



CITY OF
West Linn

Memorandum

To: West Linn Planning Commission

From: Tom Soppe, Associate Planner

Date: July 11, 2013

Re: Regarding applicant revised submittals of July 3, 2013 and July 11, 2013, newspaper article, and new citizen submittal.

Staff's July 3, 2013 memo contained an attachment of revised plans submitted by the applicant. Staff discussed with the applicant how the proposed changes to the driveway locations in the revised plans would require a permit to Enlarge/Alter a Non-Conforming Structure and a Class II Variance. This is because the plans proposed the south driveway, already non-conforming in not meeting the minimal distance to the intersection of Willamette Drive and Hollowell Street per Subsection 48.060(C)(3), to be closer to Hollowell Street. Consequently, the applicant has submitted the attached further-revised site plan which leaves the south driveway as existing. As with the previously revised plans submitted with the July 3 memo, the north driveway is converted to one way traffic and is proposed to be signed as such. (The south driveway will remain two-way.) The north driveway is also proposed to be narrowed to 30 feet in width, which complies with Subsection 48.040(A)(2) requiring one-way driveways at commercial sites to be a minimum of 15 feet in width. As the north driveway is proposed to be one-way, the provisions of Subsection 48.060(D)(1) no longer

apply to the distance between the two on-site driveways, as Section 48.060(D) does not apply to one-way driveways. Therefore the distance between the two on-site driveways is proposed to no longer be non-conforming.

Because the attached site plan received July 11 is now the working site plan that meets CDC requirements with the recommended conditions of approval, recommended Condition of Approval 1 is now proposed to read:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the Proposed Site Plan, Sheet T1, dated July 10, 2013 attached to the July 1, 2013 staff memo in the record. The applicant shall submit a revised version of this plan showing the proposed pedestrian walkway from the main building to the street as located on the previous site plan.

The final line in this condition is added as the new site plan does not show the walkway.

Also attached to this memo are a newspaper article from the West Linn Tidings about this project, and a submittal from Howell Cobb. Mr. Cobb's concerns regard the applicant's proposal to replace the existing automotive repair business with the convenience sales use. The proposed convenience sales use is a permitted use in the General Commercial zone. The Design Review criteria address physical aspects of the site and building, and not the use. For these reasons Mr. Cobb's submittal does not affect staff's recommendation of approval with the proposed conditions in the staff report.



Gas station looks to add store

By **PATRICK MALEE**
The Tidings

The 76 gas station at 22250 Willamette Drive in the Bolton neighborhood may soon be undergoing a significant overhaul.

The property's tenant, Portland-based WSCO Petroleum, is looking to convert the Isa Auto Service building next to the gas station into a convenience store. A planning commission hearing to review the formal design review application is scheduled for July 17, and if approved, the next step would be to apply for a building permit according to City Planner Tom Soppe.

From there, Soppe said, "it could be approved for building as early as late August. But it depends on how quickly the building (permit) stuff happens."



TIDINGS PHOTO: VERN UYETAKE

The 76 gas station will look to add a convenience store in place of the Isa Auto Service garage.

pens."

The convenience store will be one of WSCO's brands, but exactly which one has not been determined yet, according to PDG Planning and Design Group's David Kimmel.

The proposal also calls for certain paved areas around the property to be converted into landscaping and the addition of

nine parking spaces for the convenience store.

While automotive service and gas stations fall under "conditional use" in the city's general commercial zone, convenience sales are a "permitted use." Thus, because one conditional use element (the gas station) will remain unchanged and the other (the automotive

"It could be approved for building as early as late August. But it depends on how quickly the building (permit) stuff happens."

— Tom Soppe, city planner

service) will be eliminated, a new conditional use approval from the city will not be needed to follow through with these plans.

The planning commission public hearing is set for 7 p.m. on July 17 in the council chambers at City Hall, 22500 Salamo Road. To learn more about the proposal, visit westlinn.oregon.gov/planning/22250-willamette-drive-class-ii-design-review-convert-service-bays-convenience-store.

Court's same-sex marriage ruling called a 'huge stride forward'

State same-gender initiative could be on ballot next year

Amid a record-high national approval rate for gay marriage, Oregon officials and others praised the U.S. Supreme Court decision striking down the federal Defense of Marriage Act.

