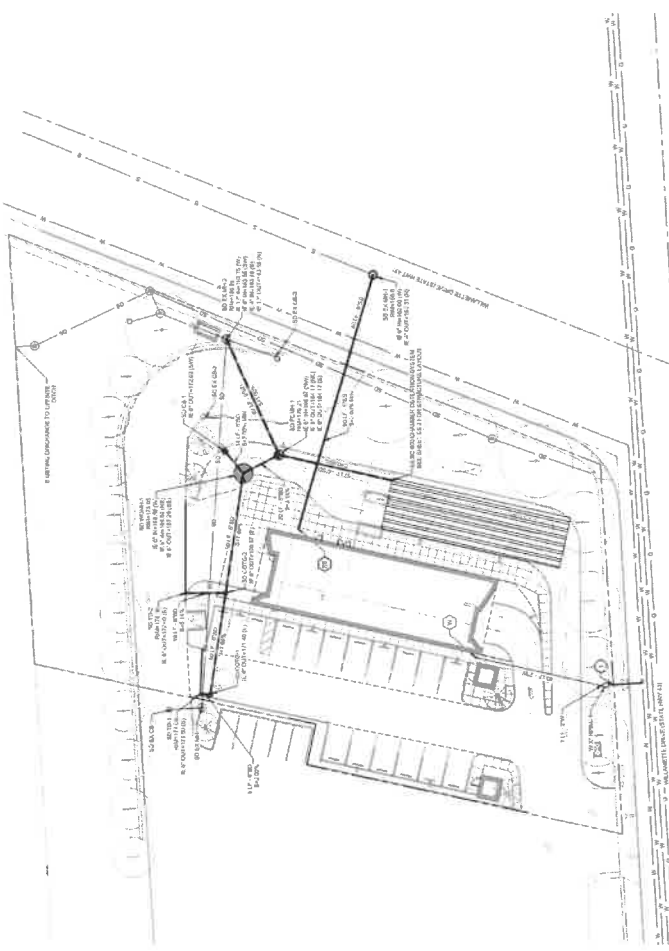


STRUCTURE TYPE



SHEET LEGEND

1. 12\"/>



Utility Plan

Traffic Impact Analysis

- ▶ TIA by Ard Engineering
- ▶ Willamette Drive is classified by City as Major Arterial roadway and classified by ODOT as a Statewide Highway. It is an ODOT facility and is subject to ODOT capacity rules expressed as “v/c”
- ▶ The TIA determines that the car wash will generate 47% fewer weekly evening peak hour trips and 60% fewer peak hour trips than a fast-food restaurant or a similarly sized convenience store, both of which would be permittable, outright in the existing GC zone.
- ▶ TIA demonstrates proposed car wash will not result in increases in traffic beyond what is allowed outright on the site or degradation of operations of area roadways and intersection as compared to either the prior use of the site, or other uses which are permitted outright in the GC zone.
- ▶ No Additional travel demand, circulation, or queueing mitigation measures are necessary.
- ▶ ODOT has no concern :

ODOT received a copy of the Traffic Impact Analysis (TIA) prepared by Ard Engineering and dated February 12, 2026. ODOT reviewed the TIA and has determined there will be no significant impacts to State highway facilities and **no additional State review is required.**
- ▶ The exiting queue analysis determines the typical queueing load for the car wash is 7.4 automobiles and that there is adequate space for 19 automobiles leaving plenty of queueing space and no concern re drive entry.
- ▶ Exiting the facility is no different than exiting by any other customers from existing businesses, and compared to the original McDonald’s business, Kaady presents much lower demand.



Traffic

- ▶ Opponents: newspaper story that McDonalds left site complaining about morning peak hour traffic (7-9 am) which is the time when a McDonalds generates its highest traffic volumes.
- ▶ McDonalds has a VERY high volume of traffic to be accommodated in the am peak hour. With half the trips entering and half exiting and assuming 45% turn toward the south and 55% turning toward the north (i.e. Portland) during the morning peak hour, McDonalds would need to accommodate about 40 left-turning vehicles per hour over the peak.
- ▶ In contrast, Kaady Car Wash isn't even open before 8AM, and from 8-9 AM data from comparable sites shows 14 and 16 patrons, respectively. This equates to an average of 15 vehicles between 8-9 AM. Again assuming 45% turn toward the south, we would expect 7 vehicles making this turn instead of 40.
- ▶ Traffic at the two driveways are well within the required capacity (v/c) and is significantly better than the capacity that existed with McDonalds.

Trip Generation Calculation Worksheets



Trip Generation Calculation Worksheet

Land Use Description: Automated Car Wash
 ITE Land Use Code: 848
 Independent Variable: Car Wash Tunnels
 Quantity: 1 Car Wash Tunnel

Summary of ITE Trip Generation Data

PM Peak Hour of Adjacent Street Traffic
 Trip Rate: 77.50 trips per car wash tunnel
 Directional Distribution: 50% Entering 50% Exiting

Saturday Peak Hour of Generator
 Trip Rate: 41.00 trips per car wash tunnel
 Directional Distribution: 50% Entering 50% Exiting

Site Trip Generation Calculations

1 Car Wash Tunnel		
	Entering	Total
PM Peak Hour	39	78
Saturday Hour	21	42

Data Source: Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, 2021



Trip Generation Calculation Worksheet

Land Use Description: Fast-Food Restaurant with Drive-Through
 ITE Land Use Code: 894
 Independent Variable: Gross Floor Area
 Quantity: 3,948 Thousand Square Feet

