22500 Salamo Road
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WEST LINN
CITY COUNCIL MEETING
NOTES
February 8, 2021

Pre-Meeting Work Session

Call to Order [6:00 pm/5 min]

Council Present:
Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Staff Present:
City Manager Jerry Gabrielatos, City Recorder Kathy Mollusky, Planning Manager Darren Wyss, Associate Planner Chris Myers, Parks & Recreation Director Ken Warner, and City Attorney Tim Ramis.

Approval of Agenda [6:05 pm/5 min]
Councilor Rory Bialostosky moved to approve the Agenda with a modification removing Item 6c. Approve Business Grant Funding. Councilor Mary Baumgardner seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Nays: None.
The motion carried 4 - 0

Public Comments [6:10 pm/10 min]

Scott Peterson described an experience with the back-in angle parking on Willamette Falls Drive noting that when he turned on his signal to park, his car was almost rear-ended, perhaps because the driver believed he was making a right turn at the stop sign. He drove through Willamette Falls Drive twice a day, and had yet to see any driver park between the lines in the back-in parking. He did not understand why the City implemented this radical change, which offered no additional safety in the current location, because people did not do much loading and unloading when visiting the types of businesses in that area. The lampposts and trees were too close to the curb and could be hit by a car and could prevent loading and unloading from the trunk of the vehicle. Based on his experience with his family's business, he knew any changes to parking would affect business. He understood back-in angle parking increased the number of parking spaces, but he did not believe it was appropriate on Willamette Falls Drive.

Mayor Walters clarified that Council planned to revisit the back-in parking as an agenda item in March.

Teri Cummings expressed several concerns about the lack of transparency in the process of appointing an interim City Council member and noted she had emailed Council on February 3rd to express her concerns. She would like to know where to find the names and information of the applicants for the position, as well as details about the interview process and whether recordings were made. She questioned why no public notice was given and why the vote for a new Council member had not been held as an item of business to allow for public comment. This process was showing that transparency and citizen involvement was not important to the City Council. She asked Council to delay its decision until the public had a chance to learn about the applicants and be involved in the process.

Council President Relyea assured that Council would discuss the issue Ms. Cummings raised under Agenda Item 9a tonight.

Proclamations, Recognitions and Presentations [6:20 pm/20 min]

Robert Moore Award Presentation

Phil Rees was presented with the Robert Moore Award for his volunteer efforts for the West Linn Food Pantry. He stated the award meant a lot to him and thanked Council for the recognition. He reviewed his history with the food pantry, noting he was one member of a great team of those devoted to the community.

The Councilors shared their thoughts of and thanks to Mr. Reese.

Solve Award Recipient Recognition

Director Warner introduced Dave Kleinke who gave a presentation and conferred the Solve Award to Maddie Mathews for her ongoing work in Mary S. Young Park. Ms. Matthews thanked her robotics team teammates and mentors.

Black History Month Proclamation

Proclamation

Councilor Baumgardner read the Proclamation declaring February 2021 as Black History Month in the City of West Linn.

Mayor Walters noted the West Linn Public Library offered books and programs around Black History Month.

Consent Agenda [6:40 pm/5 min]

Agenda Bill 2021-02-08-01: Approval of Meeting Notes for December 21, 2020

Draft Notes Information

Council President Bill Relyea moved to approve the consent agenda as presented. Councilor Mary Baumgardner seconded the motion.

Council discussed the level of detail in the notes, voicing concern about the time and cost necessary to produce them. Council would discuss the format and content of the minutes at its goal-setting meeting in March or April.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Nays: None.

The motion carried 4 - 0

Business Meeting [6:45 pm/120 min]

Agenda Bill 2021-02-08-02: Public Hearing: Annexation of 19676 Kapteyns Street

ORD 1721 & 1722 Information

Supplemental Memo

Additional Comments Received

Presentation

Mayor Walters called the public hearing to order for ANX 21-01 for the annexation of property at 19676 Kapteyn Street and reviewed the hearing procedure.

City Attorney Ramis read the quasi-judicial conduct of hearing format for an annexation and cited the applicable statutes and approval criteria. He called for any conflicts of interest or bias

from any of the Councilors. None were heard. He then asked about site visits or ex parte contacts related to the parcel.

Mayor Walters declared she had looked at the site, but did not cross the fence.

Councilor Bialostosky declared he had viewed the site this afternoon from outside the locked gate. He also had a conversation about the property with Andy Riley who was expected to testify later.

Councilor Baumgardner declared she had visited the site in the past.

City Attorney Ramis confirmed there were no challenges of Councilors' impartiality or requests to rebut the ex parte disclosures from the audience.

Staff's Presentation

Planning Manager Wyss described the site proposed for annexation, noting it was islanded by properties within the City of West Linn. The Agenda Bill in the meeting packet provided additional background information as well as the staff report, letters from ODOT and the State, and two letters of public testimony. He described the site, noting it was about 2.3 acres in size and was owned by the Oregon Department of Transportation (ODOT). A communication tower on the property was used by ODOT and the State Police, and a small accessory building housed equipment associated with the tower. Marylhurst Heights Park bordered the property on the north and south and a trail connected the two parts through the site. Clackamas County had informed the City that the C800 Group had proposed to construct a 180-ft tall communication tower on the property, but it was not approved by Clackamas County, and the City moved forward with the annexation process. An appropriate division of the parcel was needed to allocate sufficient area for the existing communication facilities. Applying R-7 zoning, which was the smallest lot allowed in the low-density residential Comprehensive Plan designation, would allow the City to have more of the property for park use and provide the smallest amount of property for ODOT to continue its use of the communications tower. The applicable approval criteria and findings were in the staff report. Staff found that the criteria and process requirements in the Code were met and recommend adoption of the ordinances.

Public Testimony

Karie Oakes stated she was representing the Marylhurst Neighborhood Association (MNA) as president. She read into the record the written testimony she had submitted on February 2nd that was included in the meeting packet. In summary, the letter said MNA supported the annexation of the property, though they questioned the R-7 zoning, and suggested consideration be given to the City acquiring the property in the future. She expressed concern about whether Council had a chance to read her letter in advance of the hearing, and noted that it did not appear on tonight's agenda.

Katie Wellehan stated she lived in the Marylhurst neighborhood and supported Ms. Oakes' testimony. She wanted Council to be aware that work was being done on the tower right now.

She was encouraged by what she was hearing from the City Council.

Andrew Riley stated he also supported Ms. Oakes' testimony and added that the bit of research he was able to do had shown a number of negative impacts would result from building a tower. He strongly supported annexation if that would lead to a lesser chance the tower would be built, but he asked about the potential for the tower to be built if the site were annexed or not.

In response to issues raised in public testimony Planning Manager Wyss clarified that the R-7 zoning would allow the site to be divided into a small portion for the ODOT tower and the remainder would go to the park. That zoning designation would also prevent a new wireless communication tower to be built there. Any work on the existing tower was prohibited from changing its visual impact.

Councilor Bialostosky commented that if the annexation were approved, it would preclude an emergency communications tower from being installed at this site. He wanted to make sure the City was partnering with the County to look into possible areas for the tower, which was essential for emergency communications.

Mayor Walters responded West Linn would partner with Lake Oswego as well. She confirmed there were no further public or Council comments and closed the public hearing.

ORDINANCE 1721, ESTABLISHING THE ZONING DESIGNATION AS R-7 UPON THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC

Council President Bill Relyea moved to approve first reading for Ordinance 1721, establishing the zoning designation as R-7 upon the annexation of real property located at Taxlot 1500, Clackamas County Assessor's Map 2S-1E-23BC and set the matter for second reading. Councilor Mary Baumgardner seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.
Nays: None.
The motion carried 4 - 0

Council President Bill Relyea moved to approve second reading for Ordinance 1721, establishing the zoning designation as R-7 upon the annexation of real property located at Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC and adopt the Ordinance. Councilor Rory Bialostosky seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Nays: None.

The motion carried 4 - 0

ORDINANCE 1722, APPROVING THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC; AND REMOVING THE PROPERTY FROM THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT

Council President Bill Relyea moved to approve first reading for Ordinance 1722, approving the annexation of real property located in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC; and removing the property from the Clackamas County Enhanced Law Enforcement District and set the matter for second reading. Councilor Mary Baumgardner seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Nays: None.

The motion carried 4 - 0

Council President Bill Relyea moved to approve second reading for Ordinance 1722, approving the annexation of real property located in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC; and removing the property from the Clackamas County Enhanced Law Enforcement District and adopt the Ordinance. Councilor Mary Baumgardner seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Nays: None.

The motion carried 4 - 0

Agenda Bill 2021-02-08-03: Public Hearing: Appeal of the Planning Commission approval of a Class II Design Review proposal to construct/replace the existing post office building with a new post office or retail building

Post Office Information

Memo & Public Comments

Additional Comments Received

Mayor Walters called the public hearing to order for AP 21-01, an appeal of the Planning Commission's approval of DR-20-07 WAP-20-03 VAR-20-02, and reviewed the hearing procedure.

City Attorney Ramis read the quasi-judicial conduct of hearing format for an annexation, and

cited the applicable statutes and approval criteria. He called for any conflicts of interest or bias from any of the Councilors. None were heard. He then asked about site visits or ex parte contacts related to the parcel.

Council President Relyea declared he regularly visited the West Linn Post Office and spoke to the employees about the status of the postal services at that location. However, he did not believe that would bias his opinion.

Mayor Walters declared she has had discussions with citizens who were actively involved in trying to keep the Post Office in West Linn, but that would not bias her in this matter.

Councilor Baumgardner stated she also used the West Linn Post Office and had listened to neighborhood association discussions on the matter, but she did not believe that would impair her ability to be neutral.

Councilor Bialostosky declared that he used the West Linn Post Office, but did not speak to anyone there.

City Attorney Ramis confirmed no member of the audience wished to challenge Council's ability to hear the matter.

Staff Presentation

Associate Planner Myers presented the staff report for this agenda item, an appeal of the Planning Commission approval of the site design review to replace the existing West Linn Post Office building with a new Post Office or a retail building with a shared parking area. He provided an overview of the project and the proposed options. Option A would be to construct a 5,255 sq ft building that would exclusively house a new post office; Option B would be to construct a 6,550 sq ft commercial and retail building with up to five different retail opportunities, including a potential restaurant. The reason for the two options was due to the uncertainty that the Post Office would be able to secure another site for the sorting and distribution portion of its business.

The Bolton Neighborhood Association (BNA) appealed the Planning Commission's approval, asking that a two-way street be constructed along the east side of the property line to provide a future street connection to the intersection of Cascade and Burns Streets. However, for that to happen, one or two property owners would need to agree to sell their properties to the City. The Transportation System Plan (TSP) did not address such a connection. Also, Cascade Spring Pond Creek ran down the middle of the site and was in the water resource protected area where development was not allowed.

- The appeal stated that a traffic and parking study had not been provided. Kittelson & Associates were hired to create a trip generation report, and the applicant had submitted a parking and circulation plan that the Commission decided met the Code criteria. The Commission also found the proposal did not require a full traffic impact

analysis, and that no off-site improvements, such as the connection to Burns and Cascade Streets, were required by Code.

- The Planning Commission found that street improvements were required for the portion of Hood St adjacent to the applicant's property, including the dedication of sufficient right-of-way (ROW) to match the existing street design.
- The Commission found the applicant was not required to install or pay a proportional share for off-site improvements, such as a connection to Bolton Village along Hood and Burns Streets. Currently, both Hood and Burns Streets provided a direct transportation connection from Hwy 43 into the Bolton Central Village.

Staff requested Council add one condition of approval to ensure the pedestrian walkway met the Code criteria, which specified walkways needed to be further identified for pedestrians and motorists by either grade separations, walls, curbs, surface textures, landscaping, and that they be 6 ft wide. The pedestrian walkway plan from the application had been approved, but only with striping. Staff recommended denial of the appeal and an affirmation of the Planning Commission's decision and the conditions of approval, with the addition of Condition of Approval 7 for the walkway and visually-contrasting material.

Council President Relyea confirmed with staff that adequate opportunity had been available for the BNA to request a connection to Burns and Cascade Streets be included in the TSP, but they had not done so. He suggested the applicant could develop a circulation plan that was not required by Code and that they could informally or through the public record agree to create circulation plan for the BNA.

Associate Planner Myers replied the area was becoming more commercially dense and BNA was concerned better circulation would be needed. He was uncertain of the legality of the City requiring a circulation plan. He believed most of the responsibility would land on the City to do some type of larger transportation study and circulation plan of the Cascade, Hood, and Burns Streets area. Hwy 43 and I-205 also had a huge impact on that area, and ODOT might be pulled in as a partner on a circulation plan.

Council President Relyea asked if Council could ask the applicant if they were willing to work with the City to prepare the circulation plan.

City Attorney Ramis confirmed that Council could ask the applicant if they were willing to work with the City to prepare a circulation plan but, because the condition would not relate to a specific approval criterion, the City could not impose it as a condition. However, an applicant could volunteer to work with the City on specific issues and that could be portrayed in the record.

Councilor Baumgardner inquired about the possible impacts to the riparian zone by the circulation through the parking lot, which was very steep and near a ravine that led down to the Cascade Spring Pond Creek, which ran to the Willamette River.

Associate Planner Myers responded that limited to no real development could take place in the riparian corridor. Part of the application approved in December asked that the riparian corridor be reduced slightly so a portion of that land could continue to be used for parking. Homes had already existed in the riparian corridor when it was placed on the map. He clarified that the BNA had suggested a connection from Garden St for a better flow of traffic so people were not turning around at the end of Burns and Cascade Streets. However, the properties on which the connection would be built were privately held residential properties.

Appellant's Presentation

Eric Kunrath, Appellant, Vice President, BNA, stated the proposed access road was very specific and targeted solution with its own challenges with the water resource area with a grade and properties that they did not own. However, it was meant as a starting point to address the bigger problem which was traffic flow circulation through a growing commercial area. They wished to partner with the City to address the circulation issues.

- Development proposals in the past for the West Linn Post Office, the dental physical therapy offices, and the library parking lot had focused on each location and did not address how they integrated into the rest of the commercial area. The reference made by Mr. Myers regarding improving Hood St was in reference to the library parking lot which was invisible from the extra library parking lot due to a 4-ft hump. The development at 1575 Burns St had been required to make improvements on the developer's side of Burns St, but that parking was also difficult to access.
- Gramor's discussion about developing the Post Office was another example of piecemeal development that did not have a cohesive plan. Due to the lack of any guidance from the City, the BNA had taken it upon themselves to offer a solution, albeit imperfect. They wanted the developers to be required to make improvements associated with their developments, but also for the City to commit funds to make improvements to circulation. Resources should be provided for a consulting firm to provide recommendations, for the Planning staff to write Code to allow them to improve circulation, and for Engineering to develop solutions.
- BNA's request for a two-way street was a starting point because as soon as the Post Office developed, the opportunity would not be available. A driveway currently existed from Garden St behind the Market of Choice. BNA's proposal suggested continuing that driveway area so that some circulation was available behind the commercial area. Discussions were also taking place about the Post Office using that site as a distribution area, and the landlocked property south of Key Bank could be used as well.
- To make a left turn from Central Village to go south on Hwy 43, room was available for only about three cars to stack up in the turn lane and traffic backed up from Garden St to Hood St. The only other available route south would be through the neighborhood or up to Burns St, but a hill made visibility difficult for a left turn. The other proposal was to install a light at Burns St to be timed with the light at Hood St, which would relieve some of the egress pressures in that area. If a street could not be built from Garden St

to Cascade and Burns St, a roundabout or a turn circle at that intersection should be considered to allow drivers to turn around safely.

Robert McCarthy, President, BNA, also spoke to the need for comprehensive development that considered the whole area, not just individual sites. Significant existing and growing transportation and development issues were present in Central Village and the surrounding area.

- BNA supported the proposed Gramor development but was asking Council to help the community and the city to look at the whole of the issues around that development area. The result of the impacts of the individual developments combined to further make parking, traffic, safety, and congestion worse. The Planning Department staff did a good job following the Code and requirements; however, the result was to compound the problem.
- BNA was asking the City to fund a comprehensive assessment and subarea plan for Central Village that took into account its current and future development. The subarea plan would consider zoning, traffic, design standards, parking, and traffic flow. If Council budgeted the necessary funds for planning, a consultant could be hired who would do an in-depth review and provide a development plan with recommendations for improvements. He believed Gramor would be a willing partner, and believed the City would find that its Planning Director and the City Engineer supported the idea.

Matt Grady, Vice President, Gramor Development, spoke to how Gramor's proposal for two buildings with a shared parking lot came into being and described the work done since 2017. He noted the West Linn Post Office was built in 1968 and needed upgrading, as the USPS was aware. Gramor's preference was to have the Post Office remain in that location and had been trying to accommodate that preference all along.

- The Post Office had not been able to agree to a final lease. A year before the lease's termination, Gramor worked diligently with the Post Office who provided a federal form for Gramor to sign, but Gramor could not accept all of the provisions. After termination of the lease, the Post Office was granted multiple extensions up through the end of February of this year. There was a disconnect between the employees working every day in that Post Office and the real estate arm located in Denver, CO. No clear path of communication existed between the two, and employees did not know what to tell the citizens who inquired about the status of the Post Office.
- Gramor had been working with the real estate arm of USPS but had not been provided the full picture. USPS had stated they were seeking a new site, two acres in size, for a roughly 10,000-sq ft structure, with 65 parking spaces. Recommendations were made to buy a property to the north to obtain a bigger parcel to work with, but it was less than 1.5 acres total because of the steep slopes and the buffer zone in that area. Gramor did layouts with Westlake Engineering and Architects for an 8,000 or 10,000 sq ft building and 65 parking spaces along with a ramp and a drive-thru lane for mailing, but it was not possible to fit that development into the small area.

- Gramor had concluded that they could create Option A shown in the application tonight, which offered a loading dock and a drive-thru lane with a drop box. The retail portion could be supported, but not the full distribution center with the truck traffic that existed today.
- Gramor had entered into a draft lease for the retail portion only, but the USPS said it could not approve the lease because another site needed to be found in West Linn to accommodate their operations. They were continuing that search, had been provided information on properties for sale, and had a realtor looking for sites for them. They were also looking for a site that might house the entire operation, which was their preference. The fall back was a retail building without the loading dock and drive-thru lane.
- Gramor had been to the Design Review Commission (DRC) hearing and believed BNA was raising a good point about piecemeal proposals and how it was not seeing the whole package of how circulation could be made better and safer. Gramor would want to participate in any plan, and he would volunteer his time to attend meetings to make it happen.
- The Post Office's lease would terminate at the end of this month and the building would be removed when Gramor's construction plans were approved. The plans were currently in the Engineering Department waiting for the results of this meeting. Gramor hoped to start work in late March and have the parking lot redone and reconfigured by June so the building pad would be ready. They hoped the USPS would respond to pressure from the community to keep the retail portion of the operation in the current location. If the USPS did not proceed, Gramor could wait for a while, but eventually they would need to move forward.

Applicant Presentation

Mike Robinson, Land Use Attorney Portland, OR, stated he was present on behalf of the applicant. The applicant agreed with the Planning Commission's recommendation, and with the staff report. The application presented was trying to keep the West Linn Post Office in its current location. Based on the testimony he heard tonight, that was everyone's preference as well.

- Mr. Myers had done a good job addressing the appeal issues and explaining why the Council should reject the appeal. They all supported what the BNA wanted to achieve, but this was not the right route for it. They agreed with the Planning Commission decision that a parking or traffic study was not required. ODOT had agreed with the analysis from Kittelson & Associates. It was very important to understand that no impacts justified additional improvements by the applicant. The Post Office building Option A would increase traffic by 14 trips and Option B reduced average daily trips by over 300 trips. Neither option would increase the use of large trucks more than 20,000 lbs gross vehicle weight (GVW).
- The appellant's suggestion of a four-way intersection was simply not possible due to private ownership, topography impediments, and the riparian area. The impacts of either option would require use of a proportionality standard.

- The Bolton Neighborhood Plan stated on the first page that it was aspirational, not binding on the City, and had not been implemented through the CDC as required by City Code and State law and, therefore, could not be applied.
- The applicant did not begrudge the appeal and understood why it was made. The issues were valid, but a plan was needed to be in place to accommodate applications like this one to avoid a disconnect between an individual application and a larger Central Village plan. Unfortunately, the issues raised were not related to the approval criteria Council needed to apply to the application. No basis for the appeal existed.

Public Testimony

Bob Wells stated he lived near the proposed development. He agreed with the BNA that a broader plan was needed. Regardless of the outcome, he was heartened by the suggestion that the walkway across the parking lot from Market of Choice to the newly-remodeled building be made safer. He had witnessed multiple pedestrians, including himself, nearly being hit crossing that parking lot. He appreciated the suggestion to elevate the crosswalk, but did not agree to a choice between elevating it or applying a textured surface. The crosswalk needed to be more noticeable. An option should be provided for pedestrians to signal their intent to cross.

Applicant's rebuttal

Matt Grady, Vice President, Gramor, stated the applicant concurred with staff's condition giving them the option to explore raised sidewalks versus one at grade with textures and colors. Their preference was to do colored concrete with textures, but to keep the sidewalk at grade. Grading would change the transfer of the surface water from one side of the parking lot to the other.

It would be necessary for the management of Market of Choice and anyone else using that area to become more aware of their driving speeds and to be aware of pedestrians crossing the lot. He also suggested perhaps the installation of rumble strips in the drive isle.

Mr. Robinson thanked Mr. Well's for his testimony, but noted he had not cited approval criteria, and staff's additional recommended condition of approval fully implemented the only relevant approval criteria for the walkway, and provided a variety of ways to resolve the issue.

Appellant's Rebuttal

Mr. McCarthy reiterated that BNA supported the development and did not have concerns with the staff report. Staff had done a good job. BNA was asking Council to provide the resources necessary to develop a plan for all of the Central Village that gave more possibilities for the future.

Mr. Kunrath noted the big item missing in the proposals was a commitment from the City for the needed resources and funding.