In a 5-4 ruling last week, the court said the federal act adopted in 1996 was unconstitutional because it violated the Fifth Amendment's right to equal protection. The court's decision by Justice Anthony M. Kennedy said the federal act limited the way states could recognize marriage or civil unions, creating unequal class-

could be on its way to the ballot as early as 2014. A nonprofit gay, lesbian, bisexual and transgender advocacy organization, Basic Rights Oregon, is leading the effort.

"I think there has been quite a swing in public opinion in the last five to 10 years, and I would think that (an initiative) would probably have a pretty good chance of passage in Oregon," Devlin said.

Oregon law bans same-sex marriage but permits same-sex couples to enter into a domestic partnership, which grants the same state rights and benefits as married couples. Some sex couples in



"I'm very pleased with the Supreme Court's decision."

— Sen. Richard Devlin, D-Tualatin

percent of people approved, 40 percent disapproved and 15 percent didn't know how they felt about the Supreme Court ruling, according to a Pew Research Center study released on Monday. In May, 51 percent favored same-sex marriage and 42 percent were opposed. The approval rate jumped 2 percentage points from last year and shot up from 39 percent in favor in 2008 and 31 percent in favor in 2004.

Oregon U.S. Sen. Jeff Merkley called the decision "a huge stride forward for equality and fairness." "No one should be denied

cans regardless of sexual orientation."

"As a nation, we have finally arrived at the obvious conclusion that the validity of a marriage is not subject to popular vote, but instead guaranteed as a matter of right," said Bonamici, a Beaverton Democrat representing Oregon's 1st Congressional District. "Love has replaced hate as the governing factor in the decision of same sex couples to marry."

Vaune Albanese, executive director of Portland's Friendly House, which operates the SAGE Metro Portland program for lesbian and gay older adults, said the Defense of Marriage Act decision was a relief to many older gay people in the region.

"This will be a day people in the (lesbian, gay, bisexual and

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

SUBJECT: 22250 Willamette Drive – Isa Auto Service

Ladies & Gentlemen:

We were not only surprised, but saddened to learn from an article in the West Linn Tidings that the city is supporting, if not encouraging, the closure of Isa Auto Service in favor of a 76 Gas Station and convenience store.

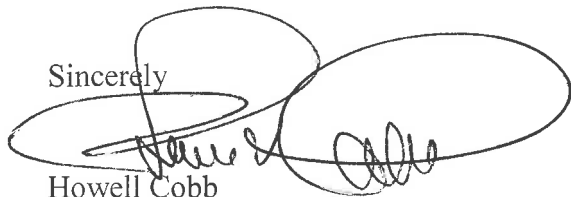
Isa has been in business for twenty two years serving thousands of citizens over that period. From my experience, and those of family and friends, Isa and his team have proved to be hardworking, skilled and honest people. Many West Linn vehicles have been serviced and / or repaired by Isa and I have never heard of a complaint about the quality of his work or the amount he charges. His service is unique to West Linn. The elimination of this business will result in his customers (us) having to travel much further to have our vehicles cared for.

I do not understand why our city's planning department is supporting the removal of Isa Auto Service in favor of a 76 gas station and convenience store when there already is a 76 gas station and convenience store less than 3/10 of a mile away. This makes absolutely no sense.

Isa has consistently provided our community with a valuable, unique and needed service. To shut him down in favor of another unneeded convenience store does not reflect well on the planning capability of our city in my opinion.

I urge you and others involved in this matter to reconsider the direction you are taking. You will not only ruin this man's business, you are going to make life more difficult for many of us.