Summary of ITE Trip Generation Data

AM Peak Hour of Adjacent Street Traffic
 Trip Rate: 44.01 trips per kcf
 Directional Distribution: 51% Entering 49% Exiting

PM Peak Hour of Adjacent Street Traffic
 Trip Rate: 33.09 trips per kcf
 Directional Distribution: 52% Entering 48% Exiting

Total Weekday Traffic
 Trip Rate: 467.48 trips per kcf
 Directional Distribution: 50% Entering 50% Exiting

Saturday Peak Hour
 Trip Rate: 55.25 trips per kcf
 Directional Distribution: 51% Entering 50% Exiting

Site Trip Generation Calculations

3.9 kcf Fast-Food Restaurant w/ Drive Thru			
	Entering	Exiting	Total
AM Peak Hour	50	66	116
PM Peak Hour	60	62	120
Weekday	923	923	1846
Saturday Peak	111	107	218

Data Source: Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, 2021



Trip Generation Calculation Worksheet

Land Use Description: Convenience Store
 ITE Land Use Code: 851
 Independent Variable: Gross Floor Area
 Quantity: 3,00 Thousand Square Feet

Summary of ITE Trip Generation Data

AM Peak Hour of Adjacent Street Traffic
 Trip Rate: 82.54 trips per kcf
 Directional Distribution: 50% Entering 50% Exiting

PM Peak Hour of Adjacent Street Traffic
 Trip Rate: 49.11 trips per kcf
 Directional Distribution: 51% Entering 49% Exiting

Total Weekday Traffic
 Trip Rate: 792.28 trips per kcf
 Directional Distribution: 50% Entering 50% Exiting

Saturday Peak Hour Traffic
 Trip Rate: 79.12 trips per kcf
 Directional Distribution: 50% Entering 50% Exiting

Site Trip Generation Calculations

3.00 kcf Convenience Store			
	Entering	Exiting	Total
AM Peak Hour	58	58	116
PM Peak Hour	75	72	147
Weekday	1143	1143	2286
Saturday Peak	119	119	238

Data Source: Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, 2021

ODOT ASK

ODOT's GIS data shows the existing ramps at the NE corner of Willamette Drive and Walling Way as non-compliant with current Americans with Disabilities Act (ADA) standards. ODOT recommends City of West Linn require the applicant upgrade the existing infrastructure to meeting meet current standards. If required by the City, permitting with ODOT will be required.

Kaady Car Wash does not generate pedestrian trips from people with or without mobility issues.

Technically, there is no proportionality (Dolan) between the impacts of this car wash and the possibly noncompliance existing ADA ramps and that condition cannot be imposed.

However, if it turns out to really be necessary, Kaady is willing to upgrade the ADA ramps at the NE corner of Walling Way and Willamette Drive anyway, if the planning commission so requests.