Applicant's final rebuttal

Mr. Robinson concluded by pointing out everyone was bound by the approval criteria so, even if the appellant's goals were laudable, they needed to occur outside of this application. Therefore, Council should approve the application and reject the appeal.

Mayor Walters confirmed there were no further questions or comments regarding the appeal, and no further questions from Council for staff or the appellant. She then closed the public hearing.

Council President Relyea stated it appeared the BNA was asking the City to make a commitment to assist them with a circulation plan, traffic control issues, and safety as the new developments unfolded. The applicant agreed the concerns were legitimate, but played no part in the application before the Council tonight. He did not believe Council had within its authority to deny the application simply because the BNA had asked for additional commitments to benefit the community at large. That would need to be addressed through other forums and through Planning Department working closer with the neighborhood associations to develop and redevelop the neighborhood plans.

Mayor Walters supported having further discussions at other venues. Valid points were raised and Council wanted to collaborate on them.

Councilor Baumgardner noted that the neighbors spoke persuasively about an area in which they lived and worked. She wanted to hear their recommendations in an appropriate forum. It appeared that it could not be done tonight as Council was required to adhere strictly to the criteria. She acknowledged it was awkward to have to disregard the comments from the community that would be immediately impacted by the project.

Councilor Bialostosky agreed with the other Councilors and wanted Mr. Kunrath and Mr. McCarthy to know they had been heard, as had the concerns of the BNA. He looked forward to addressing those concerns in the proper venue, but under the applicable criteria he did not have the authority to require a traffic study or off-site improvements. He encouraged use of other venues to address the overall circulation issues.

Council President Relyea stated he would like to address the appellant's concern by offering a commitment that the BNA join Council's upcoming goal-setting meeting to share their perspectives. Council should also discuss the issue further with the Planning Department so a start could be made toward making the suggested improvements. The rest of Council indicated by thumbs-up that they supported Council President Relyea's recommendation.

Council President Bill Relyea moved to deny the appeal of AP 21-01 and to uphold the Planning Commission's approval of DR 20-07/WAP-20-03/VAR-20-02F 5665/5639 Hood Street with a modification to the conditions of approval and adopt the findings contained in the record. Councilor Rory Bialostosky seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.

Nays: None.

The motion carried 4 - 0

Mr. McCarthy stated he was a member of the West Linn Post Office Retention Committee. He wanted Council to be aware that the Post Office would close with no location chosen by the USPS. The Post Office was a hub that contained 500 PO boxes, many of which represented the addresses of small businesses in the city. Hundreds of the Council's constituents used the Post Office every day and might not be aware it would close. The loss of this essential service would have a great impact on the city and the citizens' anger would be directed at Council, justified or not. He did not believe the issue had been prioritized by the Council over the last 2½ years, nor had the necessary work been done, though he understood the issue had been inherited by Council. Based on his three years working with the USPS and aides to federal representatives, he believed the USPS had plans to replace the building with something smaller. The Retention Committee recommended that a blunt, direct letter be sent to the USPS leadership to make the same points as those made in the letter by the federal representatives. Unless pressure was kept up, it would be easy for the issue to go away. The Committee had spoken to the Mayor and City Attorney about filing an appeal and an injunction against USPS for insufficient notice of closure, lack of an economic analysis, and the failure to act in good faith to the City of West Linn. Filing an injunction would raise the visibility of the issue. He urged Council to continue to contact the congressional delegation. Council had written a letter to the USPS last year demanding it act and respond in three months, but the federal delegation never followed up, and the USPS never responded. The result would likely be the same for the next letter unless Council kept the issue in front of them. He suggested Council keep the public informed through a weekly or bi-weekly communication.

Mayor Walters responded that Council had been working very hard on the issue. Since she was sworn in, she had been in talks with the USPS and had collaborated with the federal delegation. She clarified that, as a Councilor, she had not been part of the discussion but now, as Mayor, she was. She understood the Post Office would be moving out this weekend, but also understood that an act of Congress mandated its return to West Linn. She would make certain the constituents were informed of the status of the Post Office.

City Attorney Ramis stated his team had the assignment from the City to examine the legal requirements the Post Office needed to follow, and were currently clarifying what had been done by them so far. Once the examination was complete a legal determination would be made on possible remedies.

~~c. Agenda Bill 2021-02-08-04: Approve Business Grant Funding~~

This item was removed from the agenda during the Approval of Agenda earlier in the meeting.

City of West Linn Response to COVID-19 Public Health Emergency [8:45 pm/5 min]

Mayor Walters updated that she had learned on a call this morning from the Governor's office and the Oregon Health Administration (OHA) that COVID-19 numbers had spiked in November and December but were now coming down. She hoped that trend would continue as people received their vaccinations. So far, 500,000 doses had been delivered to Oregon as of last week and various vaccine clinics were taking place around the state. The 211 phone number had just opened up for people to call to receive information on vaccinations. Governor Brown had called up 30 National Guard members to assist the 211 call staff with answering.

City Manager Gabrielatos stated he was considering asking the fire chief from Tualatin Valley Fire & Safety (TVF&R) to attend an upcoming Council meeting to discuss how TVF&R was working to distribute the vaccine. He would inform Council soon on the status of vaccinations for the City's police and fire personnel.

Shatrine Krake, Executive Director, West Linn Chamber of Commerce, thanked the City for its support of small businesses. The Chamber was happy to announce that an extension had been received to continue and facilitate the Clackamas County Business Resource Centers for West Linn through June. This meant the Centers would continue to provide free resources for every business in Clackamas County looking to re-establish or stabilize operations in response to COVID-19, such as providing free PPE, free business consulting and education, grant updates, financial loan resources, access to interpreters, connections to legal services, and public and mental health resources. All that information and more was available at clackamasbusiness.org, or the Chamber could be contacted at westlinnchamber.org.

Diversity, Equity, and Inclusion Update [8:50 pm/10 min]

City Manager Gabrielatos reported the regular meeting with The Kenley Group had been held last week. Documents requested by The Kenley Group included those related to housing, transit, emergency response, programs, practices and budgets that were already in DEI. He expected the March report would show gaps in DEI that needed to be filled. He anticipated additional funding would be needed to continue the work. Regarding the Police Oversight Task Force, he was considering reconvening the Task Force on Thursday night to discuss next steps. He would like for the legislative advocate, Doug Riggs, to be at the meeting to present on some of the bills in Salem, so they could be monitored by the Task Force and its members participate in the legislative process.

Council President Relyea reported that he and Mayor Walters had attended the annual seminar hosted by the West Linn-Wilsonville School District for DEI. He had learned a definition of anti-racism which spoke volumes to what Council needed to do to provide the leadership necessary for effective change. The definition was: "The active process of identification and elimination of racism by changing systems, organizational structures, policies, practices, and attitudes so that power is redistributed and resources shared." He fully supported the statement and the mechanisms outlined that Council needed to consider as it moved into its

goal-setting session to support the marginalized and disenfranchised citizens of the city and to start embracing anti-racism.

Mayor and Council Reports [9:00 pm/15 min]

Interim City Councilor Appointment

City Attorney Ramis explained that the City Charter gave the City Council the absolute authority to make appointments and determine the process to do so. The Council decided to solicit applications and conduct interviews for the open Council position. It was recently learned that, unfortunately, regular notice did not happen, though an effort was made. Information was provided to *The Tidings,* which was one method of noticing identified in the Attorney General's manual, but the article addressed the subject matter and date of the meeting, but not the time or how to access it virtually, and the usual posting of the notice on the City's website did not happen. The consequence was that people who wanted to watch the process could not access the meeting virtually. The error was inadvertent, but the question that Ms. Cummings testified about earlier in the meeting was what actions the Council would take now. Legally, two options existed: One was to re-notice and re-conduct the interviews; the other was to recognize that the meeting notice was flawed and for Council to not rely on the interview process to make its determination, and instead rely on its knowledge of the politics of the community and the detail in the applications submitted.

Mayor Walters acknowledged that the appointment for the interim City Councilor would not take place tonight.

Council President Bill Relyea moved to remove Item 9a. City Councilor Appointment from the agenda and seek to redress the issue by providing adequate notice and re-conducting the interviews for the open City Council position. Councilor Mary Baumgardner seconded the motion.

Key points and answers to Councilor questions during deliberation were as follows:

- Council should determine how is wished to proceed, and to then notify the candidates of the current status.
- Council agreed that, instead of re-conducting interviews, the candidates' applications would be posted on the City's website for one week for the public to view and comment. Council would review the applications to make their decision.
- Concerns were raised that Council had acted in secret or that the applicants' information was not provided to the public, but *The Tidings* had published all 10 names and information about the applicants. Transparency was important and valued by Council.
- No legal requirement or impediment existed to post the applications on the City's website. Redactions could be made before posting.

- Council deliberations on the applicants would take place in a public meeting in the near future.
- A suggestion was made that the agenda for next week's Council meeting include an agenda bill that listed all the applicants, so the public could see it and sign up to testify if they wished.

Councilor Relyea withdrew his motion.

Council President Bill Relyea moved to that the process to appoint an interim City Councilor include publicly posting the applications received for a one-week period and that the City Council would address the matter at its next scheduled meeting. Councilor Mary Baumgardner seconded the motion.

Kari Oakes testified about her disappointment with Council's process for public comments. She had registered to speak on the topic of the appointment of an interim Councilor, and she had been overlooked. Regarding the interim Council appointment, she stated a notice in *The Tidings* should not be considered as a backup notice as not everyone read *The Tidings*. Per public meetings law and Council rules, official notice to the public was required. She found it questionable that Council's actions were in error. The process needed to be re-done to allow the public to participate. The interim Councilor position item was posted under Council Reports but, according to Council rules, it was supposed to have an agenda bill and be addressed under the Business Items during the Council meeting if a vote would be taken.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Rory Bialostosky.
Nays: None.
The motion carried 4 - 0

Mayor Walters apologized for the delay to those who had applied for the interim position and thanked them for offering to serve on Council.

City Manager Report [9:15 pm/5 min]
City Manager Gabrielatos stated he had met with Finance Director Breithaupt almost daily to begin preparations for the budget. He informed Council that he intended to do a line-by-line analysis with the Finance Director, the Deputy City Manager, and the Department Heads so that he knew the budget well.

City Attorney Report [9:20 pm/10 min]
No report was given.

Adjourn [9:30 pm]

Notes approved 4-12-21.

CITY OF West Linn

22500 Salamo Road
West Linn, Oregon 97068
http://westlinnoregon.gov

CITY COUNCIL AGENDA

Monday, February 8, 2021

5:00 p.m. – Pre-Meeting Work Session – Webex*

6:00 p.m. – Business Meeting – Webex*

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1. Call to Order [6:00 pm/5 min]
2. Approval of Agenda [6:05 pm/5 min]
3. Public Comments [6:10 pm/10 min]
4. Proclamations, Recognitions and Presentations [6:20 pm/20 min]
    a. Robert Moore Award Presentation
    b. Solve Award Recipient Recognition
    c. Black History Month Proclamation
5. Consent Agenda [6:40 pm/5 min]
    a. Agenda Bill 2021-02-08-01: Approval of Meeting Notes for December 21, 2020
6. Business Meeting [6:45 pm/120 min]
    a. Agenda Bill 2021-02-08-02: *Public Hearing:* Annexation of 19676 Kapteyns Street
        i. ORDINANCE 1721, ESTABLISHING THE ZONING DESIGNATION AS R-7 UPON THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC
        ii. ORDINANCE 1722, APPROVING THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC; AND REMOVING THE PROPERTY FROM THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT
    b. Agenda Bill 2021-02-08-03: *Public Hearing:* Appeal of the Planning Commission approval of a Class II Design Review proposal to construct/replace the existing post office building with a new post office or retail building
    c. Agenda Bill 2021-02-08-04: Approve Business Grant Funding

7. City of West Linn Response to COVID-19 Public Health Emergency [8:45 pm/5 min]
8. Diversity, Equity, and Inclusion Update [8:50 pm/10 min]
9. Mayor and Council Reports [9:00 pm/15 min]
    a. Interim City Councilor Appointment
10. City Manager Report [9:15 pm/5 min]
11. City Attorney Report [9:20 pm/10 min]
12. Adjourn [9:30 pm]

PROCLAMATION

West Linn, Oregon

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development, while acknowledging the injustices that remain; and

WHEREAS, the theme for 2021, "The Black Family: Representation, Identity, and Diversity," acknowledges the historical and modern-day challenges faced by those of African descent and celebrates African American families in all their diversity; and

WHEREAS, the history, hard work, and perseverance of the Black family is an integral part of our nation's heritage and identity; with valuable and lasting contributions to traditions such as the arts, cuisine, academia, music and so much more; and

WHEREAS, despite many historical and present-day obstacles and acts of oppression and systemic racism, the Black Family has continually shown strength, resilience, creativity, beauty, optimism, and success; and

WHEREAS, inequality and injustice continue to plague our cities, states, and country, and it is our responsibility to advance the American notion of life, liberty, and the pursuit of happiness for all; and

WHEREAS, Black History Month is a time where all Americans are encouraged to reflect on our collective history of oppression of Black communities and recommit to prioritizing racial equity, inclusion, and respect for human dignity in all we do.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, that February 2021 is

Black History Month

and we urge all to join us in acknowledging the importance of the full and challenging history of the Black family, and work unequivocally toward greater racial equality and social justice throughout our community and our nation.

DATED THIS 8TH DAY OF FEBRUARY, 2021

Jules Walters
_____

MAYOR JULES WALTERS

ATTEST:

Kathy Mollusky
_____

KATHY MOLLUSKY, CITY RECORDER

CITY OF West Linn

Agenda Bill 2021-02-08-01

Date: January 28, 2021

To: Jules Walters, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: Jerry Gabrielatos, City Manager JG

Subject: Draft Meeting Notes

Purpose: Approval of City Council Meeting Notes.

Question(s) for Council:
Does Council wish to approve the attached City Council Meeting Notes?

Public Hearing Required:
None required.

Background & Discussion:
The attached City Council Meeting Notes are ready for Council approval.

Budget Impact: N/A

Sustainability Impact:
Council continues to present its meeting notes online, reducing paper waste.

Council Goal/Priority:
Guiding Principle #0: Core Services of West Linn City Government. Continue to record and document the proceedings of the West Linn City Council. Guiding Principle #3: Sustainability. Incorporate environmentally sustainable practices in City activities and decision making, including reducing waste generation and energy consumption.

Council Options:
1. Approve the Council Meeting Notes.
2. Revise and approve the Council Meeting Notes.

Staff Recommendation:
Approve Council Meeting Notes.

Potential Motions:
I move to approve the Consent Agenda which includes the December 21, 2020 Council Meeting Notes.

Attachment:
1. December 21, 2020 Council Meeting Notes

22500 Salamo Road
West Linn, Oregon 97068
http://westlinnoregon.gov

WEST LINN
CITY COUNCIL MEETING
NOTES
December 21, 2020

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Call to Order [6:00 pm/5 min]

Council Present:
Mayor Russ Axelrod, Council President Richard Sakelik, Councilor Jules Walters, Councilor Teri Cummings, and Councilor Bill Relyea.

Staff Present:
City Manager Jerry Gabrielatos, City Recorder Kathy Mollusky, Acting Police Chief Peter Mahuna, and City Attorney Tim Ramis.

This meeting was conducted via Webex due to COVID-19 and federal and state restrictions on public gatherings.

Approval of Agenda [6:05 pm/5 min]
Council President Richard Sakelik moved to approve the agenda for the December 21, 2020 West Linn Special City Council Meeting as presented. Councilor Jules Walters seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Richard Sakelik, Councilor Jules Walters, Councilor Teri Cummings, and Councilor Bill Relyea.

Nays: None.

The motion carried 5 - 0

Public Comment [6:10 pm/10 min]

Tom Meier expressed his thanks to Councilor Cummings and Council President Sakelik for their work. He stated someone's conduct should not be defined by a single instance. He was passionate about pickleball, and had sent a bid today to Council for the completion of a structure for the pickleball court. He hoped to send the bid to the Parks Department for completion of the structure by spring. He recognized his past difficulties with the Mayor and he apologized for them. As the Parker Crest Neighborhood Association Vice President, he had come to realize it was difficult to mobilize the public and he appreciated Councilor Relyea's participation, along with other Councilors, which enabled processes to be completed efficiently. Finally, he addressed Councilor Walters, noting he was extremely appalled by the video on the *Spotlight* from last June, but he reiterated that a person was not defined by one action. He hoped she would bring her energy to her new position as Mayor in a positive manner.

ODOT Property Letter [6:20 pm/5 min]

ODOT Letter

Council President Richard Sakelik moved to approve the Oregon Department of Transportation letter and authorize the Mayor to sign it. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Richard Sakelik, Councilor Jules Walters, Councilor Teri Cummings, and Councilor Bill Relyea.

Nays: None.

The motion carried 5 - 0

Mayor Axelrod stated the letter would be sent tomorrow and believed it sent a coherent and consistent message to all parties that the City was not interested in the unnecessary C800 tower. He hoped the City and County, surrounding cities, and ODOT would offer the necessary assistance to the C800 group to find an appropriate location for the tower. He recognized the Marylhurst Heights Neighborhood Association and neighbors who worked toward the effort.

June 15, 2020 Council Complaint [6:25 pm/5 min]

Councilor Walters thanked Council for its patience while she sought legal advice regarding the release of the June complaint. Ordinance 1074, which set the policy and procedure for reporting and investigation of workplace harassment, was signed in December 2019 and was effective January 1, 2020. It did not include language to approve the public release of such a

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complaint. Multiple inquiries were made after the investigation report and the video were released. That action was inconsistent with City process and Attorney Rubanoff had advised that the matter was done. Furthermore, the practice was to not release such complaints to be consistent with the usual desire to protect the complainant. It could be precedent-setting and have negative implications for those filing or wanting to file complaints in the future. Therefore, no purpose was served in taking this matter into consideration.

City Attorney Ramis agreed that the ordinance was silent. Council had considered the ordinance with little experience on the matter, similar to other jurisdictions, because it was new. Council would learn as time went along and make adjustments as necessary. The fact that the ordinance was silent on the issue left the discretion of releasing the information up to Council. The chief argument against disclosure was the possibility it would discourage future complaints. On the other hand, arguments could be made for disclosure as well. He hoped the issue could be reconsidered along with the ordinance due to its importance.

Councilor Walters stated City liability needed to be considered when Council discussed precedent-setting decisions that could inhibit people from filing complaints out of fear of them not being kept confidential.

Council President Richard Sakelik moved to place the June 15, 2020 workplace harassment complaint on the City's website alongside the resultant investigative report and executive session video already posted on the *Spotlight*. Councilor Teri Cummings seconded the motion.

Councilor Relyea asked to hear more about how posting of the information would inhibit somebody filing a complaint when, in fact, it was a complete investigation. Typically, in a legal proceeding, certain parties were privy to the information during the investigation stage and during the court hearing phase but, at the conclusion of the action, all parties' interests, including all the actions filed with the court, become public unless a court order specifically stated that certain issues should remain private. He was not seeing that in this case. He saw that a lot of the public at large had raised concerns about their lack of understanding of some of the issues outlined in the report's findings because they did not have the complaint available. He believed the balancing test in the matter was the public's interest in viewing all of the information to form a complete picture of what took place, the allegations, the process to establish the findings, and how that led to the report. He did not believe it would inhibit a complaint and did not see how the party found to be the harasser should participate in the decision-making process. That party should recuse themselves and not try to influence the outcome of the decision by the finders of fact because that would be a conflict of interest.

Councilor Walters took exception with being called a harasser. However, she understood through her legal advisor that complaints were generally not shared as part of Oregon labor law except in the instance of bullying, because complaints could contain very sensitive information, such as sexual assault, that they might not want to be public. It would inhibit people in those situations who might be victimized in that way from filing a complaint. She was

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very concerned about Council taking this precedent-setting motion. She recalled City Attorney Monahan speaking last week about a conflict of interest as just a pecuniary matter and his belief that she did not have a conflict of interest in this instance.

City Attorney Ramis said he had discussed the matter with Attorney Monahan and agreed that a conflict of interest in Oregon was confined to questions of financial interest and he did not believe those were present in this case.

Councilor Walters clarified her decision to abstain last week was based on not having had an opportunity to seek legal advice.

Mayor Axelrod noted the investigation considered the complaint, interviewed the parties involved, and made findings based on the credible matters raised in the report. One concern he had regarding publishing a complaint was that it might contain statements that were not true, particularly if documents were taken out of context on social media, which could lead to harm. The investigation was complete and the matter should be closed. He was very disappointed that Council continued to push the issue.

Councilor Cummings agreed it was time to close the matter, but not until the information was complete. It was not helpful to have an investigative report without seeing what the report was addressing. In some parts of the report, the lack of evidence was noted, but the greater detail of what the investigator referred to as being valid sustained the complaints. In response to whether the matter could be discussed by the Councilors who made the complaint, Attorney Rubanoff sent more information that Councilor Cummings believed should have been received in the first place. It stated that anytime someone felt harassed or victimized, they should not be placed in a position of being unable to talk about it. She chose to talk about the issue in August which was followed by an article in the *Tidings.* In the article, Councilor Walters claimed that she had used only one expletive, was not in a rage, and that she had apologized. All of those claims were not proven to be true, and posting the complaint showed the difference of opinion. It was up to the readers to decide what they believed was correct or not, but it was important for them to have the complete set of information. The complaint would never have been filed if Council could have had a couple of sessions to work on its processes and how it worked together. Council had requested those sessions through a vote in January and was promised again by the Interim City Manager that arrangements would be made, but it never happened. At the March meeting, she had to gavel down Councilor Walters because she was disruptive. The problem had been escalating, and Councilor Cummings had received advice that a group process was not possible if people would not talk or meet; in that case, it was necessary to go public which was the choice she and Council President Sakelik made. She hoped Council in the future would find a more private and personal way of dealing with problems.