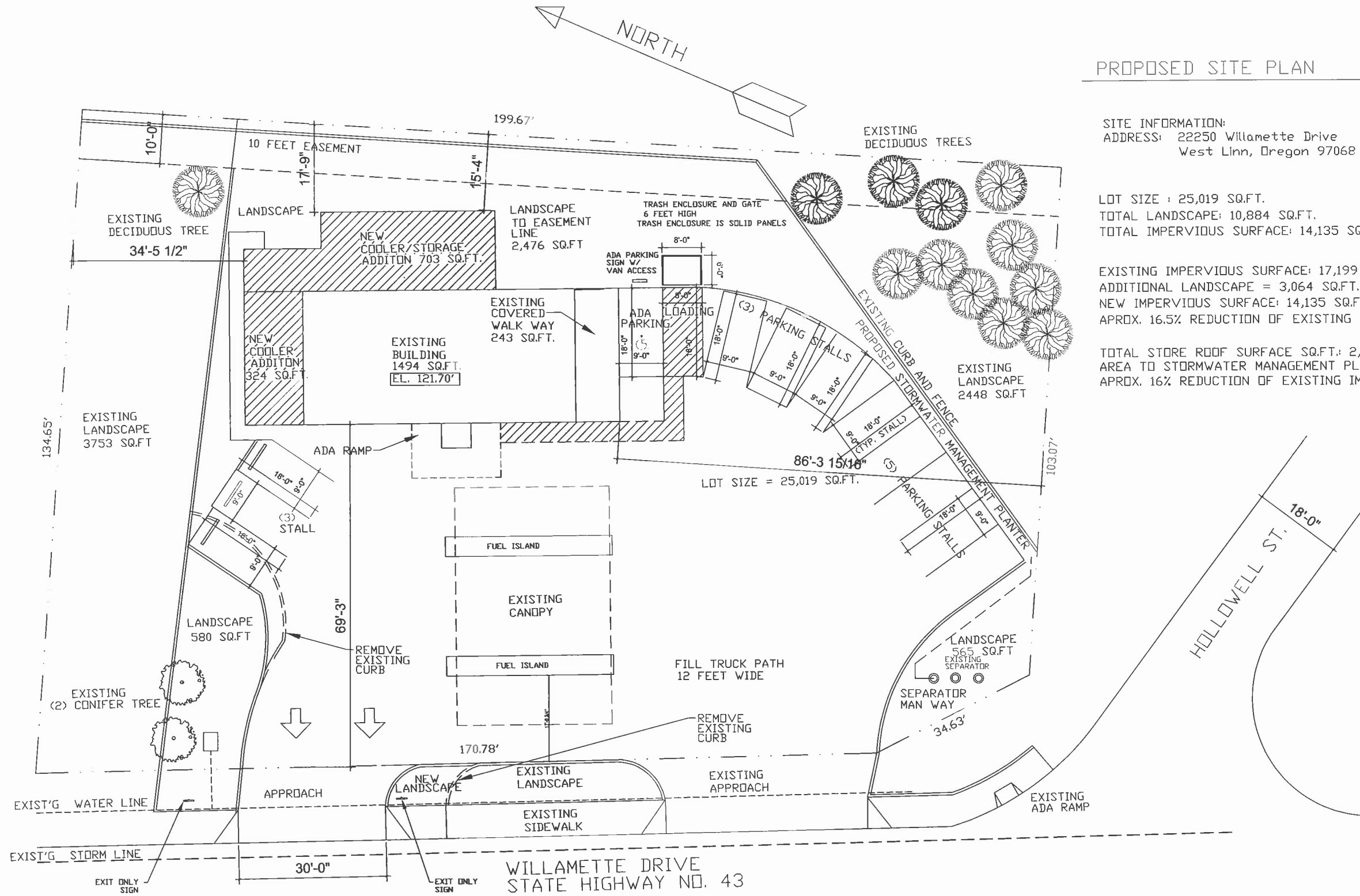
Sincerely



Howell Cobb



PROPOSED SITE PLAN



SITE INFORMATION:
 ADDRESS: 22250 Willamette Drive
 West Linn, Oregon 97068

LOT SIZE : 25,019 SQ.FT.
 TOTAL LANDSCAPE: 10,884 SQ.FT.
 TOTAL IMPERVIOUS SURFACE: 14,135 SQ.FT.

EXISTING IMPERVIOUS SURFACE: 17,199 SQ.FT.
 ADDITIONAL LANDSCAPE = 3,064 SQ.FT.
 NEW IMPERVIOUS SURFACE: 14,135 SQ.FT.
 APROX. 16.5% REDUCTION OF EXISTING IMPERVIOUS SURFACE.

TOTAL STORE ROOF SURFACE SQ.FT.: 2,764 SQ.FT.
 AREA TO STORMWATER MANAGEMENT PLANTER 2,764 SQ.FT.
 APROX. 16% REDUCTION OF EXISTING IMPERVIOUS SURFACE.

MONTGOMERY DEVELOPMENT CO.
 P.O. BOX 1315
 BORING, OREGON 97009
 CELL: 503-784-8157
 OFFICE: 503-668-4847
 EMAIL: rgmontgomery@hotmail.com

West Linn WSCO
 22250 WILLAMETTE DRIVE
 West Linn, Oregon 97068

PROJECT #
 0612

DWG BY: JTC
 5/16/13
 REV. 7/2/13
 REV. 7/10/13

SHEET
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