Noise Analysis

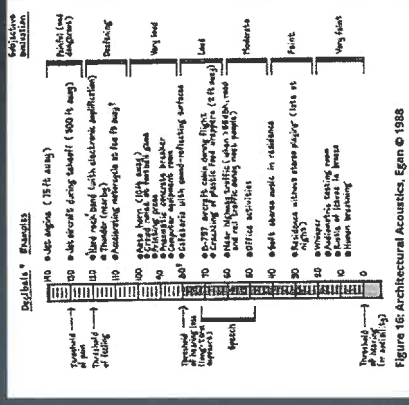
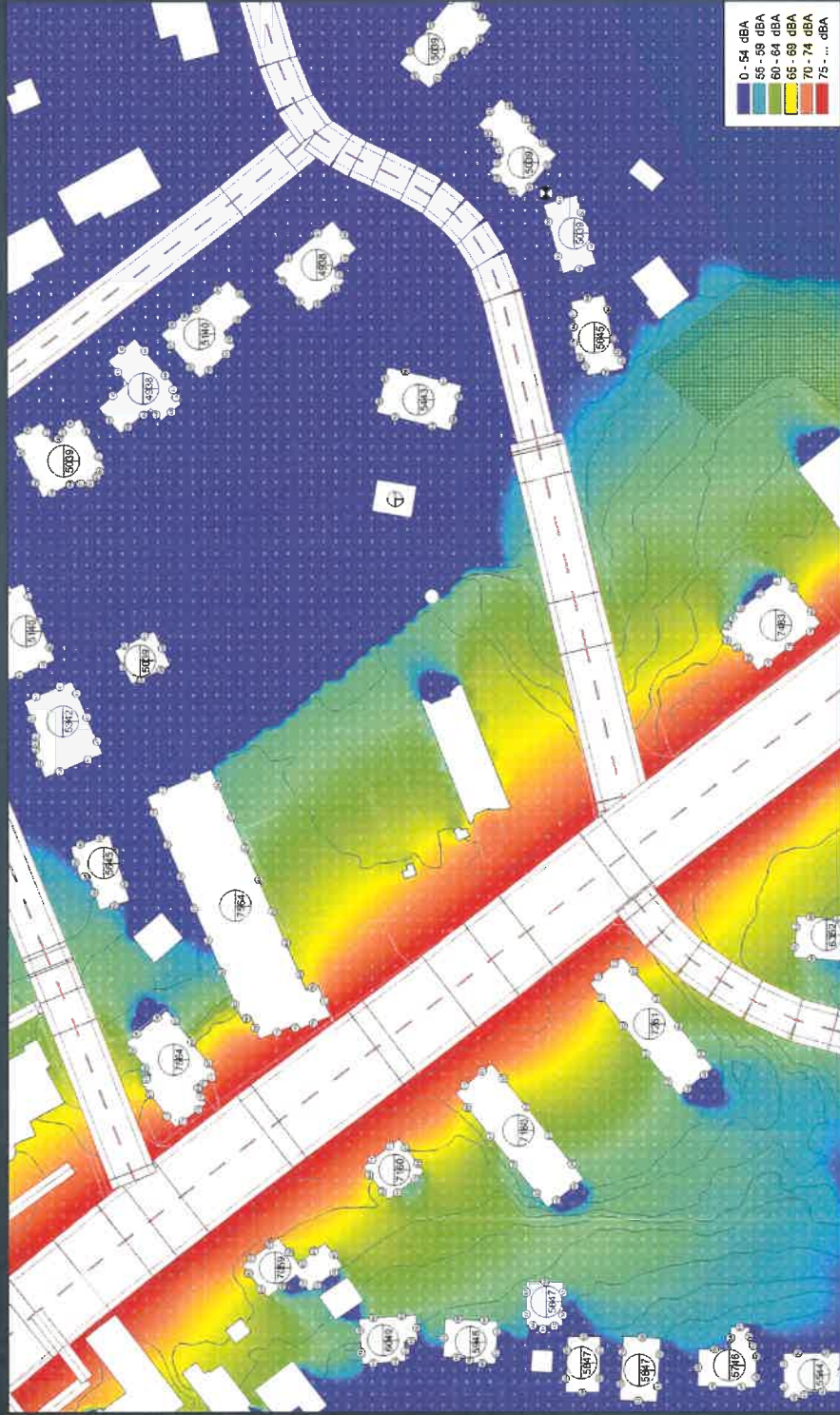
- ▶ Original study and supplement - Tenor Acoustics.
- ▶ Supplement prepared and submitted to record analyzes noise under the modified noise reduction design - an acoustic exit enclosure that significantly reduces noise.
- ▶ Operating hours for proposed car wash: 8:00 AM and 8:00 PM (daytime hours) – hours comply w/ City and DEQ rules.
- ▶ DEQ standards apply to noise sensitive receptors (which do not include businesses):
 - Dwellings, Libraries, Churches, and Public Health Areas
- ▶ WLMC 5.487 applies to businesses and others. City standard: no “unreasonably loud, disturbing, or raucous noise” or that which “unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, safety, or peace of reasonable persons of ordinary sensitivity” or “so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business”
- ▶ Supplemental Noise Report establishes compliance with DEQ rules AND City Code at WLMC 5.487 :
 - ▶ All noise sensitive receptors (homes) are at or under the DEQ standard of 55 dB.
 - ▶ The businesses to the north, Kaady Car Wash noise is “less than 60 dBA at the commercial properties across the street, and up to 65 dBA at the sidewalk **outside**” **the businesses furthest east from Hwy 43 only. Others will experience greater noise than Kaady form the existing Hwy noise.**
 - ▶ Reiterate: businesses to the north will hear no car wash noise inside the business. Outside on the businesses’ sidewalks that are furthest east from Hwy 43 -carwash is “slightly audible” – in the range of human speech at 3 feet.

NOISE CONCLUSION:

4. Predicted noise impact to the nearest businesses (to the north) will not be perceptible through the storefront windows and doors, and slightly perceptible above traffic noise at the sidewalk outside the businesses the furthest east from Highway 43.†

Noise Analysis

- ▶ Respectfully, the only conclusion from evidence: all standards are met:
- ▶ Not possible that noise meeting all DEQ standards and
- ▶ that is imperceptible inside a business
- ▶ And in a commercial shopping center outside of the business “furthest east from Highway 43” is only “slightly perceptible above traffic noise”
- ▶ is not nreasonably loud, disturbing, or raucous noise” or “unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, safety, or peace of reasonable persons of ordinary sensitivity” or “so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.”
- ▶ Setting a precedent that the addition of noise at a commercial business in a shop[ping center during daytime hours that is “slightly perceptible” – like people talking at 3 feet violates that City noise standard is implausible and untenable.



Willamette Drive Road Noise Alone – significant (# in circle to left is existing loudest daytime noise at that building, # in circle to right is loudest at nighttime hours. Kaady does not operate during “nighttime hours.”)

Robinwood Neighborhood Plan

- ▶ Opponents assert the proposal is contrary to the Robinwood Neighborhood Plan. They are mistaken.
- ▶ RN Plan is **not an approval standard that applies**. It is a directive to the City to adopt code changes and other legislative measures.
- ▶ It has specific methods for implementation and ALL of them are directives to the City, not to individual land use approval applicants.
- ▶ Example here the Main Street Goal and Policies:

<i>Robinwood Neighborhood Plan</i>		
<i>Ordinance No. 1567-Exhibit "A"</i>		
Neighborhood Plan Policies	Action Measures	Priority
2.1 Orient commercial development along Willamette Drive to the street.	south of the northern city limits. Strengthen existing design review standards for commercial development to require building orientation and business orientation toward Willamette Drive. Adopt Community Development Code provisions to reduce the visual effect of off-street parking by allowing only single-loading of access driveways into a commercial site.	Short-range
2.2 Encourage additional commercial and mixed-use development along with small parks and gathering places within the gaps.	Consider appropriate mixed use zoning districts for existing properties within the Robinwood Main Street Area not zoned commercially or for high density residential uses. Provide incentives for construction of affordable housing in mixed use areas along the Robinwood Main Street Create small city parks on city property at key locations along the Robinwood Main Street Adopt Community Development Code provisions that allow first story and upper story residential uses as part of a mixed use development with commercial uses in the General Commercial zoning district. Create plazas and other public spaces oriented toward Willamette Drive as an integral part of commercial development and redevelopment along the Robinwood Main Street.	Medium-range

Main Street Goal and Policies

<p>2.3 Keep the scale of commercial development consistent with the neighborhood setting.</p>	<p>Street. Consider Community Development Code provisions that respect significant existing views of the Willamette River of residential property owners on the west side of Willamette Drive. These provisions may include a reduction in the maximum height of new commercial buildings along certain portions of Willamette Drive to two and one half stories or 3.5 feet above the grade of the abutting section of Willamette Drive.</p>	<p>Short -range</p>
<p>2.4 Develop a common architectural and design theme for commercial and mixed-use development along Willamette Drive.</p>	<p>Study and implement a consistent architectural and design theme through a Robinwood Main Street design review manual, guiding development and redevelopment of structures and strict sign controls and design guidelines. Adopt Community Development Code provisions to require primary use of quality building materials such as stone, brick, terra cotta, and wood for frontage facades along Willamette Drive.</p>	<p>Long-range</p>
<p>2.5 Allow only commercial uses that are compatible with the main street concept</p>	<p>Adopt Community Development Code Amendments to prohibit inappropriate automotive sales, repair, and storage uses, construction sales and services, industrial manufacturing, warehouse and self-storage uses, and super stores in the commercially zoned areas.</p>	<p>Short-range</p>


Main Street Goal and Policies

Robinwood Neighborhood Plan

Ordinance No. 1567-Exhibit "A"

2.6	Require commercial properties along Willamette Drive to meet ongoing standards for maintenance, cleanliness, and aesthetic attractiveness	Review existing municipal code standards for commercial property maintenance, and make revisions to ensure the upkeep of commercial properties as appropriate. Provide adequate city staff resources to ensure compliance with municipal codes for the upkeep of commercial property.	Short range
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- ▶ RN Plan Policies are expressly implemented by nonbinding “Action Measures” which are in turn implemented by nonbinding “Action Implementation Measures”. It is not possible to characterize the RN Plan as an applicable standard because it is entirely aspirational.
- ▶ Regardless, RE: RN Plan:
- ▶ Goal 1: Willamette Drive shall provide superior transportation facilities for all modes of transportation.” MET
 - There are existing generous 8’-0” sidewalks on both streets, providing ample paths along both streets.
 - There is a Tri-Met bus stop, Route 35 MacAdam/Greeley, Stop 6349 with a bench and trash cans located at the entry.
 - An existing 6’-0” wide bicycle lane, maintained by the City runs along Willamette Drive.
 - The existing street trees will remain. They provide a landscaped buffer between the pedestrian way and the car wash.
- ▶ To extent relevant, as Staff Explains, scale here consistent with neighborhood setting too - proposed building is one story, about 17 feet 8 inches high, or 21 feet 4 inches including roof screening, and it replaces a former 3,948-square-foot two-story McDonald’s drive-through. The proposal is fully consistent with that policy if it applied.

- 
- Policy 2.3 keep commercial scale consistent with neighborhood setting – MET - proposed building is one story, about 17 feet 8 inches high, or 21 feet 4 inches including roof screening, and it replaces a former 3,948-square-foot two-story McDonald’s drive-through. The proposal is fully consistent with the policy.
 - Policy 3.5 — protect nearby single-family areas – MET - the proposal meets this – it has no appreciable impact on single family areas and will exist in a commercial shopping center.
 - Policy 3.8 - avoid negative impacts from commercial development on Willamette Dr. MET - ARD Traffic analysis and ODOT letter – proposal has no significant effect on Willamette Dr.
 - ▲ Policy 4.1 — riparian corridors / wildlife habitat. Met. Only evidence is that the proposal has no effect on these values

City Comprehensive Plan Confirms that RN Plan is not an applicable approval standard; Among Potentially Applicable Plan Provisions, all are MET

- ▲ “7. Until the City adopts new code provisions consistent with adopted neighborhood plans, the City shall apply appropriate development standards consistent with the existing Community Development Code.”
- ▲ Per the express terms of the City Comprehensive Plan, it is the CDC review standards identified in the Staff Report that apply.
- ▲ Plan Goal 3: “Encourage retail commercial uses to be located in centers that facilitate one-stop shopping and discourage strip commercial development.” Well-settled LUBA/Court of Appeals “encourage” standards are always aspirational and do not apply as applicable standards. Regardless proposal facilitates one stop shopping in an existing shopping center.
- ▲ Plan Goal 4: “Protect surrounding residential areas from adverse effects of commercial development in terms of loss of privacy, noise, lights, and glare.” Met. Only evidence is that proposal meets this standard. Residential areas all at or below DEQ noise standard with proposal and there is no privacy, light or glare issue.
- ▲ 5. Make the most efficient use of our existing commercial and industrial lands. Met. Proposal repurposes existing blighted site.