Councilor Relyea clarified that in his training, conflict of interest was defined as apparent or actual. The appearance of a conflict of interest was when the apparent conflict arose. He asked for further explanation as to why Councilor Walters objected to being called a harasser and

what a more appropriate term would be, but he would give the interests of the victims in this case, Council President Sakelik and Councilor Cummings, more weight to provide closure, and both of them wanted to release the information. He had not found Councilor Walters' argument to be persuasive.

Council President Sakelik pointed out the complaint had already been public for months. Once he had received guidance from Attorney Rubanoff that it was their privilege to release the information to the public, he sent it to at least 30 people, some of whom were involved in Councilor Walters' campaign for Mayor. Posting the information on the City's website would be after-the-fact. Most importantly, the request involved transparency, the lack of which had been a problem for the City. Not providing the video or the investigation report which validated sections of the complaint would not be transparent for the public. Councilor Walters had run her campaign on transparency and he did not understand why she would not support the request. He confirmed he had sent the information out to 30 people using his private email address, but could not recall the date.

Ayes: Council President Richard Sakelik, Councilor Teri Cummings, and Councilor Bill Relyea.
Nays: Mayor Russ Axelrod and Councilor Jules Walters.
The motion carried 3 - 2

OIR Group Report Discussion [6:30 pm/60 min]
Public Comment - Kathy Selvaggio
Public Comment - Debbie Wong
Kirk Tonkin's Resignation Letter
Mayor Axelrod noted Council had hoped to address the issue earlier in the year, but for the legal rights of some people in the report, it was not possible to release the report until after Council's last meeting. Council was pleased to receive the OIR Group report and believed it would be of great interest to the City and the entire community. He noted many were still looking for certain details that were unknown and might never be known. Opportunities to follow up and clarify the report would be available going forward, particularly as strategy was formulated to change City policies, procedures, and elements of the City's culture. He was struck by the finding in the report showing that the decision to not conduct an independent investigation was clearly the top issue. Had procedures been followed, the City would not be where it was today.

Kathy Selvaggio stated she had sent a copy of her remarks to Council but also wished to read them into the record. She expressed her gratitude to the Mayor and all members of Council for their years of service. She was happy to have the OIR Report after many months of waiting. She had far too many comments and questions to address tonight so, she would send them in writing to Council and the Police Oversight Task Force after the holidays. She asked if Captain Rollins would be terminated, and suggested that perhaps a cover up was conducted during the WLPD's internal investigation. His superiors should likewise be held accountable.

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Debbie Wong thanked the City for showing a commitment to reform by having a review done by the OIR Group. She thanked the OIR Group for identifying structural problems surrounding the Fesser case and for making recommendations to address the causes to prevent reoccurrence. She spoke to some of the recommendations in the report and urged Council to implement them all.

Mayor Axelrod requested Ms. Wong to address her questions in writing to the future Task Force and future Council or other appropriate venue. Any needed clarifications of the OIR Group could be requested as well.

Fred Groves expressed his thanks to Council for their work and time. He would send questions to Council via email as he read the OIR Group report. He stated he was struck by how the Citycounty Insurance Services (CIS) investigator would not cooperate fully with OIR Group and asked how that could be remediated by the City. The City's priorities should be knowing the truth for a path to a better police force. If the integrity and structures of governance and safety forces were strengthened, it would help lessen future litigation. The City was trying to increase transparency, so it could examine the issues and culture that had been mired for years in inactivity or cronyism or abuse of power.

Michael Gennaco, OIR Group, thanked Council and the City for their cooperation during the review process. He said OIR Group had spoken to each Councilor individually and that helped immensely with determining the next course of action, and their willingness to provide candid conversations was very helpful. He was grateful also for the City Council's decision, as it was authorized to do, to release information before the review started. Such transparency presented a lot of helpful information essential for OIR Group's work. OIR Group hoped that it presented ideas and recommendations for the City to make it less likely to find itself in a similar situation. The recommendations attempted to put guardrails on some City processes to avoid what led to the issues and to prevent repeating them. The intent of the last set of recommendations was to provide ways in which the community could become more engaged in certain police department processes, such as hiring and promotions, in concert with former President Obama's 21st Century Task Force and with some of the post-George Floyd narrative that had involved the country. The recommendations also addressed providing feedback to the WLPD in a direct way about what the community wanted its officers to do when providing public safety functions. A lot of room existed for work in that area and it was the impetus behind OIR Group's recommendation.

Council President Sakelik asked for more clarity regarding those who were interviewed, perhaps reluctantly, as the report provided only a short summary. He had recommended a number of people he believed needed to be interviewed.

Mr. Gennaco replied that OIR Group interviewed those who they believed were critically involved in the issues and would have information that could provide a better understanding. The documents and email provided told only part of the story. They reached out to all of the

individuals they believed would have direct knowledge of the issues OIR Group was asked to consider based on Council's questions. All individuals agreed to sit for an interview and provide information. He emphasized that the investigation was not a formal one, but was rather a review that was framed by Council through a series of questions such as how the City got into the situation in February 2020 and what could be done to prevent that from happening again. Based on that, a review was conducted rather than an investigation. The witnesses were questioned as to what happened and the reasons they took the actions they did or did not take. All of the critical individuals who were directly involved in the substance of the report cooperated with two exceptions, which were both noted in the report. By the time OIR Group reached out to Mr. Reeves, a former police department employee, he was no longer with the WLPD and declined to speak with them, likely because he was still under investigation in certain other fora. OIR Group did not consider it a big loss in regard to information because of all the information and documents and analysis that had already been done regarding Mr. Reeves by the District Attorney and others, as well as the pre-existing documents that OIR Group had available that arose during the litigation and the limited investigation done by West Linn. A bigger loss was the refusal of the adjuster from CIS to be interviewed. It was believed that he had information that would have been helpful to the report and analysis. OIR Group asked the City Attorney for assistance, but despite numerous phone calls and City Attorney Ramis' call to his supervisor in an effort to gain that cooperation, they were unable to do so.

Councilor Sakelik asked if a list of those interviewed could be provided to Council.

Mr. Gennaco responded that was possible, but some witnesses might have requested confidentiality. He assured that the names on the list would not be a surprise to Council.

Council President Sakelik noted he did not see addressed in the report Council's request to include the Fesser vs. A&B Towing case and the City of West Linn's involvement in depositions which it had to provide for the court case. A number of City people were involved in that process which evolved into the Fesser vs. West Linn case.

Mr. Gennaco replied that the request was minimally addressed in the report. He believed some documents were requested and provided by the City, but they were not of any particular substance. The late discovery of the text messages resulted in the settlement of the litigation and led to Mr. Fesser's realization of wrongdoing on the part of the police officers involved in his arrest and investigation.

Councilor Relyea expressed his appreciation of the extensive work by OIR Group and believed it would help the City provide greater oversight of the police force. A citizen Task Force had been formed to assist in creating a long-term Task Force to help with oversight of the police department. He anticipated that Council would ask for OIR Group's involvement in that process by assisting Council with implementing their recommendations and by providing a much broader perspective offered of what was happening nationally through the other types of investigations OIR Group had been involved with over the years. Harsh realities needed to be addressed and instead of saying that mistakes were made and it was time to move on, it would

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be necessary to flesh out some of the comments and other issues raised in the report. He especially appreciated Ms. Selvaggio's comment this evening regarding whether the Fesser incident was part of a broader coverup. That spoke to systemic leadership failure and coupled with the detective's complaint, his attorney's statements, and OIR Group's statement in the report noting certain Council members mused about covering up the matter. He asked who those Council members were and how often they said such things in perhaps closed-door sessions and why no red flags were raised. He questioned their ethical and community values and wanted to draw them into the open to provide a good perspective of what was actually taking place behind closed doors. Some issues regarding violations of people's civil rights and complaints made by WLPD detectives went unanswered regarding unethical practices in the leadership team.

Councilor Walters thanked OIR Group for the work and the good conversation on the long phone call she had with them. She especially appreciated the discussion about potential oversight entities and what those looked like in different jurisdictions. The commenters who spoke today, with the exception of Ms. Selvaggio, were members of the Police Oversight Task Force, and Councilor Walters would appreciate the OIR Group having a dialog with them.

Mr. Gennaco replied that a preliminary discussion with City Manager Gabrielatos had already taken place about that possibility. OIR Group would be more than happy to talk with the Task Force on oversight issues. Every community should have an impartial individual to ensure accountability and transparency. OIR Group's recommendations to establish guardrails on some existing protocols were important, but having someone providing oversight who was not involved and did not have a stake in the careers of the police officers or City staff would be the best way to forestall a repeat of what happened in the Fesser case.

Councilor Cummings thanked OIR Group and noted they had come highly recommended and their recommendations were very valuable and long overdue. She asked if they had also considered previous complaints by Dan Thenell and Kirk Tonkin. Similar issues were brought to the former Councils from 2014 through 2016.

Mr. Gennaco responded that OIR Group had considered those complaints and noted the Fesser incident was not a one-off. Perhaps the most instructive incident was that involving former Officer Newberry, which was included in the report. In that case, two things were striking: One, the investigation did a very good job of identifying the issues with regard to Officer Newberry, but did almost no work with regard to others in the department who the evidence suggested might have been aware of, facilitated, tolerated, or endorsed the comments made by Officer Newberry in his Facebook posting. Two, while the City made the appropriate decision to terminate Officer Newberry based on his comments, it again did not address some of the larger issues, such as how the officer felt so emboldened that he believed he could share the information publicly and not receive any retribution even though colleagues and supervisors might well have been aware of it. OIR Group would have liked to pursue that issue more, even as a remedial measure.

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Councilor Cummings noted former whistleblowers tried to communicate with the past Councils through letters and complaints. It sounded like those matters were handled internally and somewhat dismissed. She believed that emboldened the bad actors to go further with action not in keeping with good police practices.

Mr. Gennaco responded that her description seemed consistent with a culture that arose in West Linn as a result of the administrative leadership where it was assumed that Council would stay out of personnel issues. While a strictly administrative role could be useful, it was undesirable for the pendulum to go too far in either direction. A personnel issue could also mean work was needed by the policy makers and the elected representatives of the City, and overlap often existed between the two.

Councilor Cummings replied it was based on leadership. It was necessary to embrace the philosophy that problems needed to be viewed honestly with a willingness to face them or they would get bigger, like the Fesser matter. Tonkin's and Victor Lancaster's complaints were attempts to warn the City that something was wrong, but were largely ignored. If they had been addressed, perhaps Mr. Fesser's situation could have been completely avoided. If CIS's business was risk management, it would be in their best interest to help the City and Council understand, but Council was kept out of the situation.

Rob Miller, OIR Group, commented he saw a through-line in many jurisdictions that would connect the Newberry arbitration and the depositions in the Fesser vs. Benson case, and the proceedings and final outcome of the Fesser vs. West Linn case. While a strong temptation existed in any political organization or bureaucracy to diminish and deflect litigation because it was painful and because allegations often seemed unfair and many times were, it was difficult to see past the dollar sign such claims and lawsuits represented. For a visionary City and a law enforcement agency who wanted to improve themselves, it was important to try to view the events as an educational mirror because those events were reflecting somebody's response to the City's or the law enforcement agency's actions and were opportunities to get the information that normally did not flow towards the City Council. In West Linn, particular obstacles existed to Council receiving that information, in addition to the natural tendency of organizations to sometimes deflect and diminish. It was difficult to change attitudes among all kinds of jurisdictions. It was not an unusual situation, but if West Linn could take the opportunity to change the whole way it defined litigation, especially litigation that directly affected a major entity within the City such as the police department, it would be tremendously constructive.

Mr. Gennaco added that since February, OIR Group had been advised by some of the Councilors and others that Council had learned from what happened in February and had put the lawyers through their paces regarding a pending litigation in executive sessions. The only issue OIR Group had with that was that it could be ephemeral unless it was documented and unless the recommended guardrails and institutional protocols were adopted by the City.

Mayor Axelrod stated that bringing former Chief Timeus into West Linn was like bringing a

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cancer into the family and it created a very unhealthy environment whose effects were not easily eliminated. Unfortunately, the challenge before the City was a very clear recognition of how deep and insidious it was, and of the effort before the City to build a very different culture. To achieve a cultural change, clarity was needed in policies and procedures, but it was also necessary to provide a further interpretation of the meaning of some of the Charter provisions. OIR Group's Recommendations 10 through 15 were clear on community development elements. CIS handled various insurance matters for all municipalities in Oregon and the structure was very good in terms of the service and the facilitation CIS could provide, but when the connection with CIS was lost, the situation could go very wrong. He asked how the City could restructure its relationship with CIS and create a foundation of trust and service that could be continued. Since the Fesser matter, another CIS-managed matter was brought before Council and CIS's approach had been very different. CIS knew that Council wanted to understand the implications and issues and wanted the truth clearly in black and white. CIS did a good job of covering the case, and Council commended them for it, but CIS also had a culture in place. Systemic problems and how the cases were moved forward needed to be addressed, as well as issues regarding insurance and how matters were vetted.

Mr. Gennaco responded that his understanding was that CIS was the only company providing insurance to municipalities in the state; he did not advise the City to self-insure. The City was limited in that regard but, as indicated in the report, because the City was insured, a lot of litigation decisions rested with CIS, such as whether to settle and for how much. It caused the City to lose control of some important decisions, but certainly not all of them. He believed that it was important for a City who recognized it was the client and wanted a certain level of service and a responsive lawyer who would keep them apprised, to make those kinds of statements and to make sure that the lawyer was working on behalf of the client. He did not believe that was done very effectively in the Fesser case with the best evidence being that the Council heard from its lawyer one time over the 1½ years of ongoing litigation. That could not be a standard, but it was tolerated, and it indicated where changes were needed. A lot of information was being learned by the lawyers in depositions and through other mechanisms of the court, but Council was only sporadically learning about it, the City Attorney did not know about it in the same way as the other attorneys did, and the WLPD did not know about it. If someone with a different interest, such as a representative for the WLPD, was present to hear what Reeves, Timeus or others had to say in the depositions, the City would have learned of the problem earlier and things could have been handled differently.

Mayor Axelrod said it appeared that the WLPD's decision to not have an outside independent investigation was in error. If it had been done, even with the set-up of Council's system then, the result would have been very different and all the facts would have been brought to the City earlier for action. Implementing a policy to use an outside investigation might have also influenced how CIS handled the matter.

Mr. Gennaco said he agreed completely, noting it was the most grievous mistake of all. However, he would have expected that once CIS saw the investigation, they would have asked many questions about how little had been done in order to prepare for what lay ahead and to

DRAFT

avoid waiting while the matter developed in depositions at the City's cost.

Mr. Miller noted it was very good to hear that CIS's performance and ability to communicate with the City had improved. Council had a strong interest in a stepped-up performance being resilient and durable which meant part of the answer was to implement structural changes. It was great news because it meant CIS was capable of shifting their attention to the City if the City demanded it and made its expectations clear.

OIR Group observed that utilization and arrangement of legal services by the City and how legal problems were dispersed to legal counsel was complicated and multifaceted and provided the opportunity for information to drop out. A great deal of coordination among Council, the City Manager, and others was necessary and did take place with great speed and focus when the tort claim was received in June 2018. Inevitably, CIS would become the keeper of the case and things fell apart, especially because of the initial decision to not use an outside agency.

- The second observation was that a great deal of ambiguity existed over personnel matters and how much information Council was allowed to have, as well as over what its and the Mayor's responsibilities regarding personnel matters. The fix required everyone to understand their roles and responsibilities in the City regarding personnel matters; otherwise, issues would be redefined or newly defined every time an emergency arose.
- Finally, imposing a recusal policy was an easy fix and would have likely required at least some pause for thought about what Chief Kruger's recusal would mean and whether he had to recuse himself. It was perhaps an indication that this was a complicated case that had a graver potential, and that realization might have tipped the balance to the decision to use an outside investigator. Recusal was largely borrowed from the courtroom and used by judges who understood how to apply a complicated action. Chief Kruger's decision was appropriate at the time. It would be good to consider the implications of recusal because in the courtroom, recusal was not just about conflict of interest but was also about the appearance of a conflict of interest.

Mayor Axelrod referred to Recommendation 9 on Page 39 of the report, noting it spoke to having an independent police auditor position on contract, and asked for clarification on when an auditor would be brought in. The report discussed the meaning of significant litigation, and he asked if auditors could be shared with other cities.

Mr. Gennaco replied the recommendation would be fleshed out for Council and customized to fit the needs and interests of the City. The independent police auditor was not responsible for taking over internal investigations, although they would have the capacity to do so, but was primarily responsible for reviewing the internal investigations conducted, and reviewing complaints and claims with price tags attached to ensure the issue was effectively, thoroughly, and objectively investigated whether inside or outside. They needed to ensure the result was evidence and a principled resolution proportional to the offense, if founded. Also necessary

was to review other important functions of a police agency, such as to ensure an effective investigation into a use of force whether a complaint had been lodged or not. The auditor also had the ability to conduct periodic audits to see whether or not the background investigations were being conducted effectively; alternatively, the evaluation system was meaningful and real.

For effectiveness, two things needed to happen: One, the auditor had to have complete access to internal confidential information; two, the auditor was able to report on their findings to other City stakeholders and the larger community through public reporting. Some auditors have a connection with a review board or a community task force, and some cities found that kind of hybrid model to be the best because, while the auditor is a true outsider and did not have any affiliation with the City, they could use the community-based group as eyes and ears to also direct projects to the auditor based on the concerns they might be hearing. OIR Group found it best to have one team or one individual assigned that responsibility rather than it being on an as-needed basis, and the most effective approach was for the scope of work to include ongoing efforts for or a year or two.

Councilor-elect Baumgardner stated she appreciated the thoroughness of the report and the recommendations. She was considering, however, the importance of addressing issues, having a complaint system, and having an outside investigation system. She was also very interested in the systemic aspects of resiliency of a culture and changing a culture. She had been interested to learn about Lexipol's policy and its wide use. It was coming under some criticism about how it could lead toward overreach because people believed protections existed in the vague policy language.

Mr. Gennaco replied Lexipol was a private company whose concept at the start was intended to provide a minimal level of what a policy manual should look like, particularly for smaller agencies, but one issue OIR Group saw was that Lexipol used a lot of "shoulds" and "shalls." Many agencies customized or tailored the basic skeleton of Lexipol and, if the City wanted its officers to work at a higher standard or have higher expectations regarding use of force, for example, it was possible and should be done. Again, an auditor could help in that situation because they would have access to progressive police practices and, if an officer escaped accountability because the policy was too vague or ambiguous, the auditor could recommend the policy be tightened.

Councilor Walters stated Lexipol had been discussed at the Task Force already, especially by retired Sheriff Furno who believed it was very important to create policy without using Lexipol and the associated expense. Councilor Walters, Acting Chief Mahuna, and City Manager Gabrielatos had discussed Lexipol, and she was interested to know how they could move away from it and start developing their own practices and procedures. She thanked Council President Sakelik and Councilor Relyea for contacting OIR Group as they had been a great help and had provided a good starting point for the tremendous amount of work ahead for Council.

Mayor Axelrod noted the relationship with OIR Group was just beginning and their help and

DRAFT

guidance would be needed in the future. He suggested outgoing members of Council submit comments and questions to the City Manager for integration into the next Council's considerations. The report was a huge step and was one that Council and the community deeply cared about.

Councilor Teri Cummings moved to include Mr. Thenell's and Mr. Tonkin's letters to the body of information alongside the OIR Report and the rest of the documents Council was releasing. Council President Richard Sakelik seconded the motion.

Councilor Walters stated she had not had a chance to read the letters yet, and asked Councilor Relyea and Councilor-elect Baumgardner to make sure consideration of those letters was one of Council's first actions in January.

Councilor Cummings confirmed the documents had already been released and were public. Mr. Tonkin's letter was from his resignation, and in the other, a whistleblower spelled out some of the difficulties they experienced which pointed to the same kind of issues that were subsequently seen to a greater degree.

Councilor Relyea asked for confirmation from City Attorney Ramis that the letters were public record and for any potential issues with Council's adding them to the current documentation.

City Attorney Ramis replied it was well within Council's authority to release them and he also believed they had already been made public.

Councilor-elect Baumgardner noted that she had seen interest from the public to learn more and understand better the context and history behind the situation, and she believed it would be beneficial for people to be able to easily access the information. The letters might already be somewhere on the City's website but, if they were hard to find, people might not look for them or know to look for them.

Mr. Gennaco confirmed the letters had been provided to OIR Group and had been considered for context.

Ayes: Mayor Russ Axelrod, Council President Richard Sakelik, Councilor Jules Walters, Councilor Teri Cummings, and Councilor Bill Relyea.

Nays: None.

The motion carried 5 - 0

Thanking Outgoing Members for their Service [7:30 pm/60 min]

Shannon Knight thanked the City Council for its service and support of Main Street. She recognized Council President Sakelik and Councilor Cummings for always being open to hear her, for taking meetings and calls whenever she asked, and for always being open to listening

DRAFT

to the public. She appreciated Council's dedication to the community and wished them the best going forward. She recognized Mayor Axelrod for the time and dedication he had given the job and the work he did on the state and county level to represent West Linn. She congratulated Councilor Walters and stated she appreciated her wanting to engage the citizens and keep them informed. She also thanked staff for their hard work.

Mayor Axelrod thanked Ms. Knight for engaging the Main Street and involvement in City issues and for her input to the downtown plan and for her dedication.

Councilor Walters thanked Councilor Cummings and Council President Sakelik for their years of service to the City of West Linn. They had fought tirelessly for what they believed in. Council President Sakelik's commitment to working hard and serving the City never wavered even while he was undergoing treatment for cancer and Councilor Cummings had endured the loss of her parents. She admired their work ethic and dedication during such human and difficult times. She also thanked Mayor Axelrod for his dedication and service to West Linn and for making himself available to all community members. She detailed some of his accomplishments during his more than five years of service. He had risen to challenges of the pandemic with an unwavering commitment to listening to the science and encouraging others to be safe. She appreciated the time he spent helping her grow as a City Councilor and transition into her new role.