Final Note – What is not Applicable

- ▶ Claims that there is no need for another car wash in West Linn.
- ▶ This sentiment is irrelevant. There is no code provision that makes “need” a standard. The particular businesses that are allowed **are expressly allowed by the Code.**
- ▶ **The Car Wash is expressly allowed by the Code**
- ▶ Claims that the aesthetic appearance of the building is “Las Vegas” and so not preferred are wrong and irrelevant
- ▶ Wrong because Kaady Car Wash is designed by one of Oregon’s historically great architects, Bob Thompson, and the design is simple, clean, and elegant. The lighting and signage is restrained, without a “light show” that another car wash apparently has that some opponents find annoying.
- ▶ Claims that draft programs under consideration should be applied as approval standards, or that the code should be amended by interpretation are wholly unlawful and inappropriate.



Conclusion

- ▶ The project team listened to concerns.
- ▶ Project undertook the neighborhood's requested noise and traffic and environmental studies to evaluate concerns.
- ▶ Modifications were made to the project to dramatically reduce noise – the acoustic exit enclosure was provided at significant expense.
- ▶ The Process liquids from the car wash process are separately treated, filtered reused and whatever excess there is goes to the sanitary sewer system, not the storm system. Solids are periodically cleaned out of the catchment and disposed of elsewhere
- ▶ Stormwater is double filtered – once in a new special storm water facility and then again in the existing shopping center storm facility.
- ▶ This project removes a blighted abandoned eyesore to replace it with a new attractive business.
- ▶ This project benefits the City by removing a blight, protecting the environment, and providing a modest high quality business to the City.
- ▶ As City professional staff explained, the proposal meets all relevant standards and should be approved.
- ▶ Thank you for your consideration.

END

THANK YOU FOR YOUR CONSIDERATION

Requirements for Traffic Analysis

CDC 85 states the requirements for the traffic analysis

- 1) At a minimum, the analysis area must include:
 - (A) All points of access onto the public street system;
 - (B) All intersections of arterials, collectors, and neighborhood routes within 1,000 linear feet from all points of access onto the public street system; and
 - (C) All intersections where the traffic generated by the proposed development exceeds five percent of existing a.m. or p.m. peak hour total intersection traffic volumes.
- 2) The analysis must analyze existing conditions and projected conditions upon completion.
- 4) The analysis must demonstrate that the transportation impacts comply with the City's level-of-service and average daily traffic standards and the Oregon Department of Transportation's mobility standard.

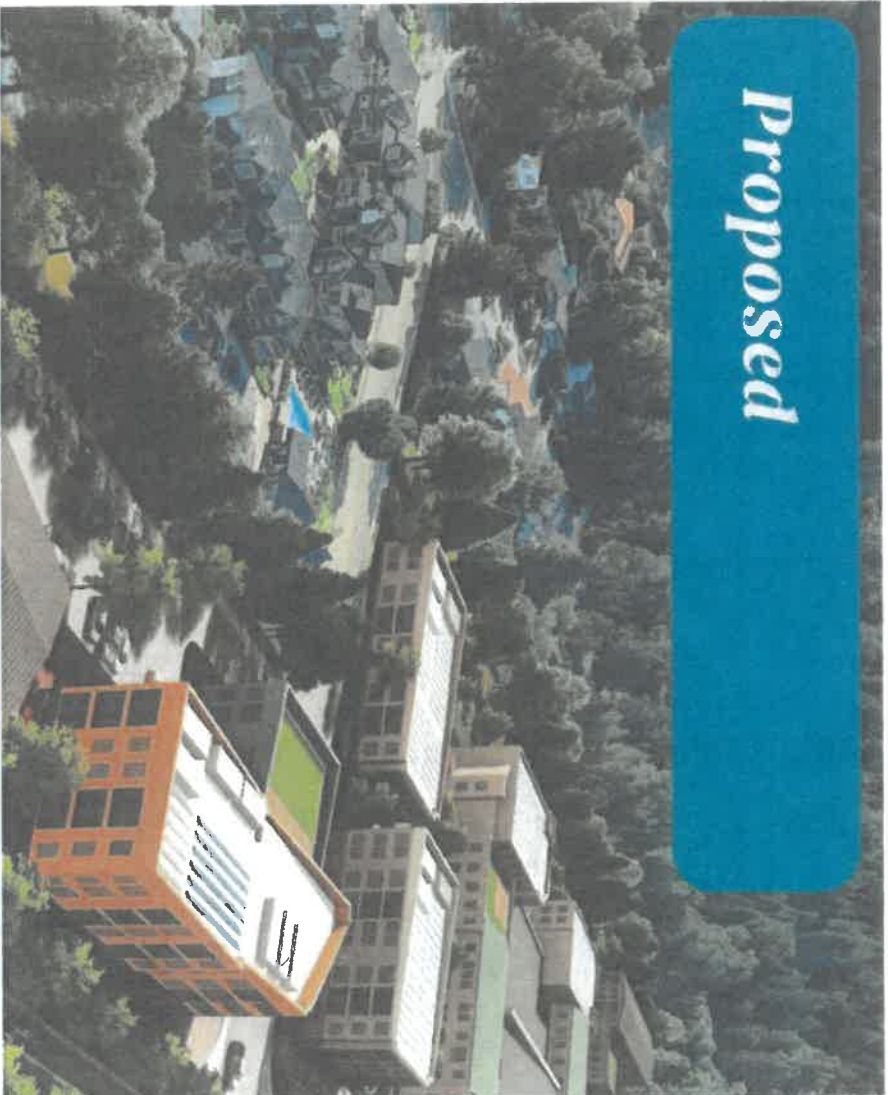
West Linn Transportation Plan states GOAL 1 Reduce transportation related fatalities and injuries for all transportation modes.

Conclusion

The applicant's report does not meet requirements in CDC 85. It fails to address traffic safety and congestion.

West Linn's Vision for the Future

Proposed



Robinwood Neighborhood Plan

The Robinwood Neighborhood Plan is entirely consistent with the Vision43 Project. The joint goal is to develop a mixed-use, pedestrian-friendly environment. The Robinwood Neighborhood Plan is adopted as part of the Comprehensive Plan. Comprehensive Plan Goal 2 states:

3. The neighborhood plan for Robinwood shall guide future changes to this area.
4. Design and locate existing or proposed commercial uses in a manner that:
 - o Requires that any redevelopment of existing land or buildings conforms to the adopted neighborhood plan.
 - o Integrates aesthetically pleasing commercial development with residential uses.
 - o Ensures ingress and egress points do not create traffic congestion.
 - o Improves traffic patterns within the immediate area.
 - o Provides easier access to transportation for the physically/mentally challenged.
 - o Provides safe and convenient pedestrian and bicycle paths and crossings.

Robinwood Neighborhood Plan Action Measure 2.5 prohibits inappropriate automotive sales, repair, and storage uses.

CDC 60 states the proposal should provide benefit to the community.

Conclusion

The proposal is inconsistent with the Neighborhood Plan which is part of the Comprehensive Plan. Traffic and safety issues have not been addressed. Desirable future development will be affected. There is little benefit to the community and considerable cost

March 5, 2026

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

Re: Opposition to Conditional Use Permit CUP-25-03/DR-25-03/VAR-25-02 — Kaady Car Wash, 18850 Willamette Drive

Dear Members of the Planning Commission,

I am writing as a resident of the Robinwood neighborhood to formally oppose the conditional use permit application for a new Kaady Car Wash at 18850 Willamette Drive (CUP-25-03/DR-25-03/VAR-25-02). My primary objection is this: the proposal directly conflicts with the City's own adopted plans for the Highway 43 corridor — plans shaped by decades of community engagement and significant public investment. Approving this permit would signal that those plans do not meaningfully guide development decisions.

A Layered Planning Framework All Points the Same Direction

The Robinwood Neighborhood Plan, adopted as Ordinance No. 1567 and carrying the same legal weight as the City's Comprehensive Plan, envisions Willamette Drive as the neighborhood's Main Street — a walkable corridor of small-scale, locally-owned businesses that serve and enrich the community. The City's own description of this vision is clear: residents walking and biking in the business district, locally-owned businesses thriving, no large retailers, and new development that matches and fits what has been here before.

The City's VISION43 initiative — a \$200,000 planning effort adopted as a key Council priority for the next 50 years — explicitly builds on and extends the Robinwood Neighborhood Plan. As the VISION43 project documentation states, it directly connects to and builds upon the goals and policies already established in the Robinwood Plan. These are not separate or competing visions. They are a unified, layered planning framework that has been consistently pointing in the same direction for over two decades.

That direction is toward a walkable, mixed-use corridor featuring housing, shops, restaurants, and gathering spaces — with safe, comfortable conditions for people who walk, bike, and use transit. VISION43 calls specifically for:

- Mixed-use zoning to attract diverse housing, workplaces, shops, and community spaces
- A sense of place and local identity along the corridor
- Safe pedestrian crossings and continuous bicycle facilities
- Development that gives residents multiple ways to move through the corridor — not just by car

This Proposal Conflicts With Every Part of That Vision

A Kaady Car Wash is a regional chain — not the locally-owned, community-rooted business the Robinwood Plan envisions. It is a high-volume, drive-through-only facility, processing up to 60 cars per hour by the applicant's own estimate. It generates no foot

traffic. There is no reason for anyone to arrive by foot, bike, or transit. It creates no gathering place, no street-level vitality, and no sense of place. It is, by design, the opposite of a Main Street use.

The Robinwood Neighborhood Plan's Action Measure 2.5 explicitly flags automotive services as an incompatible use along this corridor. The plan calls for commercial development that is compatible with the Main Street concept — uses that serve and engage pedestrians, that fit the scale of the neighborhood, and that strengthen community character. A car wash facility fails each of these tests.

The applicant's own variance request makes this incompatibility even more apparent. The application seeks relief from building façade minimum transparency standards — in other words, a waiver to build a more closed-off, blank-walled structure than the code normally allows. Transparent, street-facing facades are a basic tool of pedestrian-friendly design. The fact that this project cannot meet even that standard without a variance underscores how fundamentally at odds it is with the active, welcoming streetscape the Neighborhood Plan and VISION43 are trying to create.

It is also worth noting that a nearly identical Kaady facility already operates two blocks away, with a signaled intersection for safe highway access. Adding a second car wash within an eighth of a mile does not expand services to residents — it adds congestion, compounds the incompatibility, and sets a precedent that has no parallel anywhere along this corridor.