Councilor Relyea also thanked Mayor Axelrod, Council President Sakelik, and Councilor Cummings. He wished them a great holiday season and hoped they enjoyed their free time and wished them the very best in their future endeavors.

Council President Sakelik spoke about the many people who did not understand how the City or the Council worked, nor understood the City Council's and Mayor's roles and the time and dedication it took to serve. Council would not agree on everything completely, and constructive conversation was necessary to get the best results. Serving on Council was difficult and it took a special person to be able to endure it. Council often had a finger pointed at it for various occurrences which was sometimes deserved and sometimes not, like in the Fesser incident. He commended the new Councilors for having the courage to serve. He had enjoyed his time on Council and was honored by the number of citizens who had voted for him four years ago. West Linn was one of the best cities he could think of, which was why he wanted to help improve it. He apologized to staff if his directness came across the wrong way; staff had to tolerate different Councils every two years which was a difficult position for them. He felt honored to learn how a municipal government worked, although coming from the private sector, he was frustrated by its slowness. All-in-all, he considered it a good experience and a lot had been accomplished. Mayor Axelrod had put in a lot of extra time and he commended him for his dedication. The new Council had some key responsibilities with the Oversight Task Force and police reforms. He wished them luck, noting that it would not be easy. He was honored by Councilor Cummings' friendship and appreciated the experience of this four-year journey together.

DRAFT

Councilor Cummings thanked the citizens for electing her to Council and stated it was an incredible honor to be in a position to serve the public. She also thanked them for taking the time to write to Council and for testifying even though it might feel uncomfortable. Due to Mayor Axelrod's and Council's dedication, a lot of hopes and dreams had come true. She congratulated Councilor Walters for a successful run for Mayor and commended her for her willingness to put in the hard work. It had been an honor to work with someone with Council Relyea's kind of legal acumen and careful thought process. He had kept Council in line with his knowledge and integrity, and she was glad he would be remaining on the City Council. She appreciated Council President Sakelik's honesty and straightforwardness. He kept Council on track and had a great understanding of the budget to Council's benefit. She appreciated City Attorney Ramis' advice and noted his advice never felt like it was steering Council in a certain direction, but was rather to assist in knowing its options. She thanked City Manager Gabrielatos for being brave enough to move himself and his wife to West Linn knowing the amount of help the City needed. He stepped in at a very difficult time but the enthusiasm and energy he brought was needed.

City Attorney Ramis thanked Councilor Cummings for her kind words and offered congratulations on her twenty years' of service. Listening to public input had been the foundation of her philosophy. He spoke to Council President Sakelik's inspirational dedication to hard work and service and for his ability to ask the hard questions. He knew from taking phone calls from Mayor Axelrod all day that his commitment to improving the city was 24/7.

City Manager Gabrielatos stated public service work was challenging and fun, and when people got involved, good things happened. He chose West Linn because of his excitement for the work being done. The demands of the job had made him a better city manager. He was looking forward to being able to meet with Council in person.

Mayor Axelrod shared the history that led up to his becoming Mayor, noting serving as Mayor changed his life forever and opened up an incredible depth of understanding and appreciation for public service. He believed disagreements were healthy and that Council mostly wanted similar things. He emphasized that it was critical to have good working relationships with surrounding cities, regional stakeholders, legislative representatives, and the state and federal delegation because West Linn was no longer an isolated City but part of a broader community. It would be a big challenge for the Council moving forward with just the expected changes at the county. He greatly appreciated the value of those relationships and he thanked the mayors of the regional cities for their support. He stated his support for City Manager Gabrielatos and acknowledged the challenges he faced during the pandemic. He urged anyone interested in public service to get involved and urged Council to reach out to and engage the community's youth.

He reminded of a call he would be holding with the Post Office tomorrow and had asked for Councilor Walters to attend, if possible. The federal delegation would not be on the call due to particular rules. On Wednesday night, the Southfork Water Board would meet, and a

Stafford Hamlet meeting would be held at the end of the month. He would write down some ideas for future Council goals.

Adjourn [8:30 pm]

Draft Notes.

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CITY OF West Linn

Agenda Bill 2021-02-08-02

Date Prepared:	January 28, 2021
For Meeting Date:	February 8, 2021
To:	Jules Walters, Mayor West Linn City Council
From:	Darren Wyss, Community Development Department DSW
Through:	John R. Williams, Community Development Director JRW Jerry Gabrielatos, City Manager JG
Subject:	Annexation of 2.3 acres at 19676 Kapteyns Street

Purpose
To hold a public hearing on the City initiated annexation of the property owned by the Oregon Department of Transportation (ODOT) at 19676 Kapteyns Street (Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC).

Question(s) for Council:
Step 1: Land Use Decision

1. Does the annexation proposal meet the criteria in CDC Chapter 81 for approval of the land use decision to assign a zoning designation of R-7, Single-Family Residential Detached and Attached?

Step 2: Policy Decision

1. Does the City Council wish to annex the property (Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC)?
2. Does the City Council wish to hold an advisory vote prior to annexation?

Public Hearing Required:
Yes

Background & Discussion:
The property at 19676 Kapteyns Street is owned by the Oregon Department of Transportation (ODOT) and currently contains an ODOT communication tower and a small accessory building for the associated equipment. The property is 2.3 acres and identified as tax lot 1500 of Clackamas County Assessor Map 2S-1E-23BC. The property is located within the Urban Growth Boundary (UGB) and is considered an "island" surrounded by properties already annexed into West Linn City Limits. The 2019 West Linn Parks, Recreation, and Open Space Master Plan recommends acquisition of this property in the future and its inclusion into Marylhurst Park.

As the property is currently located in unincorporated Clackamas County, there was a proposal in 2020 to construct a new 180-foot communication tower under County rules. The City has received consistent feedback from the community that this proposal was not desired and would not be allowed if the property was under West Linn's jurisdiction. City Council and staff met with the C800 Group, the

applicant for the new tower, and negotiated a delay in moving this proposal forward. City Council and staff also worked with ODOT on a plan to annex the property and bring it under the jurisdiction of West Linn. In late 2020, staff was directed to initiate an annexation under the rules of Oregon Revised Statute 222.750, which allows a City to annex an "island" property if certain conditions are met.

Annexations require a two-step process. Both steps can occur at the same public hearing date. Step 1 is a land use decision where City Council applies a City zoning designation to the property. Step 2 is a policy decision where the City Council has discretion to approve/deny the annexation, either with or without sending the request to an advisory vote.

Budget Impact:
The annexation would bring the properties onto the City tax roll, but as the property is tax-exempt there would be no impact while still under the ownership of ODOT.

Sustainability Impact:
None

Council Goal/Priority:
Not listed as a Council Goal or Priority, but Council directed staff to initiate the annexation process under ORS 222.750.

Council Options:
Step 1: Land Use Decision

1. Approve the land use application for annexation with R-7 zoning designation.
2. Deny the land use application and end consideration of annexation of the properties.

Step 2: Policy Decision

1. Approve the annexation of Taxlot 1500.
2. Decline the annexation of Taxlot 1500.
3. Consider a resolution placing the annexation on a ballot for an advisory vote.

Staff Recommendation:
Step 1: Land Use Decision

Staff recommends the Council approve the land use application for annexation with R-7 zoning designation.

Step 2: Policy Decision

Staff recommends the Council approve the annexation petition, without an advisory vote consistent with recent Council decisions on small island annexations, and bring the property into the West Linn City Limits and withdraw the property from the Clackamas County Enhanced Law Enforcement District.

Potential Motion:
Step 1: Land Use Decision

"I move to approve First Reading for Ordinance 1721, "An Ordinance Establishing the Zoning Designation as R-7 Upon Annexation of Real Property Located in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC", and set the matter for Second Reading.

If approved unanimously, please complete the Second Reading.

"I move to approve Second Reading for Ordinance 1721, "An Ordinance Establishing the Zoning Designation as R-7 Upon Annexation of Real Property Located in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC", and adopt the ordinance.

Step 2: Policy Decision

"I move to approve First Reading for Ordinance 1722, "An Ordinance Approving the Annexation of Real Property Located in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC; and Removing the Property from the Clackamas County Enhanced Law Enforcement District", and set the matter for Second Reading.

If approved unanimously, please complete the Second Reading.

"I move to approve Second Reading for Ordinance 1722, "An Ordinance Approving the Annexation of Real Property Located in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC; and Removing the Property from the Clackamas County Enhanced Law Enforcement District", and adopt the ordinance.

Attachments:

1. Ordinance 1721 – Establishing Zoning Designation of R-7
2. Ordinance 1722 – Approving Annexation of Real Property
3. Staff Report to the City Council dated February 8, 2021 (ANX-21-01)

ORDINANCE NO. 1721

AN ORDINANCE ESTABLISHING THE ZONING DESIGNATION AS R-7 UPON THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC

WHEREAS, the 2.3 acres of real property in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC ("Property") are located within the Metro Urban Growth Boundary and are eligible for annexation into the City of West Linn; and

WHEREAS, the City of West Linn is authorized by Oregon Revised Statute 222.750 to annex the Property into West Linn, Oregon, and initiated the annexation; and

WHEREAS, the West Linn process for annexation requires two-steps. Step 1 is the land use decision to assign a zoning designation. Step 2 is the policy decision to approve the annexation of real property into the city limits; and

WHEREAS, the West Linn Comprehensive Plan contemplates the annexation of the Property and designates it as Low Density Residential; and

WHEREAS, notice was given and the West Linn City Council held a public hearing on February 8, 2021, to consider Step 1 and establish a Property zoning designation of R-7, Single-Family Residential Detached and Attached; and

WHEREAS, the addition of property to the City requires modifying the West Linn Zoning Map, which must be done by ordinance; and

WHEREAS, the City Council may choose not to annex the Property during Step 2, the policy decision regarding the proposed annexation, negating the need for this Ordinance to become effective.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Zoning designation and map amendment. The Property, further described in attached Exhibit A, shall be zoned R-7, Single-Family Residential Detached and Attached. The Zoning Map shall be amended to assign the Property with an R-7 zoning designation, as depicted in attached Exhibit B.

SECTION 2. Findings of Fact. The West Linn City Council adopts the Staff Report to the City Council (ANX-21-01) and any supplemental findings, and incorporated herein by this reference.

SECTION 3. **Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Effective Date. This ordinance shall only take effect on the 30th day after the passage of Ordinance 1722, which approves the annexation of the Property under Step 2 of the annexation process.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 8th day of February, 2021, and duly PASSED and ADOPTED this _____ day of _____, 2021.

_____
JULES WALTERS, MAYOR

ATTEST:

_____
KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

_____
CITY ATTORNEY

EXHIBIT A

ORDINANCE NO. 1721

CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Annexation
Legal Description

A Tract of land being Parcel 1 of Final Judgement filed in the Circuit Court of Clackamas County, Oregon on August 24, 1966, Case Number 62637, being that exception portion of Deed Document Number 2000-009937, Deed records of Clackamas County, located in the Southwest one-quarter of Section 15, Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at a point on the West line of that property described in Deed Document Number 2000-009937, Deed records of Clackamas County, said point bears N00°06'09"W, 265.05 feet from the Southwest corner thereof, a 5/8 inch iron rod bears S89°56'19"E, 0.23 feet from said corner; thence continuing along the Northerly extension of said West line, being coincident with the East line of the Plat of "Kapteyns Krest", Plat records of Clackamas County, N00°06'09"W, 300.01 feet to a 5/8inch iron rod with a red plastic cap inscribed "CENTERLINE CONCEPTS, INC"; Thence leaving said lines, N89°56'19"E, 330.57 to a point on the East line of said Deed Document Number 2000-009937, being coincident with the West line of the Plat of "Centurion Estates", said records, a 5/8inch iron rod bears S89°56'19"E, 0.23 feet from said point; thence along said coincident lines, S00°06'12"E, 300.01 feet to a 5/8 inch iron rod; thence leaving said coincident lines, S89°56'19"W, 330.58 feet to the ***POINT OF BEGINNING.***

Contains 99,175 Square Feet.

Basis of Bearings for this description is per record of Survey Number 29541, Clackamas County Survey Records

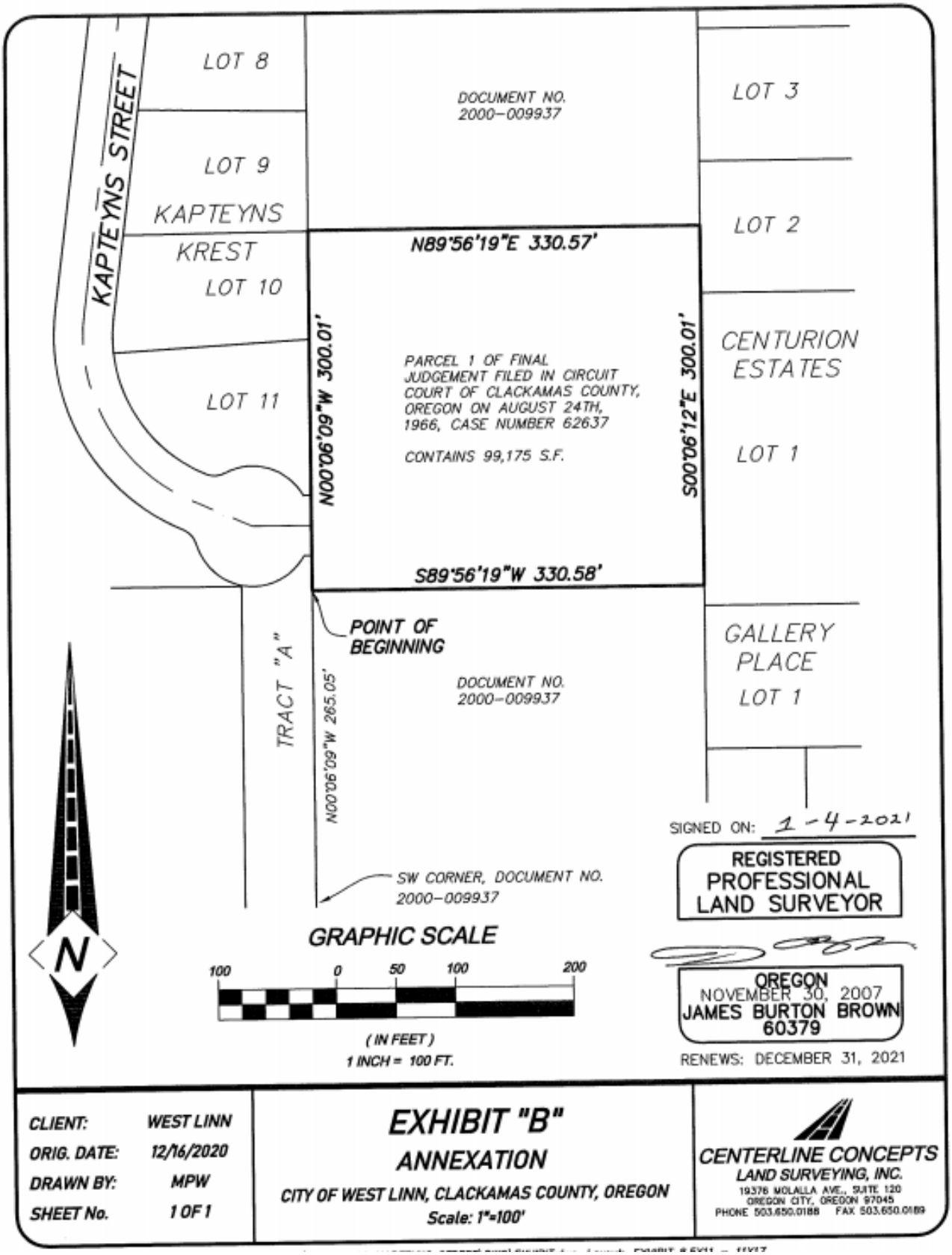
SIGNED ON: 1-4-2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

THROUGH DECEMBER 31, 2021

M:\PROJECTS\WEST LINN-KAPTEYNS STREET\Annexation Legal.doc



CLIENT:	WEST LINN
ORIG. DATE:	12/16/2020
DRAWN BY:	MPW
SHEET No.	1 OF 1

EXHIBIT "B"

ANNEXATION

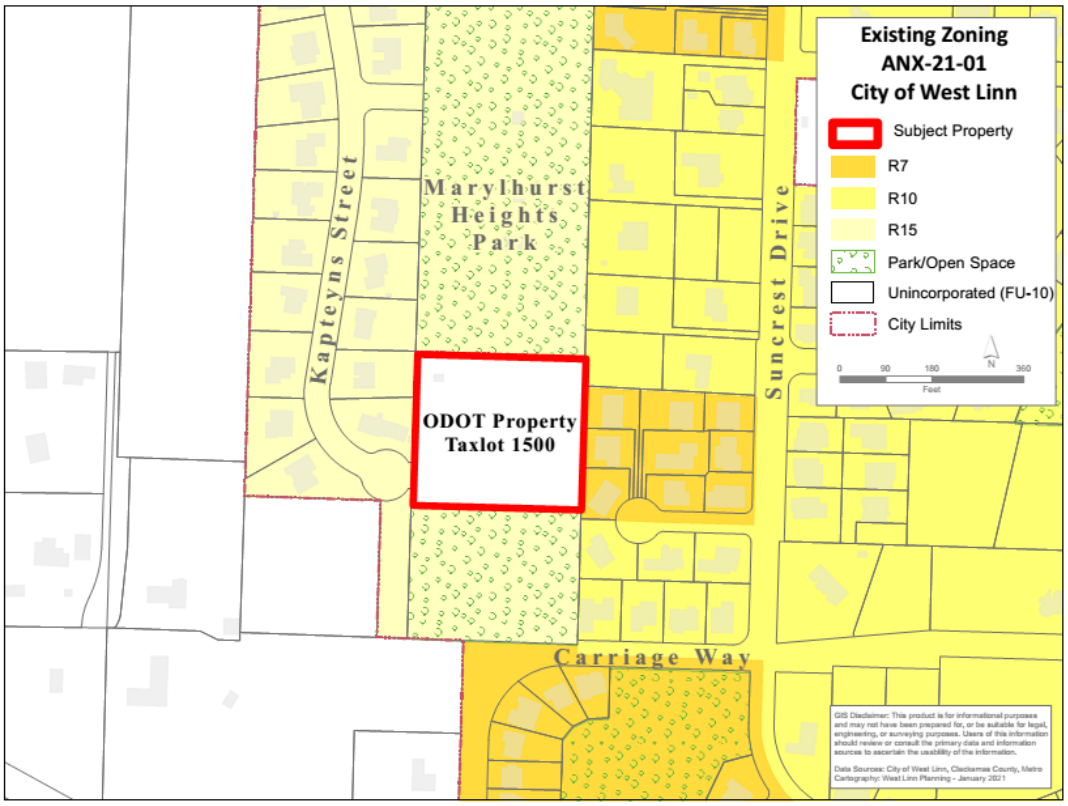
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

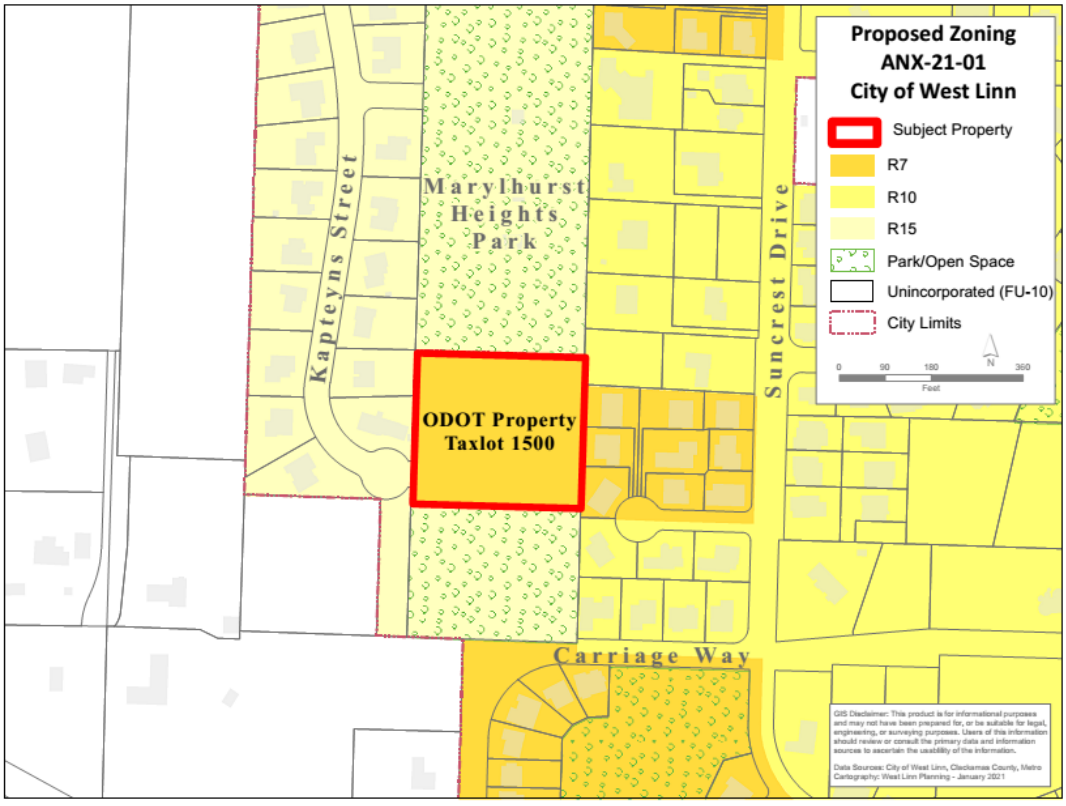
Scale: 1"=100'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

EXHIBIT B

ORDINANCE NO. 1721





ORDINANCE NO. 1722

AN ORDINANCE APPROVING THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC; AND REMOVING THE PROPERTY FROM THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT.