Timing Makes This Decision More Consequential

VISION43 is in its final stages. Open houses were held in January and February of this year, and the City is preparing to adopt the vision plan and updated development code. Approving an automobile-centric chain facility now — while the community's 50-year land use framework is being finalized — would send a deeply discouraging signal to the residents who participated in that process in good faith. It would suggest that the planning framework exists on paper but does not constrain real development decisions.

I respectfully urge the Commission to deny this application as inconsistent with the Robinwood Neighborhood Plan, the VISION43 framework, and the community's long-held vision for Willamette Drive. Thank you for your consideration.

Respectfully,

Shane R. Winder
Shane R. Winder
2026.03.05
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2025.3.0

Shane R. Winder
Rose Way resident
West Linn, OR 97068

Andrew Mulkey

Attorney at Law

PO Box 66562, Portland, OR 97290 • (503) 334-9899 • andrew@mulkeylegal.com

March 18, 2026

Via Hand Delivery

West Linn Planning Commission
c/o Darren Wyss
dwyss@westlinnoregon.gov
22500 Salamo Rd.
West Linn, Oregon 97068

Re: Executive Summary and Proposed Findings for CUP-25-03/DR-25-02/VAR-25-02

Members of the West Linn Planning Commission,

On behalf of Ms. Elizabeth Dietz, who has submitted comments in her personal capacity, I am submitting an executive summary of the reasons the Planning Commission should deny the Kaady application for a second car wash on Willamette Drive within the Robinwood Neighborhood Main Street Area. I have also provided sample motions for denial.

- **The car wash violates numerous Comprehensive Plan policies**, including the policies of the Robinwood Neighborhood Plan, which is part of the Comprehensive Plan .
- CDC 60.070(A)(7) allows the Planning Commission to deny the proposed conditional use for failure to “comply with the applicable policies of the Comprehensive Plan.”
- CDC 60.070(A)(3) allows the Planning Commission to deny the proposed conditional use for failure to demonstrate that “granting of the proposal will produce a facility that provides an overall benefit to the City.”
- Commenters have raised issues related to conflicts with the Plan’s main street vision and protections for nearby residences. These include conflicts with the type of use proposed and the type of commercial uses sought for the neighborhood’s main street area, as well as conflicts related to traffic and noise.
- Any of those conflicts provides an adequate and justifiable basis to **deny the application pursuant to CDC 60.070(A)(7) and 60.070(A)(3)**.
- The City, and the Planning Commission, have discretion to interpret their code and plan policies; **a decision to deny the car wash can be defended on appeal and can be upheld.**

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REASONS TO DENY THE CAR WASH AND VARIANCE

I provide a bulleted list of specific reasons for the Planning Commission to deny the car wash for violations of the City's Comprehensive Plan.

The Proposal Violates Comprehensive Plan Policies for Neighborhood Compatibility and Vision for Commercial Uses

- Neighborhood Plan, Policy 2.2, 2.3, 2.4, and 2.5; Comprehensive Plan Land Use Planning, Section 3, Policy 4(b) and (4)(f)
 - “design and locate... proposed commercial uses in a manner that * * * encourages creation of meaningful public gathering places that incorporate... unique shopping opportunities to increase activity in surrounding areas.” Policy 4(b).
 - Policy 2.2 Encourage additional commercial and mixed-use development along with small parks and gathering places within the gaps.
 - Policy 2.3 “Keep the scale of commercial development consistent with the neighborhood setting.”
 - Policy 2.5 “Allow only commercial uses that are compatible with the main street Concept.”

The proposal does not meet the policy of encouraging the creation of meaningful public gathering spaces or incorporating unique shopping opportunities that increase activity in surrounding areas. Again, the surrounding Main Street Area already has car wash, that means that the location of the additional car wash fails to provide unique shopping opportunities and does not have the effect of increasing activity in surrounding areas. As an auto-centric use, it does not provide meaningful public gathering places.

The proposed use is oriented toward cars, and is a high-throughput auto-service car wash. Because the proposed use is oriented towards cars, not people or residents in the neighborhood, it fails to meet the policy of encouraging mixed use development.

The scale of the proposed commercial development (a second car wash) does not fit with the neighborhood setting.

For those same reasons, the scale of the commercial development does not fit (or is not consistent with) the neighborhood setting. The Robinwood Neighborhood Main Street Area already has a car wash, just one stoplight away.

The Planning Commission can conclude that the applicant's proposed conditional commercial use is not compatible with the main street concept.

- Policy 2.4 "Develop a common architectural and design theme for commercial and mixed-use development along Willamette Drive."
- "integrates aesthetically pleasing commercial development with residential uses." Policy 4(f).

The applicant seeks a variance to 55.100(B)(6)(e), which requires 60 percent transparency along Willamette Drive and 30 percent transparency along Walling Way as part of the requirement to adhere to contextual design. As shown by the diagrams in the code, these are design standards meant to conserve and enhance the appearance of the City. CDC 55.010. They also meant to provide "compatibility with... the character of the surrounding neighborhood area" and to ensure "general compatibility between adjoining uses." Based on the requirements in 55.100(B)(6)(e) to require eye level windows, the Planning Commission can conclude that 55.100(B)(6)(e) was meant to implement many of the aesthetic and pedestrian friendly design policies described above.

However, the applicant's request for the variance demonstrates that the proposed use—a walled off, windowless auto-centric use—does not fit with the main street concept. The variance cannot be approved because it is the result of a design choice of the applicant's own making 75.020(B)(1)(c) (requiring that "the need for the variance was not created by the applicant... requesting the variance.")

The variance would also result in a violation of CDC 60.070(A)(7) because it demonstrates that the proposed use fails to comply with the comprehensive plan policies described above that are intended to promote and preserve the main street character of Willamette Drive. For that reason, the variance would violate CDC 75.020(B)(1)(b) (requiring that the variance not result in the violation of another code standard).

The variance also fails to meet the "purposes of the regulation being modified.") CDC 75.020(B)(1)(b). The applicant has also failed to demonstrate that the variance "is the minimum necessary to make reasonable use of the property." CDC 75.020(B)(1)(a). There are certainly examples of car washes that meet transparency requirements.

- Neighborhood Plan, Policy 1.2 and 1.3; Comprehensive Plan Land Use Planning, Section 3, Policy 4(g)
 - Neighborhood Plan, Policy 1.2: Reconcile the competing interests of cross-traffic onto and over Willamette Drive with the needs of through traffic.

- Comprehensive Plan Policy 4(g): Ensures ingress and egress points do not create traffic congestion.

Numerous commenters have explained that the car wash creates queuing problems for cars accessing the shopping area and cars leaving the car wash when multiple cars are cued and trying to leave the subject property via Willamette Drive. If two or more cars are trying to leave the shopping area via Willamette Drive, this can cause major issues with traffic congestion.

There are also issues with congestion caused by left hand turns from cars leaving the car wash via Walling Way and then turning left onto Willamette Drive.

Commenters have explained the conflicts that can occur as a result of car cues from nearby businesses, such as the local starbucks.

- Policy 1.3: Beautify the length of Willamette Drive with a comprehensive and consistent streetscape.

The applicant's proposal seeks a variance to the design requirements for commercial uses. That is not consistent with the policy of beautifying Willamette drive and creating a consistent streetscape.

For similar reasons, the applicant's proposed use and request to a variance does not serve to beautify the length of Willamette Drive with a consistent streetscape.

Proposed Findings and Conclusions of Law

Motion to Deny the Application for Conditional Use:

I move to deny the application for a conditional use for a car wash on the subject property because the applicant has failed to demonstrate compliance with CDC 60.070(A)(7) and 60.070(A)(3), and

CDC 60.070(A)(7) allows the Planning Commission to deny the proposed conditional use for failure to “comply with the applicable policies of the Comprehensive Plan.”

CDC 60.070(A)(3) allows the Planning Commission to deny the proposed conditional use for failure to demonstrate that “granting of the proposal will produce a facility that provides an overall benefit to the City.”

The evidence in the record demonstrates that the applicant has failed to demonstrate compliance with various comprehensive plan policies. As a result the applicant has also failed to demonstrate that the proposed development—a second car wash located within the Robinson Neighborhood Main Street Area—would provide an overall benefit to the City.

The application would violate the following Comprehensive Plan Policies:

Violated (yes/no)	Comprehensive Plan Policy and Robinwood Neighborhood Plan Policies
	Land Use Planning, Section 3, Policy 4(b): “design and locate... proposed commercial uses in a manner that * * * encourages creation of meaningful public gathering places that incorporate... unique shopping opportunities to increase activity in surrounding areas.”
	Land Use Planning, Section 3, Policy (4)(f): “design and locate... proposed commercial uses in a manner that * * * integrates aesthetically pleasing commercial development with residential uses.”
	Neighborhood Plan Policy 2.2 Encourage additional commercial and mixed-use development along with small parks and gathering places within the gaps.
	Neighborhood Plan Policy 2.3 “Keep the scale of commercial development consistent with the neighborhood setting.”
	Neighborhood Plan Policy 2.4 “Develop a common architectural and design theme for commercial and mixed-use development along Willamette Drive.”

	Neighborhood Plan Policy 2.5 “Allow only commercial uses that are compatible with the main street Concept.”
	Neighborhood Plan Policy 3.5 “Protect existing single-family neighborhoods from * * * neighboring commercial development.”
	Neighborhood Plan Policy 3.8 “Ensure that commercial development along Willamette Drive does not negatively impact nearby single-family residential neighborhoods.”
	Land Use Planning, Section 3, Policy 4(g): Ensures ingress and egress points do not create traffic congestion.
	Neighborhood Plan, Policy 1.2: Reconcile the competing interests of cross-traffic onto and over Willamette Drive with the needs of through traffic.
	Neighborhood Plan Policy 1.3: Beautify the length of Willamette Drive with a comprehensive and consistent streetscape.

Motion to Deny the Application for a Variance:

I move to deny the application for a variance to CDC 55.100(B)(6)(e) for a car wash on the subject property because the evidence in the record demonstrates that applicant has failed to comply with 75.020(B)(1)(a), (b), and (c).

The applicant has failed to demonstrate that the variance “is the minimum necessary to make reasonable use of the property.” CDC 75.020(B)(1)(a).

Because of the violation of CDC 60.070(A)(7), which shows that the proposed use would violate numerous plan policies related to the design of commercial uses, the variance would violate CDC 75.020(B)(1)(b) (requiring that the variance not result in the violation of another code standard).

The variance also fails to meet the “purposes of the regulation being modified.”) CDC 75.020(B)(1)(b).

The variance cannot be approved because it is the result of a design choice of the applicant’s own making 75.020(B)(1)(c) (requiring that “the need for the variance was not created by the applicant... requesting the variance.”)