WHEREAS, the 2.3 acres of real property in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC ("Property") are located within the Metro Urban Growth Boundary and are eligible for annexation into the City of West Linn; and

WHEREAS, the City of West Linn is authorized by Oregon Revised Statute 222.750 to annex the Property into West Linn, Oregon, and initiated the annexation with a zoning designation of R-7; and

WHEREAS, the City of West Linn is authorized by Oregon Revised Statute 222.120(5) and 222.520 to withdraw property which currently lies within the boundary of the Clackamas County Enhanced Law Enforcement District; and

WHEREAS, notice was given and the West Linn City Council held a public hearing on February 8, 2021, to consider Ordinance 1721 establishing a Property zoning designation of R-7, Single-Family Residential Detached and Attached and Ordinance 1722; and

WHEREAS, the City of West Linn public facility plans anticipate annexation of this area and can accommodate serving the Property; and

WHEREAS, the West Linn City Council approved Ordinance 1721, the land use decision establishing an R-7 zoning designation for the Property; and

WHEREAS, pursuant to Oregon Revised Statute 222.524, the City of West Linn must declare withdrawal of the Property from the Clackamas County Enhanced Law Enforcement District to serve the Property; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro Code 3.09, the West Linn Municipal Code, and the West Linn Community Development Code; and

WHEREAS, upon passage of this ordinance, the City of West Linn will request annexation of the Property into the Tri-City Service District, which provides sanitary sewer service to all properties connected to the public sewer system in the City.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Annexation. The West Linn City Council approves the annexation of Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC ("Property") and further described in attached Exhibit A, and withdraws noted Property from the Clackamas County Enhanced Law Enforcement District.

SECTION 2. Findings of Fact. The West Linn City Council adopts the Staff Report to the City Council (ANX-21-01) and any supplemental findings, and incorporated herein by this reference.

SECTION 3. Implementation. The West Linn City Council directs staff to take all necessary measures to implement the annexation, including filing with utilities, Metro, County, and State agencies as required by law, and request annexation into the Tri-City Service District.

SECTION 4. **Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 8th day of February, 2021, and duly PASSED and ADOPTED this _____day of _____, 2021.

_____
JULES WALTERS, MAYOR

ATTEST:

_____
KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

_____
CITY ATTORNEY

EXHIBIT A

ORDINANCE NO. 1722

CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Annexation
Legal Description

A Tract of land being Parcel 1 of Final Judgement filed in the Circuit Court of Clackamas County, Oregon on August 24, 1966, Case Number 62637, being that exception portion of Deed Document Number 2000-009937, Deed records of Clackamas County, located in the Southwest one-quarter of Section 15, Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at a point on the West line of that property described in Deed Document Number 2000-009937, Deed records of Clackamas County, said point bears N00°06'09"W, 265.05 feet from the Southwest corner thereof, a 5/8 inch iron rod bears S89°56'19"E, 0.23 feet from said corner; thence continuing along the Northerly extension of said West line, being coincident with the East line of the Plat of "Kapteyns Krest", Plat records of Clackamas County, N00°06'09"W, 300.01 feet to a 5/8inch iron rod with a red plastic cap inscribed "CENTERLINE CONCEPTS, INC"; Thence leaving said lines, N89°56'19"E, 330.57 to a point on the East line of said Deed Document Number 2000-009937, being coincident with the West line of the Plat of "Centurion Estates", said records, a 5/8inch iron rod bears S89°56'19"E, 0.23 feet from said point; thence along said coincident lines, S00°06'12"E, 300.01 feet to a 5/8 inch iron rod; thence leaving said coincident lines, S89°56'19"W, 330.58 feet to the ***POINT OF BEGINNING.***

Contains 99,175 Square Feet.

Basis of Bearings for this description is per record of Survey Number 29541, Clackamas County Survey Records

SIGNED ON: 1-4-2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

THROUGH DECEMBER 31, 2021

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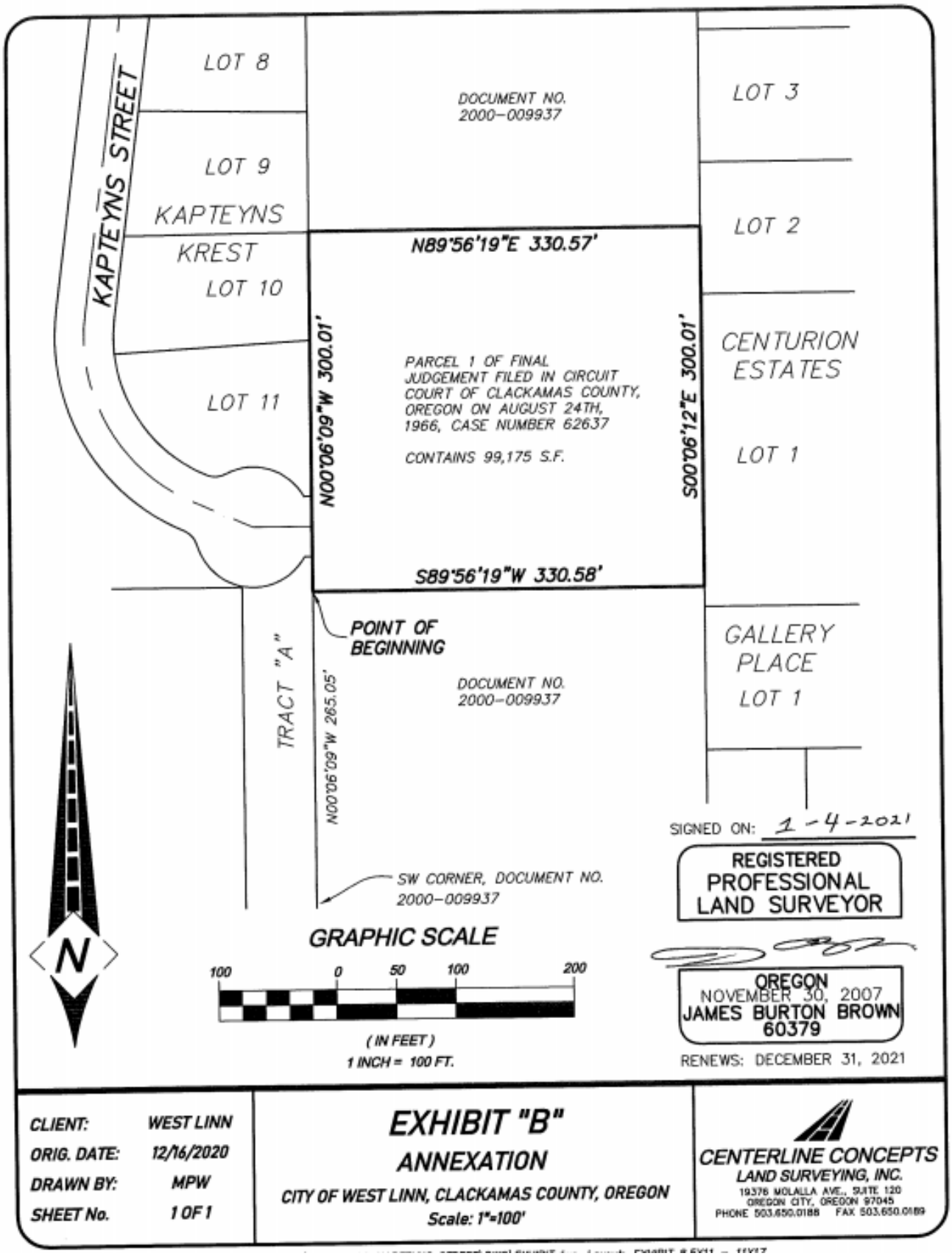


CLIENT:	WEST LINN
ORIG. DATE:	12/16/2020
DRAWN BY:	MPW
SHEET No.	1 OF 1

EXHIBIT "B"

ANNEXATION

CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

Scale: 1"=100'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

STAFF REPORT
FOR THE CITY COUNCIL

FILE NUMBER:	ANX-21-01
HEARING DATE:	February 8, 2021
REQUEST:	Annexation of 2.3 acres at 19676 Kapteyns Street
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 81, West Linn Municipal Code (WLMC) 2.920-2.930, Metro Code 3.09, and Oregon Revised Statute 22.050 and 222.750.
STAFF REPORT PREPARED BY:	Darren Wyss, Planning Manager

Community Development Director Initials JRW

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION
GENERAL INFORMATION 2
PUBLIC COMMENTS… 3
BACKGROUND 3
RECOMMENDATION..... 4
APPLICABLE CRITERIA AND FINDINGS..... 5

EXHIBITS
CC-1 ODOT LETTER..... 19
CC-2 APPLICANT SUBMITTAL 21
CC-3 AFFIDAVIT OF NOTICE AND MAILING PACKET 28

GENERAL INFORMATION

APPLICANT:	City of West Linn
OWNER:	22500 Salamo Road West Linn, OR 97068
OWNER:	Oregon Department of Transportation 885 Airport Road, Building 35 Salem, OR 97310
SITE LOCATION:	19676 Kapteyns Street
DESCRIPTION:	Clackamas County Assessor Map 2S 1E 23BC tax lot 1500
SITE SIZE:	2.3 acres
COUNTY ZONING:	FU-10: Future Urban 10 Acre
COMPREHENSIVE PLAN DESIGNATION:	Low Density Residential
PROPOSED ZONING DESIGNATION:	R-7 (Single-Family Residential Detached and Attached: 7,000 square foot minimum lot size)
PUBLIC NOTICE:	Per ORS 197.763.2.a(A), notice was mailed on January 19, 2021 to satisfy the 20-day notice to all property owners within 500 feet (ORS only requires 100 feet), all West Linn Neighborhood Associations, and all "Necessary Parties" as defined by Metro Code 3.09.020(J). The property was posted with a sign on January 19, 2021. Notice was published in the West Linn Tidings on January 27, 2021 and February 3, 2021. The affidavit of notice (Exhibit CC-3) validates the notice requirements of Metro Code, CDC, WLMC, and Oregon State statutes have been met.
PROCESS:	Annexations go through a two-step process. At Council discretion, both steps can be completed on the same hearing date. Step One is a land use decision, as outlined in WLMC 2.920, and determines whether the proposed annexation is consistent with the intent of the West Linn Comprehensive Plan, CDC Chapter 81 and Metro Code 3.09. Step One

includes Council assignment a zoning designation for the property at this time.

Step Two is a legislative or policy decision that applies the standards of WLMC 2.930. During Step Two, the Council, in its discretion may: 1) decide to set a public hearing for the annexation request; 2) delay a public hearing on the requested annexation; or, 3) pass a resolution placing the annexation request on a ballot for an advisory vote.

At the conclusion of Step Two, the Council may approve the annexation request if it finds that the annexation is in the best interest of the City based on the report prepared by the Planning Director; testimony and evidence presented at the public hearing; and any other information, evidence, or analysis the City or the Council deems relevant to the application.

The Council may deny an annexation acting in its legislative capacity even after it has approved the annexation application through the Step One process.

PUBLIC COMMENT: As of January 22, 2021, the City has received one letter from the Oregon Dept. of Transportation (Exhibit CC-1).

BACKGROUND

The property at 19676 Kapteyns Street is owned by the Oregon Department of Transportation (ODOT) and currently contains an ODOT communication tower and a small accessory building for the associated equipment. The property is 2.3 acres and identified as tax lot 1500 of Clackamas County Assessor Map 2S-1E-23BC. The property is located within the Urban Growth Boundary (UGB) and is considered an "island" surrounded by properties already annexed into West Linn City Limits. The 2019 West Linn Parks, Recreation, and Open Space Master Plan recommends acquisition of this property in the future and its inclusion into Marylhurst Park.

As the property is currently located in unincorporated Clackamas County, there was a proposal in 2020 to construct a new 180-foot communication tower under County rules. The City has received consistent feedback from the community that this proposal was not desired and would not be allowed if the property was under West Linn's jurisdiction. City Council and staff met with the C800 Group, the applicant for the new tower, and negotiated a delay in moving this proposal forward. City Council and staff also worked with ODOT on a plan to annex the property and bring it under the jurisdiction of West Linn. In late 2020, staff was directed to initiate an annexation under the rules of Oregon Revised Statute 222.750, which allows a City to annex an "island" property if certain conditions are met.

The Step One process will be evaluated at the February 8, 2021 public hearing. Staff has recommended a West Linn zoning designation of R-7, which is consistent with the Comprehensive Plan designation and a portion of the surrounding neighborhood. The property has access to City utilities. The current County zoning designation of Future Urban (FU-10) signifies both the City and County have anticipated the annexation and urban use of this property.

Council has the option to also complete Step Two at the February 8, 2021 hearing. If Council chooses to delay the Step Two hearing, a date must be selected for that action.

Approval of the annexation will also annex the properties into the Tri-City Service District and remove them from the Clackamas County Enhanced Law Enforcement District.

RECOMMENDATION

Staff recommends approval of both the Step One "Land Use Decision" (Ordinance 1721) and the Step Two "Policy Decision" (Ordinance 1722) to annex 2.3 acres at 19676 Kapteyns Street into the West Linn City Limits, establish a West Linn zoning designation of R-7, annex the property into the Tri-City Service District, and remove the property from the Clackamas County Enhanced Law Enforcement District.

APPLICABLE CRITERIA AND ASSOCIATED FINDINGS

West Linn Community Development Code
Chapter 81, Boundary Changes
81.030 Administration and Approval Process
A. Boundary change proposals shall be considered by the City Council. The Council decision on the proposal shall be considered the final decision for purposes of compliance with Metro Code Chapter 3.09.

Finding 1: The West Linn City Council held a public hearing on February 8, 2021 to consider annexation of the subject property at 19676 Kapteyns Street. The City Council decision is the final decision for purposes of compliance with Metro Code Chapter 3.09 (see Findings 16 to 24). The criteria are met.

B. Notice of the Council hearing to consider the boundary change proposal shall follow the procedures of CDC 99.080(D) (quasi-judicial amendments), as well as the uniform notice requirements provided in Metro Code Section 3.09.030.

Finding 2: A public hearing notice was mailed on January 19, 2021 to all property owners within 500-feet of the property to be annexed, to all West Linn Neighborhood Associations, to the West Linn-Wilsonville School District, Metro, Clackamas County, City of Lake Oswego, NW Natural, CenturyLink, Comcast, and the Oregon Dept. of Transportation. Notice was posted on the property on January 19, 2021. Notice was published in the West Linn Tidings on January 27, 2021 and February 3, 2021. The West Linn City Council held a public hearing on February 8, 2021. The criteria are met.

C. A staff report shall be issued prior to the hearing pursuant to the requirements of CDC 99.040 and Metro Code 3.09.050(b).

Finding 3: The Staff Report to the City Council for ANX-21-01 was posted to the City's website on January 22, 2021, 18 days before the public hearing date. The criteria are met.

D. The final decision shall be made by the Council after a public hearing. The decision shall be reduced to writing and shall follow the requirements of CDC 99.110 and uniform hearing requirements of Metro Code Section 3.09.050.

Finding 4: The West Linn City Council held a public hearing on February 8, 2021 to consider annexation of the subject property at 19676 Kapteyns Street. The City Council decision was reduced in writing and included in Ordinances 1721 and 1722. Please see Findings 20 to 24 for compliance with Metro Code Section 3.09.050. The criteria are met.

E. Should a proposal for annexation of property to the City obtain final approval through this step one process, the proposal will be set on the agenda of a Council meeting for consideration under the step two process as set forth in Section 2.950(2)(b) through (d) of the Municipal Code.

A proposal for any other boundary change shall be considered pursuant to the provisions of State law.

Finding 5: The West Linn City Council held a public hearing on February 8, 2021 for the purpose of considering annexation of the subject property at 19676 Kapteyns Street. Annexation is a two-step process in West Linn. The City Council made a decision on Step One by adopting Ordinance 1721 and Step Two by adopting Ordinance 1722. The boundary change was considered pursuant to ORS 222.050 and 222.750. The criteria are met.

81.050 Approval Criteria
The City Council shall approve a boundary change proposal based on findings and conclusions that the proposal complies with the criteria of Metro Code Section 3.09.050(D) and:

Finding 6: Please see Findings 20 to 24 for compliance with Metro Code Section 3.09.050(D).

A. West Linn Municipal Code Section 2.920, Step 1: Land Use Decision.
1. The application of the zoning designation shall follow the criteria in CDC 81.055.
B. West Linn Municipal Code Section 2.930, Step 2: Policy Decision.

Finding 7: Please see Findings 10 to 15 for compliance with West Linn Municipal Code Section 2.920 and 2.930 and Finding 8 for compliance with CDC 81.055.

81.055 Zoning Designation
A decision on annexation shall also incorporate a decision on a zoning designation. The applicant may concurrently apply for a comprehensive plan amendment if desired. Any approval of an annexation shall designate the City zone to be applied if the annexation is approved by the voters. The City zone shall be designated based upon the existing West Linn comprehensive plan/land use designation, pursuant to the following table:

COMPREHENSIVE PLAN/LAND USE DESIGNATION	ASSIGNED ZONING DISTRICT
Low Density Residential	R-40, R-20, R-15, R-10 or R-7
Medium Density Residential	R-5 or R-4.5
Medium High Density Residential	R-3 or R-2.1
Mixed Use	MU
Commercial	NC, GC, or OBC
Industrial	GI or CI
Other	FU-10

Finding 8: The West Linn Comprehensive Plan designation for the property, and all adjacent properties, is Low Density Residential. Ordinance 1721 recommends West Linn zoning of R-7 be applied to the subject property, which is consistent with the Low Density Residential designation and no comprehensive plan amendment is required. The criteria are met.

Where the Council has discretion to apply zoning, the Council shall consider the following factors in making its decision:

A. Specific site characteristics such as topography, drainage, and existing vegetation.
B. The existing zoning and development patterns of surrounding properties.
C. The capacity of the City to provide road, sanitary sewer, storm drainage, and water service to the site.

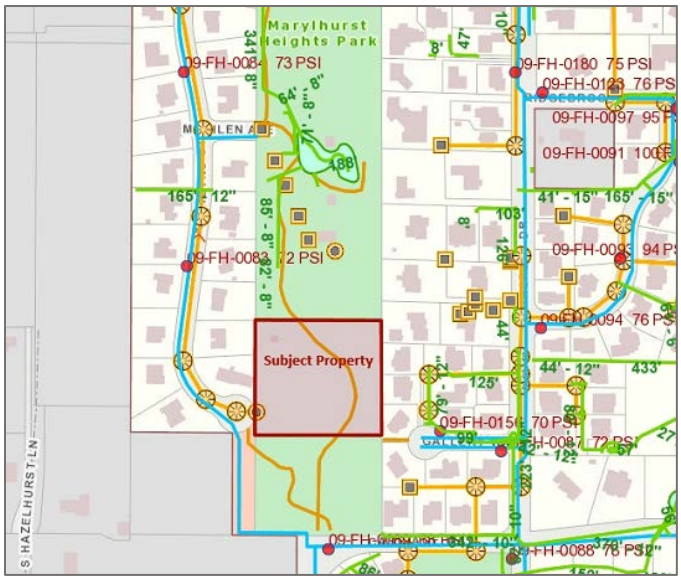
Finding 9: The property is relatively flat with a grove of mature trees on the east side of the property. A pedestrian trail enters the property from Marylhurst Heights Park on the north end and crosses to the south through the grove of trees. The west side of the property has few trees and contains an existing communication tower. The property is owned by ODOT and the tower used by ODOT and Oregon State Police for communication along the I-205 corridor. The property lies between, and separates, two City-owned properties that make up Marylhurst Heights Park. The 2019 West Linn Parks, Recreation, and Open Space Master Plan has identified the property as a potential acquisition to fill the gap between the two existing park properties. ODOT submitted a letter, found in Exhibit CC-1, which expresses the need to preserve and not impede the continued use of the communication tower on the property. The letter also addresses there is no plan to dispose of the property at this time, but it may be achievable in the future. If the property were transferred to the City, ODOT would need the northwest corner to be partitioned off for continued ownership and use of the communication tower. If the property transfer were to happen, implementing an R-7 zoning designation would allow for smallest property partition and more park space. The properties to the north (park), south (park), and west (single-family homes) are zoned R-15. The adjacent property to the east (single-family homes) is zoned R-7, thus allowing for a continuation of existing zoning onto the property. There are no drainage channels or wetlands on site. Please see Findings 22 and 23 for information on the capacity of public facilities to service the site. The criteria are met.

West Linn Municipal Code
Chapter 2, Government and Administration
2.920 Step 1: Land Use Decision.
When an annexation application has been properly initiated pursuant to ORS 222.111, 222.125, 222.170, or 222.840, Step 1 shall include review of the land use aspect of the petition pursuant to Community Development Code Chapter 81. If the application receives Council approval through the Step 1 process, the Council shall proceed to Step 2. A determination that the application meets the land use requirements does not obligate the City to approve the annexation application.

Finding 10: The Oregon Revised Statutes (ORS) allow city initiated annexation of property under the rules set forth in ORS 222.050 and ORS 222.750. The property being considered for annexation proceedings meets the applicable criteria (See Findings 25 to 33), therefore the annexation application was properly initiated by the City of West Linn. Please see Findings 1 to 9 for review of the land use aspect pursuant to CDC Chapter 81. The criteria are met.

2.930 Step 2: Policy Decision.
(1) Step 2 of the annexation process is a policy decision and shall follow the steps in the subsections below.
(2) If the annexation is approved in the Step 1 process, the Planning Director shall prepare a report which includes the following information:
(a) General information on the property or properties, including but not limited to location, size, access to infrastructure, recommended zone, protected resource areas and infrastructure status;

Finding 11: The property proposed for annexation is 2.3 acres and considered an "island" property surrounded by property already annexed into the City. The property is located within the adopted Urban Growth Boundary (UGB), which is acknowledged and approved by Metro and the State of Oregon. The property lies between, and separates, two City-owned properties that make up Marylhurst Heights Park. The 2019 West Linn Parks, Recreation, and Open Space Master Plan has identified the property as a potential acquisition to fill the gap between the two existing park properties. There are no protected resource areas (drainage channels, wetlands, floodplain), but a mature grove of trees are located on the eastern portion of the site. A pedestrian trail crosses the property from north to south through the grove of trees. The properties to the north (park), south (park), and west (single-family homes) are zoned R-15. The adjacent property to the east (single-family homes) is zoned R-7, thus allowing for a continuation of the recommended R-7 zoning onto the property. Access is provided via Kapteyns Street. Sanitary sewer and water are available in Kapteyns Street. All public facilities have the capacity to serve the property (see Findings 22 and 23).



(b) Impact on the school district, including but not limited to impacted schools, taxes, and anticipated number of additional students;

Finding 12: The property proposed for annexation is owned by the Oregon Dept. of Transportation (ODOT) and contains an existing communication tower. The property is tax exempt. The property lies between, and separates, two City-owned properties that make up Marylhurst Heights Park. The 2019 West Linn Parks, Recreation, and Open Space Master Plan has identified the property as a potential acquisition to fill the gap between the two existing park properties. ODOT has submitted a letter, found in Exhibit CC-1, which expresses the need to preserve and not impede the continued use of the communication tower on the property. The letter also addresses there is no plan to dispose of the property at this time, but it may be achievable in the future. If the property were transferred to the City, ODOT would need the northwest corner to be partitioned off for continued ownership and use of the communication tower. The property proposed for annexation is located within West Linn-Wilsonville School District boundary. The property does not contain any residential development, nor are there any plans to develop the property with new residential development. It is anticipated that no new students would be added to the district.

West Linn-Wilsonville School District provided this statement in regards to the impact on school district taxes. "*The school district is not bounded by city limits and we serve all children in the district regardless of location or address. There are nearly 10,000 students enrolled in 16 schools; a few more, or less, has minimal impact. Financial impact is also negligible because funding for education is collected at the state level and then evenly distributed to all districts in the state based enrollment. Capital bonds and the local option levy are voted on by the patrons of the district with each property taxpayer paying their share regardless of where they live. Thus, annexation of property from county to city is only a function of density from the school district perspective. If population is increased by annexation and more children are enrolled in schools, state funding for education is provided for each; and each property owner pays their county-calculated share of the local option and capital bond".*

(*c) Cost to City of infrastructure that is not funded by SDCs; and*

Finding 13: West Linn has the highest SDC rates and among the lowest property tax rates in the metro area. SDCs are fees specifically levied on new development to help fund capital projects/infrastructure, capacity increasing projects, facility upgrades, etc. By covering a significant share of projects associated with growth, SDCs reduce the reliance on general fund monies (property taxes, voter-approved bonds, and monthly water, wastewater, stormwater, parks fees) as a funding source.

The property proposed for annexation is owned by the ODOT and is tax-exempt. ODOT has no plans to develop the property. The property lies between, and separates, two City owned properties that make up Marylhurst Heights Park. The 2019 West Linn Parks, Recreation, and Open Space Master Plan has identified the property as a potential acquisition to fill the gap between the two existing park properties. ODOT has submitted a letter, found in Exhibit CC-

1, which expresses the need to preserve and not impede the continued use of the communication tower on the property. The letter also addresses there is no plan to dispose of the property at this time, but it may be achievable in the future. If the property were transferred to the City, it would remain in tax-exempt status.

The following analysis focuses on non-SDC funded infrastructure costs directly associated with new home development. ODOT has no plans to develop the property, and the City wishes to acquire the property at some point to fill the missing gap in Marylhurst Heights Park. Although no residential development is planned for the property, it will be zoned residential, so the following information is provided as required by code.

Infrastructure costs are defined as the "brick and mortar" or the constructed facility only. Infrastructure costs do not include the long-term maintenance of the facility or the cost of operation and staffing.

For the discussion of infrastructure costs, staff relied on the West Linn Six-Year Capital Improvement Plan 2020-2025 (2020 CIP) and City Master Plans to identify needed projects and funding sources.

<u>Parks</u>
According to the 2020 CIP, park projects are funded from four sources.

1. **Bond Funds – 63 percent**
2. **Parks Systems Development Charges – 24 percent**
3. **Grant Funds – 7 percent**
4. **Fees – 6 percent**

Any new homes would add new contributions to the monthly parks maintenance fee and payment of bond debt through property taxes. New homes would also pay the one-time Parks SDC during the construction phase.

Except for new parks and park facilities (which are paid for largely by SDCs and regional/state grants), existing facilities constitute "sunk costs" in that their maintenance would be required regardless of whether the properties were annexed or not.

<u>Environmental Fund</u>
Any new homes would add new contributions to the monthly wastewater and surface water fee for the maintenance and operation of the City's systems. No new infrastructure would be required for development of the property.

The West Linn sanitary sewer and stormwater facilities have sufficient capacity to serve the property, as does the Tri-City system. Any new homes would contribute to the long-term maintenance, operation, and facility upgrades of Tri-City infrastructure through payment of a

monthly fee. New homes would connect to the City's sanitary sewer system and pay the one-time sanitary sewer SDC.

Water

No future storage or transmission upgrades are needed to serve the property. New homes would contribute to monthly fee revenue for infrastructure maintenance or upgrades in older neighborhoods. Any water line upgrades near the proposed annexation would be made by the developer.

New homes would be required to pay the SDC fees upon connection to the City system.

Streets Fund

The proposed annexation will not modify programmed or future capitol upgrades to City, Regional, and State facilities as the West Linn Transportation System Plan (TSP), the Metro Regional Transportation Plan (RTP), and the Statewide Transportation Improvement Program (STIP) anticipate future population growth, including the development of unincorporated urban islands, including these property.

No new street infrastructure would be required outside of upgrades to Kapteyns Street to meet current West Linn Public Works Design Standards. Any new homes would pay a monthly street maintenance fee and any new homes constructed would pay one-time street and pedestrian/bicycle SDCs.

Significant capital improvements projects on Highway 43 (North City Limits to Mary S Young Park) are primarily covered by Federal Transportation grants and SDCs. The City GO Bond and fees are expected to contribute to these improvements, as well as other transportation projects around the community. Any new homes will fractionally accelerate the retirement of GO Bond obligations.

Previous studies on the cost of annexation had assigned the cost of I-205 and Highway 43 improvements to the future residents of annexed properties. That approach doesn't acknowledge that these projects are "sunk costs" and would be undertaken regardless of the annexation. Also, most future residents already live in the State of Oregon and pay both state and federal taxes, Oregon gas tax, and vehicle title/registration fees. All of which contribute to the principal sources of funding for upgrades to I-205 and Highway 43. Other future residents, who are not currently Oregon residents, but live elsewhere in the United States, are already contributing their federal taxes towards those projects.

(d) Tax implications for the City.

Finding 14: The permanent property tax rate for the City of West Linn is currently $2.12 per $1,000 of taxable assessed value. Bonds currently require $0.42 per $1,000 of assessed value. According to the City of West Linn Finance department website, that tax rate is "*the lowest property tax rate for cities in the surrounding area".*

For a house and land with an assessed valuation of $500,000, the City tax and bond share would be $1,270. Any new homes would yield taxes annually towards needed City infrastructure, operations, maintenance and programs, as well as retirement of the bonds, which would fractionally reduce existing City of West Linn property owner costs.

As part of the Step 1 process, the applicant shall provide to the Planning Director the information required above at the applicant's cost.

(3) Following delivery of the report and consideration of the report by the City Council at a public meeting, the Council may, in its discretion, decide to set a public hearing for the annexation request, delay a public hearing on the requested annexation or pass a resolution placing the annexation request on a ballot for an advisory vote, at any election. At the public meeting, any person may appear and be heard on the questions of whether the annexation should proceed and whether the request should be placed on the ballot for an advisory vote.
(4) If City Council decides to proceed to a public hearing on the requested annexation without an advisory vote, a public hearing will be scheduled. Notice of the Step 2 public hearing shall be published in accordance with State law and the Metro Code.
(5) The City Council may approve an annexation request if it finds that the annexation is in the best interest of the City based on the report prepared by the Planning Director; testimony and evidence presented at the public hearing; and any other information, evidence, or analysis the City or the Council deems relevant to the application.
(6) The City Council may deny an annexation acting in its legislative capacity even after it has approved the annexation application through the Step 1 process. A decision to deny an annexation in Step 2 shall be specifically stated in the record and noted as a legislative act separate and apart from the land use decision in Step 1.

Finding 15: Staff recommends City Council proceed with the public hearing on Step 2 at February 8, 2021 for the proposed annexation, and not send it to an election for an advisory vote. Staff recommends City Council approval, at the February 8, 2021 public hearing, of both the Step One "Land Use Decision" (Ordinance 1721) and the Step Two "Policy Decision" (Ordinance 1722) to annex 2.3 acres at 19676 Kapteyns Street, establish a West Linn zoning designation of R-7, and remove the property from the Clackamas County Enhanced Law Enforcement District. The public hearing has been noticed in accordance with West Linn standards, the Oregon Revised Statutes, and Metro Code. The criteria are met.

Metro Code Chapter 3.09 Local Government Boundary Changes
Section 3.09.030 Notice Requirements
A. The notice requirements in this section apply to all boundary change decisions by a reviewing entity except expedited decisions made pursuant to section 3.09.045. These requirements apply in addition to, and do not supersede, applicable requirements of ORS Chapters 197, 198, 221 and 222 and any city or county charter provision on boundary changes.

B. Within 45 days after a reviewing entity determines that a petition is complete, the entity shall set a time for deliberations on a boundary change. The reviewing entity shall give notice of its proposed deliberations by mailing notice to all necessary parties, by weatherproof posting of the notice in the general vicinity of the affected territory, and by publishing notice in a newspaper of general circulation in the affected territory. Notice shall be mailed and posted at least 20 days prior to the date of deliberations. Notice shall be published as required by state law.

Finding 16: The City of West Linn initiated the annexation on January 4, 2021 and set a public hearing within 45 days on February 8, 2021. A public hearing notice was mailed on January 19, 2021 to all property owners within 500-feet of the property to be annexed, to all West Linn Neighborhood Associations, to the West Linn-Wilsonville School District, Metro, Clackamas County, City of Lake Oswego, NW Natural, CenturyLink, Comcast, and the Oregon Dept. of Transportation. Notice was posted on the property on January 19, 2021. Notice was published in the West Linn Tidings on January 27, 2021 and February 3, 2021. The West Linn City Council held a public hearing on February 8, 2021. The criteria are met.

C. The notice required by subsection (B) shall:
1. Describe the affected territory in a manner that allows certainty;
2. State the date, time and place where the reviewing entity will consider the boundary change; and
3. State the means by which any person may obtain a copy of the reviewing entity's report on the proposal.

Finding 17: A public hearing notice was mailed on January 19, 2021 to all property owners within 500-feet of the property to be annexed, to all West Linn Neighborhood Associations, to the West Linn-Wilsonville School District, Metro, Clackamas County, City of Lake Oswego, NW Natural, CenturyLink, Comcast, and the Oregon Dept. of Transportation. Notice was posted on the property on January 19, 2021. Notice was published in the West Linn Tidings on January 27, 2021 and February 3, 2021. The notice included a description of the property to be annexed, stated the date, time, and place for the City Council public hearing, and stated how to obtain a copy of the Staff Report to City Council. The criteria are met.

D. A reviewing entity may adjourn or continue its final deliberations on a proposed boundary change to another time. For a continuance later than 28 days after the time stated in the original notice, notice shall be reissued in the form required by subsection (B) of this section at least five days prior to the continued date of decision.

Finding 18: If the public hearing is continued for a period of more than 28 days, the notice will be issued a minimum of five days prior to the continued hearing date. The criteria are met.

E. A reviewing entity's final decision shall be written and authenticated as its official act within 30 days following the decision and mailed or delivered to Metro and to all necessary parties. The mailing or delivery to Metro shall include payment to Metro of the filing fee required pursuant to section 3.09.060.

Finding 19: The final decision by the City Council will be signed and issued within 30 days of the decision and mailed to Metro and all necessary parties. The City will pay the Metro filing fee pursuant to section 3.09.060. The criteria are met.

Section 3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions.
A. The following requirements for hearings on petitions operate in addition to requirements for boundary changes in ORS Chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions.
B. Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria identified in subsection (D) and includes the following information:
1. The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;
2. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and
3. The proposed effective date of the boundary change.

Finding 20: A public hearing notice was mailed on January 19, 2021 to all property owners within 500-feet of the property to be annexed, to all West Linn Neighborhood Associations, to the West Linn-Wilsonville School District, Metro, Clackamas County, City of Lake Oswego, NW Natural, CenturyLink, Comcast, and the Oregon Dept. of Transportation. Notice was posted on the property on January 19, 2021. Notice was published in the West Linn Tidings on January 27, 2021 and February 3, 2021. The Staff Report to City Council and proposed Ordinances 1721 and 1722 were available 18 days in advance on January 22, 2021. The staff report addresses availability of urban services and Ordinance 1722 addresses the withdrawal of the property from the Clackamas County Enhanced Law Enforcement District and the effective date of the boundary change. The criteria are met.

C. The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.

Finding 21: The City of West Linn initiated the annexation as allowed by rules set forth in Oregon Revised Statutes (ORS) 222.050 and ORS 222.750. The Staff Report to the City Council provides substantial evidence the proposal meets the applicable criteria. The criteria are met.

D. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of section 3.09.045.

> *Metro Code Section 3.09.045(D).To approve a boundary change through an expedited process, the city shall:*
> *1. Find that the change is consistent with expressly applicable provisions in:*
> *a. Any applicable urban service agreement adopted pursuant to ORS 195.065;*
> *b. Any applicable annexation plan adopted pursuant to ORS 195.205;*

c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;
d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
e. Any applicable comprehensive plan;
f. Any applicable concept plan; and

Finding 22: The properties are located within the adopted Urban Growth Boundary (UGB), which is acknowledged and approved by Metro and the State of Oregon. The UGB is recognized as the means of identifying lands that are appropriate and serviceable for annexation and urban level development.

The City of West Linn and Clackamas County have a signed Urban Growth Management Agreement (UGMA). The UGMA establishes a cooperative planning agreement outlining the responsibility for comprehensive planning activities, public facility planning, annexation proposals, and noticing and coordination requirements.

The City of West Linn is responsible for public facility planning, per the UGMA, and has adopted master plans for water, sanitary sewer, surface water management, and transportation. The master plans anticipate the future annexation and development of unincorporated lands within the UGB, including the property subject to this proposal. The annexation proposal is consistent with the public facility plans and the UGMA.

The proposal includes a West Linn zoning designation of R-7 (Single-Family Residential, Detached and Attached), which is consistent with the West Linn Comprehensive Plan designation of Low Density Residential. The criteria are met.

2. Consider whether the boundary change would:
a. Promote the timely, orderly and economic provision of public facilities and services;
b. Affect the quality and quantity of urban services; and
c. Eliminate or avoid unnecessary duplication of facilities or services.

Finding 23: The City of West Linn and Clackamas County have a signed Urban Growth Management Agreement (UGMA). The UGMA establishes a cooperative planning agreement that identifies the City as responsible for public facility planning. The City has adopted master plans for water, sanitary sewer, surface water management, and transportation. The master plans anticipate the future annexation and development of unincorporated lands within the UGB, including the property subject to this proposal. No upgrades in capacity are needed.

Annexation of the properties will eliminate the need for Clackamas County Sheriff's officers to respond to calls at the property, which is within the city limits. West Linn Police are better positioned to provide coverage and eliminate duplication of services, thus promoting a more efficient economic provision of public safety services. The criteria are met.

E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Finding 24: The property under proposal for annexation is located within the adopted Urban Growth Boundary (UGB). The criteria are met.

Oregon Revised Statute Chapter 222 – City Boundary Changes; Mergers; Consolidations; Withdrawals
22.050 Annexation of Contiguous Territory
Sec. 6. An area of land within the urban growth boundary of the metropolitan service district established in the Portland metropolitan area may not be annexed under ORS 222.750 if:
(1) The area of land is larger than seven acres and is zoned for industrial use;
(2) The land is owned by an Oregon-based business entity that has been in continuous operation, either directly or through a predecessor, for at least 60 years; and
(3) The business entity employs more than 500 individuals on the land.

Finding 25: The property is located within the urban growth boundary of the metropolitan service district and proposed for annexation under ORS 222.750. The property under proposal is 2.3 acres, zoned for residential use, and no individuals are employed on the land. The criteria are met.

Sec. 7. An area of land within the urban growth boundary of the metropolitan service district established in the Portland metropolitan area may not be annexed under ORS 222.750 if:
(1) The area of land is larger than 14 acres and is zoned for industrial use;
(2) The land is owned by an Oregon-based business entity that has been in continuous operation on a portion of the land for at least 40 years; and
(3) The business entity employs more than 300 individuals on the land.

Finding 26: The property is located within the urban growth boundary of the metropolitan service district and proposed for annexation under ORS 222.750. The property under proposal is 2.3 acres, zoned for residential use, and no individuals are employed on the land. The criteria are met.

Sec. 9. (2) Sections 5, 6 and 7 of this 2005 Act apply to an annexation of territory approved on or after March 1, 2005, and to an annexation of territory proposed on or after the effective date of this 2005 Act.
Sec. 11. (1) Sections 5, 6 and 7 of this 2005 Act are repealed on June 30, 2035.

Finding 27: The proposed annexation will be approved on February 8, 2021 at the earliest and effective upon subsequent filing of the appropriate paperwork with Clackamas County, Metro, and State agencies. The criteria are met.

222.750 Annexation of unincorporated territory surrounded by city; delayed annexation for certain property.
(1) As used in this section:
(a) "Creek" means a natural course of water that is smaller than, and often tributary to, a river, but is not shallow or intermittent.
(b) "River" means a large, continuous and natural stream of water that is fed along its course by converging tributaries and empties into an ocean, lake or other body of water.
(2) When territory not within a city is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the corporate boundaries of another city, the ocean shore, a river, a creek, a bay, a lake or Interstate Highway 5, the city may annex the territory pursuant to this section after holding at least one public hearing on the question for which notice has been mailed to each record owner of real property in the territory proposed to be annexed.

Finding 28: The property proposed for annexation is owned by the Oregon Dept. of Transportation (ODOT) and is surrounded on all sides by the West Linn City Limits. The City of West Linn has initiated the annexation of this property pursuant to ORS Section 222.750. A public hearing has been properly noticed and scheduled for February 8, 2021. The notice was mailed to ODOT, the lone record owner of real property in the territory proposed to be annexed. The notice was also emailed to three ODOT staff who have been involved in the process. The criteria are met.

(3) This section does not apply if the territory not within a city:
(a) Is surrounded entirely by water; or
(b) Is surrounded as provided in subsection (2) of this section, but a portion of the corporate boundaries of the city that consists only of a public right of way, other than Interstate Highway 5, constitutes more than 25 percent of the perimeter of the territory.

Finding 29: The property proposed for annexation is surrounded on all sides by the West Linn City Limits. No water touches the property. The property boundary is a total of 1,261 lineal feet. A 50-foot section of the Kapteyns Street right-of-way touches the perimeter of the west property boundary, which constitutes approximately four percent of the perimeter of the territory to be annexed. The City is authorized to initiate annexation under this section. The criteria are met.

(4) Unless otherwise required by the city charter, annexation by a city under this section must be by ordinance or resolution subject to referendum, with or without the consent of any owner of real property within the territory or resident in the territory.

Finding 30: The West Linn City Council will approve the annexation by proposed Ordinance 1722. The City initiated the annexation without the consent of the Oregon Dept. of Transportation, who is the sole owner of property in the territory to be annexed. The criteria are met.

(5) For property that is zoned to allow residential use as a permitted use in the zone and is in residential use when annexation is initiated by the city under this section, the city shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the city proclaims the annexation approved. The city recorder or other officer performing the duties of the city recorder shall:
(a) Cause notice of the delayed annexation to be recorded by the county clerk of the county in which any part of the territory subject to delayed annexation is located within 60 days after the city proclaims the annexation approved; and
(b) Notify the county clerk of each county in which any part of the territory subject to delayed annexation is located not sooner than 120 days and not later than 90 days before the annexation takes effect.

Finding 31: The property is zoned to permit residential use, but was not in residential use when the City of West Linn initiated the annexation under this section. The property contains a communication tower that is in use by the Oregon Dept. of Transportation and the Oregon State Police. The property also contains a pedestrian trail that connects the City-owned park properties to the north and south of the property. No delayed annexation is required. The criteria are met.

(6) Notwithstanding subsection (5) of this section:
(a) Property that is subject to delayed annexation becomes part of the city immediately upon transfer of ownership.
(b) The record owner of real property described in subsection (5) of this section that is located in the territory to be annexed may waive the delay of the effective date of the annexation provided under subsection (5) of this section. The property becomes part of the city immediately upon the waiver.

Finding 32: The City is not required to approve a delayed annexation and City Council did not subject to approval to a delayed annexation. The criteria are met.

(7) This section does not limit provisions of a city charter, ordinance or resolution that are more restrictive than the provisions of this section for creating or annexing territory that is surrounded as described in subsection (2) of this section.
(8) If a city charter, ordinance or resolution requires the city to conduct an election in the city, the city shall allow electors, if any, in the territory proposed to be annexed to vote in the election on the question of annexation. If the governing body of the city finds that a majority of the votes cast in the city and the territory combined favor annexation, the governing body, by ordinance or resolution, shall proclaim the annexation approved. The proclamation shall contain a legal description of each territory annexed.

Finding 33: The City of West Linn does not have provisions to annex the property that are more restrictive than the provisions of this section. The City Council has the authority, under the West Linn Municipal Code, to send an annexation proposal for an advisory vote. The West Linn City Council did not require an advisory vote for the proposal as there is wide community support for the annexation of the property. The criteria are met.

EXHIBIT CC-1: ODOT LETTER

Oregon
Kate Brown, Governor

Department of Transportation
Wireless Communications Section
455 Airport Road SE Building C
Salem, Oregon 97301-5395
Telephone (503) 986-2897
Fax (503) 986-2899

January 13, 2021

Jules Walters, Mayor
City of West Linn
22500 Salamo Road
West Linn, OR 97068

RE: ODOT Owned Property/Public Safety Communications Facilities
Located at 19676 Kapteyns Street

Mayor Walters:

This letter is in response to a letter from Mayor Axelrod dated December 21, 2020, which representatives of ODOT Region 1 and ODOT's Wireless Communications Section (WCS) recently met to discuss. WCS manages and operates the statewide radio system used by Oregon Department of Transportation and Oregon State Police and has responsibility for the communications site at 19676 Kapteyns Street. Regarding West Linn's intent to annex the subject parcel, to the extent the current use of the property is preserved and not impaired in any way, the City of West Linn can expect a spirit of cooperation from ODOT.

We would like to take this opportunity to emphasize the importance of this active existing radio communications site to ODOT and OSP. The parcel was purchased by the State of Oregon in 1966 for a radio broadcast station and it has been used for that purpose since that time. The site hosts radio equipment for both ODOT and OSP and provides radio coverage along areas of I-205. It is therefore an important piece of the communications systems used by ODOT incident responders and OSP Troopers.

Regarding the City's interest in acquiring the parcel, ODOT does not have any current plans to dispose of the property, but that is not to say it is unachievable. A disposition would require an appropriate division of the parcel separating sufficient area for the existing communications facilities from the natural area the city intends to incorporate into its park. Additionally, as this is an asset of the Highway Trust Fund, we have an obligation to ensure compensation, or value received in exchange for the property, is in the best interest of the fund. Typically, that is fair market value compensation. If the city is interested in acquiring the parcel under these terms, then we would encourage submitting a comprehensive proposal for review.

We thank the City of West Linn for reaching out to ODOT regarding this matter, and we look forward to our ongoing working relationship.

Sincerely,

Lucinda Moore
State Maintenance and Operations Engineer
Oregon Department of Transportation

Major Joel Lujan
Oregon State Police

Cc: Rian Windsheimer, ODOT Region 1 Manager
Joe Messman, ODOT WCS Manager

EXHIBIT CC-2: APPLICANT SUBMITTAL

City of West Linn
Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

For Office Use Only			
STAFF CONTACT: DARREN WYSS	PROJECT NO(S).: ANX-21-01		PRE-APPLICATION NO.: N/A
NON-REFUNDABLE FEE(S): 0	REFUNDABLE DEPOSIT(S): 0	TOTAL: 0	

Type of Review (Please check all that apply):

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

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

Site Location/Address: 19676 KAPTEYNS ST.

Assessor's Map No.: 2S 1E 23BC
Tax Lot(s): 1500
Total Land Area: 2.3 acres

Brief Description of Proposal: CITY INITIATED UNICORPORATED ISLAND ANNEXATION PER ORS 222.750

Applicant Name: (please print) CITY OF WEST LINN — Phone: 503-742-6064
Address: 22500 SALAMO RD. — Email: dwyss@westlinnoregon.gov
City State Zip: WEST LINN, OR 97068

Owner Name (required): (please print) OREGON DEPT. OF TRANSPORTATION — Phone:
Address: 885 AIRPORT RD BLDG 35 — Email:
City State Zip: SALEM, OR 97310

Consultant Name: (please print) N/A — Phone:
Address: — Email:
City State Zip:

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A decision may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **One complete hard-copy set of application materials must be submitted with this application.**
   One complete digital set of application materials must also be submitted electronically in PDF format.
   If large sets of plans are required in application please submit one set.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Darren S Wyss — 1/4/2021 — N/A (exempt per ORS 222.750) —

Applicant's signature — Date — Owner's signature ***(required)*** — Date

ANX-21-01

The City of West Linn is initiating an annexation of the property at 19676 Kapteyns Street (Taxlot 1500 of Clackamas County Assessor Map 2S 1E 23BC). The property is approximately 2.3 acres, is owned by the Oregon Dept. of Transportation, and is surrounded by City of West Linn corporate boundaries. This is generally referred to as an "island annexation".

Oregon Revised Statute 222.750 allows the City to initiate an "island annexation" of unincorporated territory without first receiving property owner consent. This is only permitted if the "island" is not entirely surrounded by water, nor the corporate boundary of the City is not comprised of more than 25 percent public right-of-way on the perimeter of the territory. The perimeter of the property is at total of 1,261-feet. A 50-foot section of Kapteyns Street right-of-way touches the perimeter of the property boundary, which constitutes approximately four percent. A public hearing is required to be noticed and held per the statute.

Oregon Revised Statute

222.750 Annexation of unincorporated territory surrounded by city; delayed annexation for certain property. *(1) As used in this section:*

(a) "Creek" means a natural course of water that is smaller than, and often tributary to, a river, but is not shallow or intermittent.

(b) "River" means a large, continuous and natural stream of water that is fed along its course by converging tributaries and empties into an ocean, lake or other body of water.

(2) When territory not within a city is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the corporate boundaries of another city, the ocean shore, a river, a creek, a bay, a lake or Interstate Highway 5, the city may annex the territory pursuant to this section after holding at least one public hearing on the question for which notice has been mailed to each record owner of real property in the territory proposed to be annexed.

(3) This section does not apply if the territory not within a city:

(a) Is surrounded entirely by water; or

(b) Is surrounded as provided in subsection (2) of this section, but a portion of the corporate boundaries of the city that consists only of a public right of way, other than Interstate Highway 5, constitutes more than 25 percent of the perimeter of the territory.

(4) Unless otherwise required by the city charter, annexation by a city under this section must be by ordinance or resolution subject to referendum, with or without the consent of any owner of real property within the territory or resident in the territory.

(5) For property that is zoned to allow residential use as a permitted use in the zone and is in residential use when annexation is initiated by the city under this section, the city shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the city proclaims the annexation approved. The city recorder or other officer performing the duties of the city recorder shall:

(a) Cause notice of the delayed annexation to be recorded by the county clerk of the county in which any part of the territory subject to delayed annexation is located within 60 days after the city proclaims the annexation approved; and

(b) Notify the county clerk of each county in which any part of the territory subject to delayed annexation is located not sooner than 120 days and not later than 90 days before the annexation takes effect.

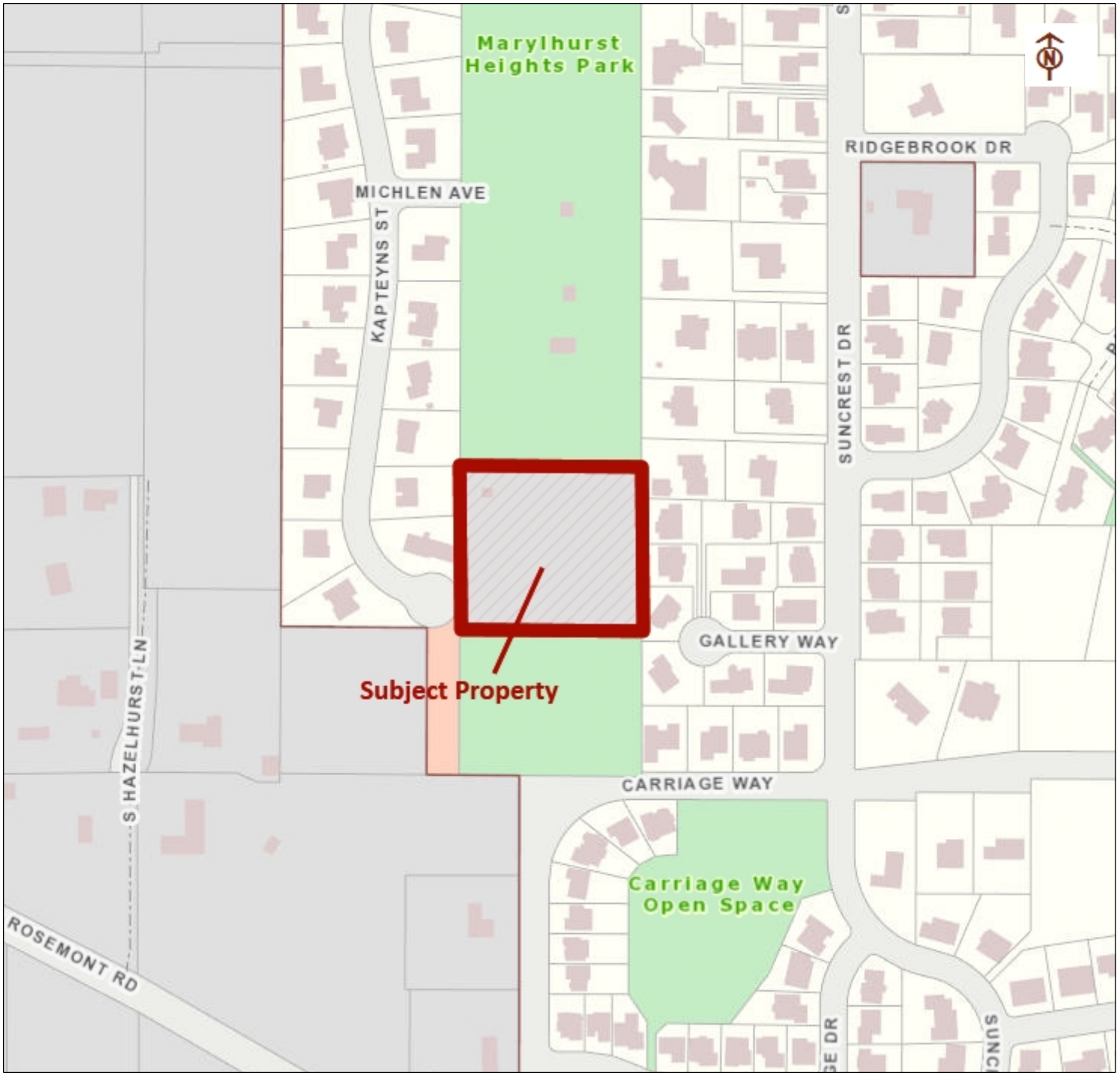
(6) Notwithstanding subsection (5) of this section:

(a) Property that is subject to delayed annexation becomes part of the city immediately upon transfer of ownership.

(b) The record owner of real property described in subsection (5) of this section that is located in the territory to be annexed may waive the delay of the effective date of the annexation provided under subsection (5) of this section. The property becomes part of the city immediately upon the waiver.

(7) This section does not limit provisions of a city charter, ordinance or resolution that are more restrictive than the provisions of this section for creating or annexing territory that is surrounded as described in subsection (2) of this section.

(8) If a city charter, ordinance or resolution requires the city to conduct an election in the city, the city shall allow electors, if any, in the territory proposed to be annexed to vote in the election on the question of annexation. If the governing body of the city finds that a majority of the votes cast in the city and the territory combined favor annexation, the governing body, by ordinance or resolution, shall proclaim the annexation approved. The proclamation shall contain a legal description of each territory annexed.



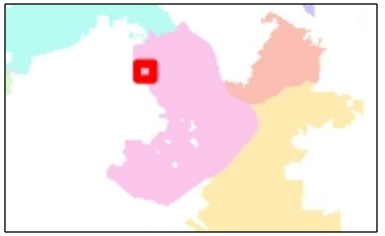
City of West Linn

Legend

- City Limit
- Unimproved ROW
- Parks and Open Space
- City Owned Property

0 0.06 0.11 Miles

1: 4,514



Notes

ANX-21-01

Staff Report to CC

CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 **F. 503-650-0189**

Exhibit "A"
Annexation
Legal Description

A Tract of land being Parcel 1 of Final Judgement filed in the Circuit Court of Clackamas County, Oregon on August 24, 1966, Case Number 62637, being that exception portion of Deed Document Number 2000-009937, Deed records of Clackamas County, located in the Southwest one-quarter of Section 15, Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at a point on the West line of that property described in Deed Document Number 2000-009937, Deed records of Clackamas County, said point bears N00°06'09"W, 265.05 feet from the Southwest corner thereof, a 5/8 inch iron rod bears S89°56'19"E, 0.23 feet from said corner; thence continuing along the Northerly extension of said West line, being coincident with the East line of the Plat of "Kapteyns Krest", Plat records of Clackamas County, N00°06'09"W, 300.01 feet to a 5/8inch iron rod with a red plastic cap inscribed "CENTERLINE CONCEPTS, INC"; Thence leaving said lines, N89°56'19"E, 330.57 to a point on the East line of said Deed Document Number 2000-009937, being coincident with the West line of the Plat of "Centurion Estates", said records, a 5/8inch iron rod bears S89°56'19"E, 0.23 feet from said point; thence along said coincident lines, S00°06'12"E, 300.01 feet to a 5/8 inch iron rod; thence leaving said coincident lines, S89°56'19"W, 330.58 feet to the ***POINT OF BEGINNING.***

Contains 99,175 Square Feet.

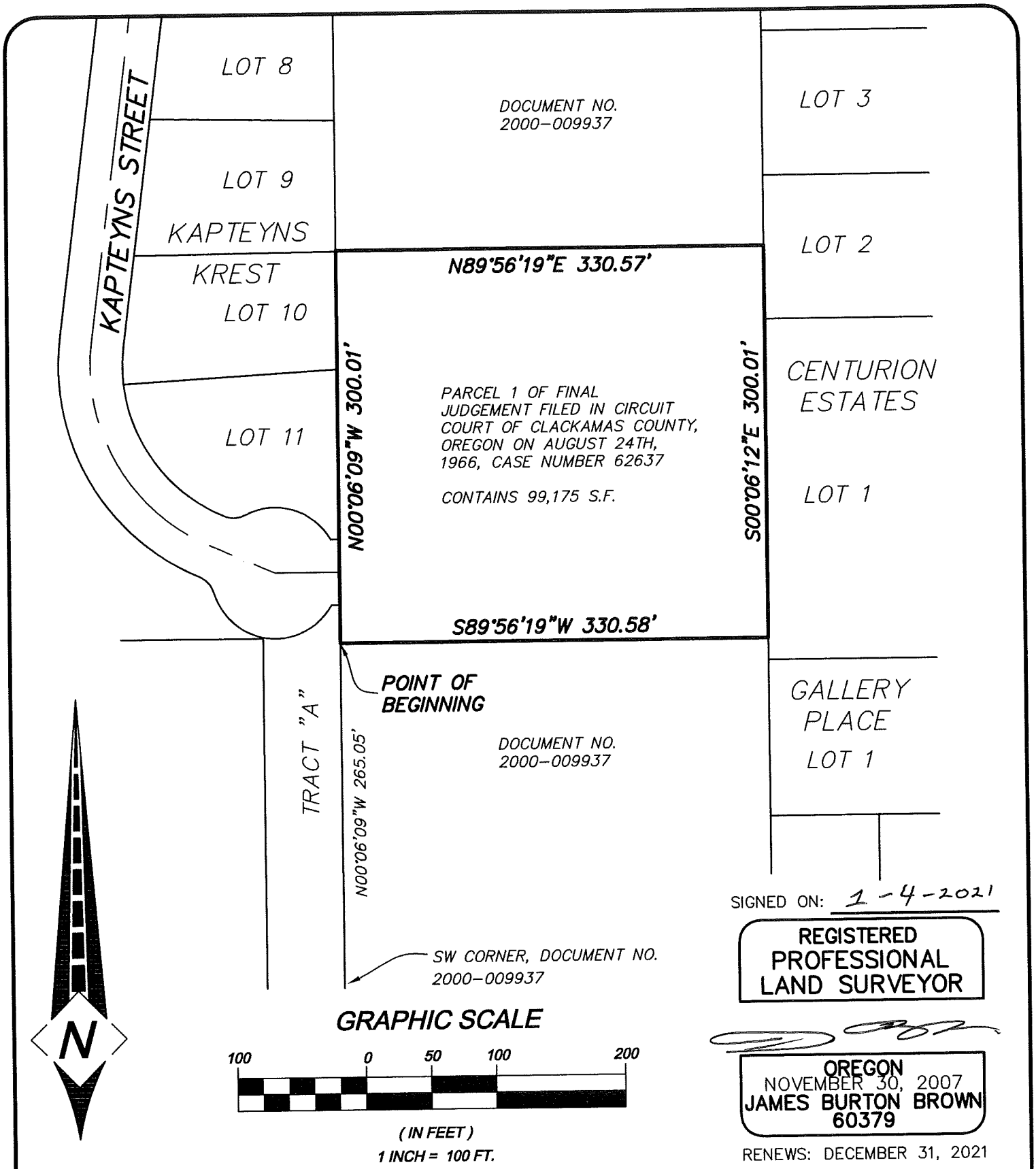
Basis of Bearings for this description is per record of Survey Number 29541, Clackamas County Survey Records

SIGNED ON: 1-4-2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

THROUGH DECEMBER 31, 2021



SIGNED ON: 1-4-2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

RENEWS: DECEMBER 31, 2021

CLIENT:	WEST LINN
ORIG. DATE:	12/16/2020
DRAWN BY:	MPW
SHEET No.	1 OF 1

EXHIBIT "B"

ANNEXATION

CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

Scale: 1"=100'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

Plotted: 1/04/2021 – 1:09pm, M:\PROJECTS\WEST LINN-KAPTEYNS STREET\DWG\EXHIBIT.dwg, Layout: EXHIBIT 8.5X11 – 11X17

EXHIBIT CC-3: AFFIDAVIT OF NOTICE AND MAILING PACKET

CITY OF West Linn

AFFIDAVIT OF NOTICE
Type A

We, the undersigned do hereby 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.: ANX-21-01 Applicant's Name: COWL
Development Name: 19676 Kapteyns St
Scheduled Decision Date: City Council Hearing on 2/8/21

MAILED NOTICE
Notices were mailed at least 20 days prior to the decision date per Section 99.080 of the Community Development Code to:

1	**WLWLSD and School Board**	**1/19/21**	*Lynn Schroder*
2	**Metro**	**1/19/21**	*Lynn Schroder*
3	**Clackamas County**	**1/19/21**	*Lynn Schroder*
4	**City of Lake Oswego**	**1/19/21**	*Lynn Schroder*
5	**Tamara Patrick, ODOT**	**1/19/21**	*Lynn Schroder*
6	**Century Link**	**1/19/21**	*Lynn Schroder*
7	**NW Natural Account Services**	**1/19/21**	*Lynn Schroder*
8	**Comcast**	**1/19/21**	*Lynn Schroder*
6	**Property Owners within 500 feet**	**1/19/21**	*Lynn Schroder*
7	**All Neighborhood Associations**	**1/19/21**	*Lynn Schroder*

TIDINGS
Notice was posted in the West Linn Tidings twice prior to the decision date.

1/27/21 & 2/3/21	*Lynn Schroder*

WEBSITE
Notice was posted on the City's website at least 20 days prior to the decision date.

1/19/21	*Lynn Schroder*

SIGN
At least 20 days prior to the decision date, a sign was posted on the property per Metro Code.

1/19/2021	

STAFF REPORT was available at least 15 days prior to the decision date.

1/22/2021	

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

CITY OF WEST LINN
NOTICE OF CITY COUNCIL HEARING

ANNEXATION OF 2.3 ACRES AT 19676 KAPTEYNS STREET
FILE NO. ANX-21-01

The West Linn City Council will hold a virtual public hearing on **Monday, February 8, 2021, starting at 6:00 p.m.** to consider a City-initiated annexation of 2.3 acres at 19676 Kapteyns Street per ORS 222.750. The proposal will apply an R-7 zone designation. The area is identified by Clackamas County as assessor's map 2S 1E 23BC tax lot 1500. The decision will be based on the criteria of Community Development Code (CDC), Chapter 81, West Linn Municipal Code 2.920-2.930, Metro Code 3.09.045 and 3.09.050(D), and Oregon Revised Statute 222.050 and 222.750.

Annexations go through a two-step hearing process. Step one is a land use decision. The Council determines whether the proposed annexation is consistent with the intent of the West Linn Comprehensive Plan and CDC Chapter 81. The Council will assign a zone for the property. At the conclusion of step one, the Council may, in its discretion: 1) decide to set a public hearing for the annexation request (step two), 2) delay a public hearing on the requested annexation or 3) pass a resolution placing the annexation request on a ballot for an advisory vote. Step two review for annexation proposals is a policy decision that applies the standards of WLMC 2.930. Both Step 1 and Step 2 can occur on the same night.

The annexation application is available for inspection at City Hall or via the web site at https://westlinnoregon.gov/planning/19676-kapteyns-street-annexation. Copies of the annexation application can be obtained for a minimal charge per page. At least 15 days prior to the City Council meeting, a copy of the staff report will be available for inspection at no cost. For further information, please contact Darren Wyss at 503-742-6064 or at dwyss@westlinnoregon.gov

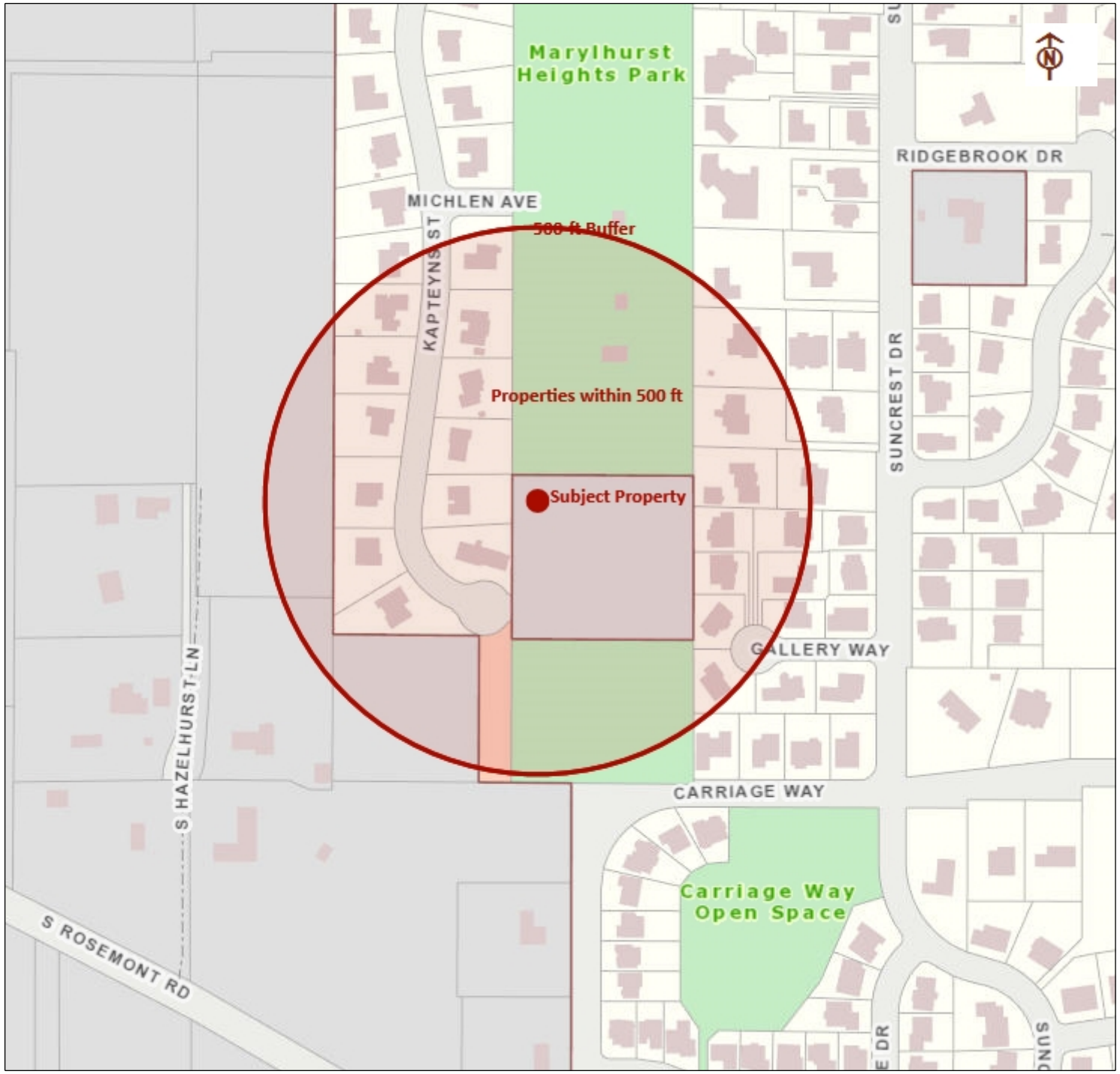
It is important to submit all testimony in response to this notice. All comments submitted for consideration of this appeal should relate specifically to the applicable criteria. Failure to raise an issue by written comment or at the hearing, or failure to provide sufficient specificity to respond to the issue, precludes raising the issue on appeal before the Land Use Board of Appeals.

The hearing will be conducted following the rules of CDC Section 99.170. **Anyone wishing to present written testimony for consideration shall submit all material before 12:00 pm on February 8, 2021.** Persons interested in party status should submit a letter outlining all concerns about the proposal by the comment deadline. Written comments may be submitted to dwyss@westlinnoregon.gov or mailed to City Hall. All comments must be received before 12:00 pm on the meeting day.

To testify at the hearing, go to https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup to **complete the speaker sign-up form before noon on the day of the meeting.** Instructions on how to access the virtual meeting will be emailed before the meeting. If you do not have email access, please call 503-742-6061 for assistance 48 hours before the meeting.

Publish: West Linn Tidings, January 27, and February 3, 2021

Notification Map for ANX-21-01- Properties within 500 feet



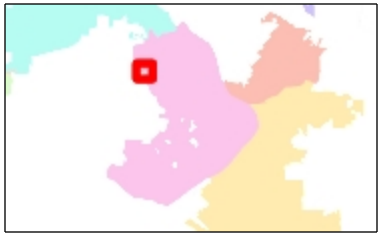
City of West Linn

Legend

- City Limit
- Unimproved ROW
- Parks and Open Space
- City Owned Property

0 0.06 0.11 Miles

1: 4,514



Notes

This map was automatically generated using Geocortex Essentials.

COMMUNITY DEVELOPMENT

NOTICE OF UPCOMING
CITY COUNCIL DECISION

PROJECT # ANX-21-01
MAIL: 01/19/21 TIDINGS: 01/27/21 & 02/03/21

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.

CITY HALL 22500 Salamo Rd, West Linn, OR 97068 Telephone: (503) 742-6060 Fax: (503) 742-8655

City of West Linn

Memorandum

Date: February 8, 2021

To: Jules Walters, Mayor
West Linn City Council

From: Darren Wyss, Planning Manager

Subject: ANX-21-01 Public Comments

On Monday, February 8, 2021, City Council will be holding a public hearing on the City initiated annexation of 2.3 acres owned by the Oregon Department of Transportation (ODOT) at 19676 Kapteyns Street. Additional public comment has been submitted by Jesse Jimenez, and Karie Oakes, on behalf of the Marylhurst Neighborhood Association, including a December 2020 letter from the City to ODOT. The comments and letter are attached to this memo for review and inclusion into the record.

From: Jessie Jimenez
To: Wyss, Darren
Subject: Proposed Kapteyns St. Annexation
Date: Monday, February 8, 2021 8:30:34 AM

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.

To Mr. Wyss and The West Linn City Council:

I am writing regarding the proposed annexation of the land connecting the forest of Marylhurst Heights Park, Kapteyns St and Carriage Way in West Linn. I own a home within 0.3 miles of this plot of land. My family and I, as well as the community as a whole, benefit from this natural area. It acts now as an extension of the park and provides a path through a forested area that improves the quality of life for those in this community. I ask that this area be allowed to remain as it is, open to the public and populated with mature trees.

Sincerely,
Jessie Jimenez

Marylhurst Neighborhood Association

Re: Testimony for ANX-21-01 Kapteyns St Annexation of 2.3 acres
February 2, 2021

Dear Council,

Marylhurst Neighborhood Association and the previous Council have held the same goal to stop the C800 radio tower from being built on this property after first learning of it in August 2020. Council and MNA agreed the proposed tower allowed by Clackamas County was inappropriately sized for the property located within the residential neighborhood and adjacent Marylhurst Height Park.

This "island annexation" will bring the property under City jurisdiction and development codes that would not allow the tower to be built. Additionally, annexation is the first step towards City acquisition of the property to complete the park as long planned in the Parks and Recreation Master Plan and Marylhurst Neighborhood Plan.

On August 25, 2020, MNA therefore unanimously passed the following Resolution:

"Council should annex the ODOT property and purchase it when it becomes available in support of the Marylhurst Neighborhood Plan; and Council should obtain an update on the status of the equipment on the property from ODOT."

The letter to Mayor Walters from ODOT, dated January 13, 2021, in the staff report on page 20 indicates ODOT has cooperated in annexation and is open to a proposal from the City to acquire the property by compensation or value received in exchange for the property and ODOT's continued existing use of part of it. Past Council discussed the possibilities of leveraging acquisition, considering the City's good working relationship with ODOT and it's the upcoming I-205 bridge project that will be staged on City property.

<u>On January 26, 2021, MNA unanimously approved the motion:</u>

"Marylhurst Neighborhood Association is in favor of annexation of 19676 Kapteyns St and supports zone R-7 ; and requests Council increase the priority of acquisition of the property in the Capital Improvement Plan of the Parks and Recreation Master Plan; and aggressively pursue acquisition of the property as soon as possible."

In deliberation of the motion, MNA robustly debated Council's discretion to designate the zoning as R-15 or R-10; or to accept staff recommendation to zone the property R-7 in Finding 9 on page 7 of the staff report. Specifically, in response to

CDC 81.055 Zoning Designation
Where the Council has discretion to apply zoning, the Council shall consider the following factors in making its decision:
..

B. The existing zoning and development patterns of surrounding properties,
...

finding 9 in part states, "If the property were transferred to the City, ODOT would need the northwest corner to be partitioned off for continued ownership and use of the communication tower. If the property transfer were to happen, implementing an R-7 zoning designation would allow for smallest property partition and more park space. The properties to the north (park), south (park), and west (single-family homes) are zoned R-15. The adjacent property to the east (single-family homes) is zoned R-7, thus allowing for a continuation of existing zoning onto the property."

MNA noted that it would not ordinarily support R-7 designation as the majority of the properties surrounding the ODOT property and the large majority of the properties throughout MNA boundaries are zoned R-15; and the land-use policy of Marylhurst Neighborhood Plan is to maintain existing zoning to preserve the character of the neighborhood. This case is an exception because the ODOT property is planned to be incorporated in the park.

However, MNA questioned the basis of the staff statement that if property transfer occurred, it would be necessary for ODOT to retain ownership of a small partition of the property in order for ODOT's continued use of the tower. The attached letter from Mayor Axelrod to ODOT and ODOT's corresponding response to Mayor Walters show that ODOT has not indicated it must retain such ownership and the Mayor suggested the option of a perpetual easement to allow ODOTs continued use of the tower. MNA has not been apprised of an easement no longer being an option and would appreciate knowing if staff has learned differently and partition is the only option.

MNA shared the sense of urgency to annex the property with the impending tower approval and concurs annexation will stop the proposed tower, but perhaps a long view would determine if there is opportunity in this process to best position the City to acquire the property in the near future.

Many thanks to John Williams, Community Development Director, and Council for their efforts towards annexation. We look forward to continuing to work together to acquire the property and developing it to complete Marylhurst Heights Park.

Sincerely,

Karie Oakes, President
Marylhurst Neighborhood Association

att: ODOT letter re Kapteyns property 12.2020_final

CITY HALL 22500 Salamo Rd, West Linn, OR 97068 Telephone: (503) 657-0331 Fax: (503) 650-9041

City of West Linn

December 21, 2020

Rian Windsheimer, Region 1 Manager
Oregon Department of Transportation
Via email

Dear Manager Windsheimer (Rian),

On behalf of our City Council, I'm writing to communicate the City of West Linn's interest in acquiring property owned by the Oregon Department of Transportation (ODOT) located at 19676 Kapteyns Street in West Linn. This property has been discussed in the past by the City and ODOT because it is adjacent to our much-loved Marylhurst Heights Park. City ownership of the ODOT property could expand trail connections for us, offer preservation and restoration of natural resources, and ensure that future uses are compatible with the park and neighborhood consistent with our Parks & Recreation and Comprehensive Plans. It could potentially also relieve ODOT of some property maintenance costs.

The Kapteyns Street property contains ODOT communications facilities and we understand your agency's desire to access and maintain those assets in the future. We would be open to either property division or perpetual easements for your use, either of which could accomplish those goals. In the past there have been discussions about City acquisition for a minor financial consideration due to our planned use only for parks and natural area use; we would be willing to commit to a perpetual easement for such uses if that would assist in making this acquisition possible.

As your staff knows, West Linn has initiated annexation proceedings of this unincorporated "island" property under ORS 222.750. This process was initiated following recent efforts by the Clackamas C800 Radio Group to site a new 180-foot communications tower on the property, during which we became aware that Clackamas County's zoning code provides far fewer neighborhood compatibility design requirements and community notice opportunities for new towers than our own code does. We expect to be conducting hearings on the annexation in early 2021.

In closing, I want to personally thank you and all your staff for our work together in recent years. I've always seen ODOT as a positive partner with West Linn, and although I will be leaving office at the end of 2020, I have every expectation that this relationship will continue in the future.

Thanks again Rian. West Linn staff will be reaching out directly to your staff to initiate discussions.

Sincerely,

Russell B. Axelrod
Mayor
City of West Linn

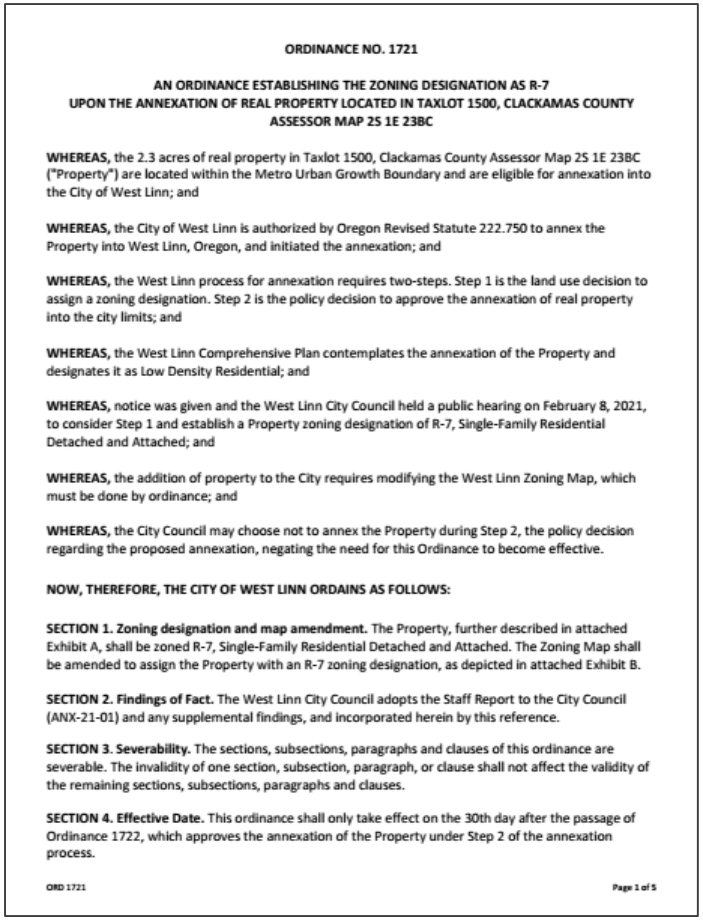
cc: Clackamas 800 Radio Group, Clackamas County Board of County Commissioners, West Linn Neighborhood Associations

City Council

19676 Kapteyns Street Annexation
Public Hearing: ANX-21-01
February 8, 2021

Decision Before the City Council

- City Initiated Annexation
  - ORS 222.050 & 222.750
- Two-Step Process
  - Step 1 (Ordinance 1721)
    - Quasi-Judicial Decision
    - City Zoning Designation
    - Staff Recommends R-7
  - Step 2 (Ordinance 1722)
    - Policy/Legislative Decision
    - Advisory Vote Decision
    - Public Hearing Tonight vs. Later Date
    - Approve/Deny Annexation Proposal



ORDINANCE NO. 1721

AN ORDINANCE ESTABLISHING THE ZONING DESIGNATION AS R-7 UPON THE ANNEXATION OF REAL PROPERTY LOCATED IN TAXLOT 1500, CLACKAMAS COUNTY ASSESSOR MAP 2S 1E 23BC

WHEREAS, the 2.3 acres of real property in Taxlot 1500, Clackamas County Assessor Map 2S 1E 23BC ("Property") are located within the Metro Urban Growth Boundary and are eligible for annexation into the City of West Linn; and

WHEREAS, the City of West Linn is authorized by Oregon Revised Statute 222.750 to annex the Property into West Linn, Oregon, and initiated the annexation; and

WHEREAS, the West Linn process for annexation requires two-steps. Step 1 is the land use decision to assign a zoning designation. Step 2 is the policy decision to approve the annexation of real property into the city limits; and

WHEREAS, the West Linn Comprehensive Plan contemplates the annexation of the Property and designates it as Low Density Residential; and

WHEREAS, notice was given and the West Linn City Council held a public hearing on February 8, 2021, to consider Step 1 and establish a Property zoning designation of R-7, Single-Family Residential Detached and Attached; and

WHEREAS, the addition of property to the City requires modifying the West Linn Zoning Map, which must be done by ordinance; and

WHEREAS, the City Council may choose not to annex the Property during Step 2, the policy decision regarding the proposed annexation, negating the need for this Ordinance to become effective.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Zoning designation and map amendment. The Property, further described in attached Exhibit A, shall be zoned R-7, Single-Family Residential Detached and Attached. The Zoning Map shall be amended to assign the Property with an R-7 zoning designation, as depicted in attached Exhibit B.

SECTION 2. Findings of Fact. The West Linn City Council adopts the Staff Report to the City Council (ANX-21-01) and any supplemental findings, and incorporated herein by this reference.

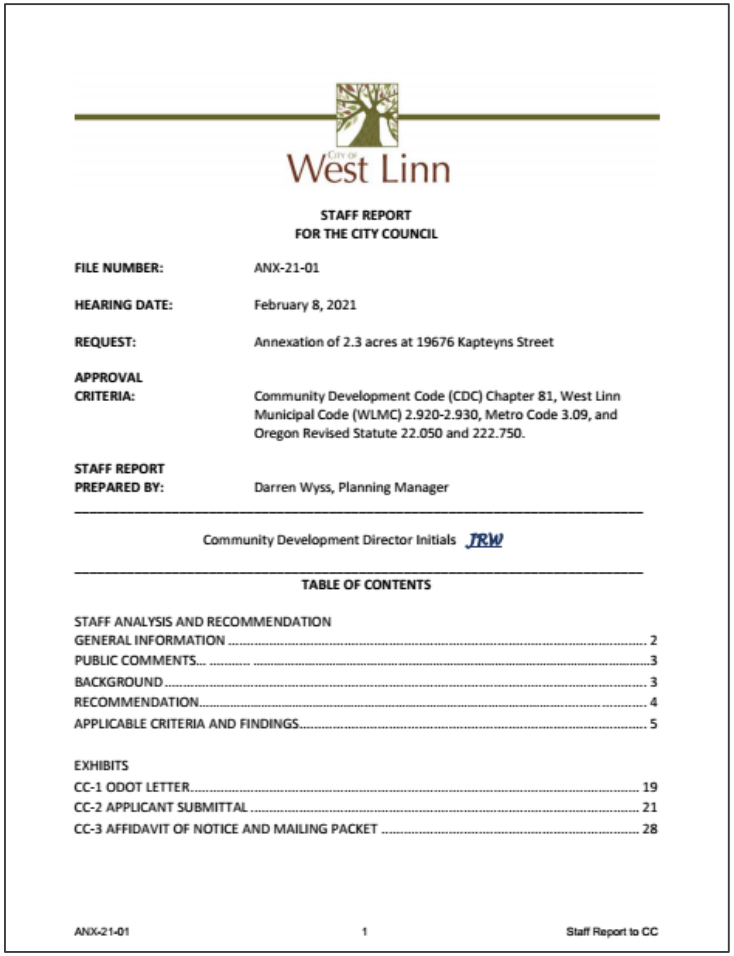
SECTION 3. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Effective Date. This ordinance shall only take effect on the 30th day after the passage of Ordinance 1722, which approves the annexation of the Property under Step 2 of the annexation process.

ORD 1721 Page 1 of 5

City Council Agenda Packet

- Agenda Bill
  - Background Information
- Attachments
  - Ordinance 1721 (Step 1)
  - Ordinance 1722 (Step 2)
  - Staff Report
    - Applicable Criteria/Findings
    - ODOT Letter
    - Affidavit of Notice
  - Public Comment
    - January 28 Memo
    - February 8 Memo



City of West Linn

STAFF REPORT
FOR THE CITY COUNCIL

FILE NUMBER: ANX-21-01

HEARING DATE: February 8, 2021

REQUEST: Annexation of 2.3 acres at 19676 Kapteyns Street

APPROVAL CRITERIA: Community Development Code (CDC) Chapter 81, West Linn Municipal Code (WLMC) 2.920-2.930, Metro Code 3.09, and Oregon Revised Statute 22.050 and 222.750.

STAFF REPORT PREPARED BY: Darren Wyss, Planning Manager

Community Development Director Initials JRW

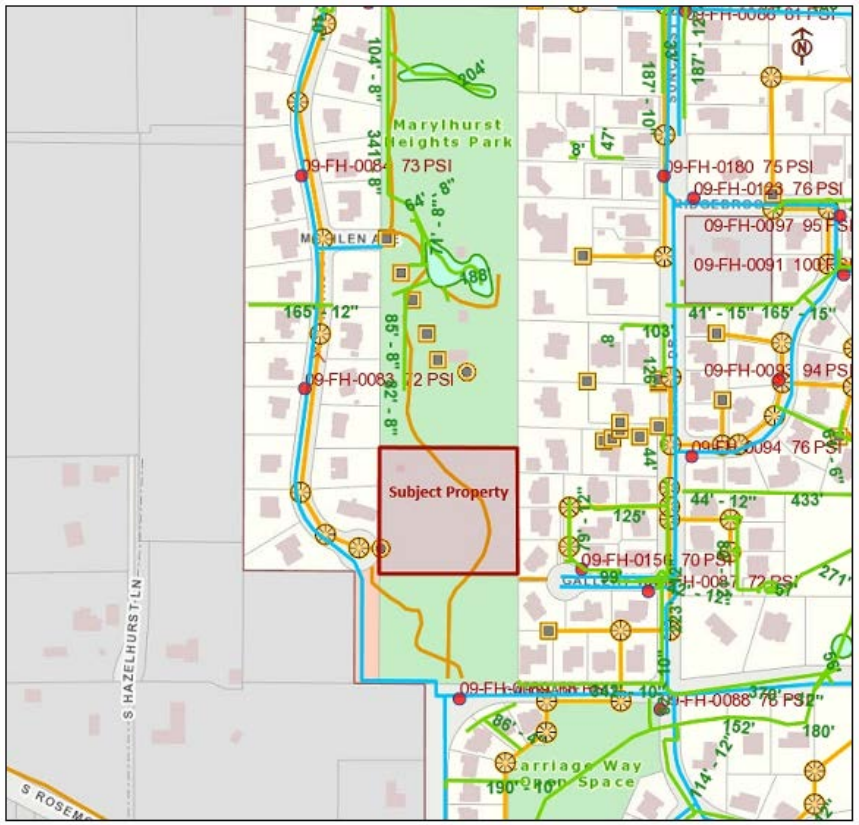
TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION
GENERAL INFORMATION 2
PUBLIC COMMENTS 3
BACKGROUND 3
RECOMMENDATION 4
APPLICABLE CRITERIA AND FINDINGS 5

EXHIBITS
CC-1 ODOT LETTER 19
CC-2 APPLICANT SUBMITTAL 21
CC-3 AFFIDAVIT OF NOTICE AND MAILING PACKET 28

Property Location and Details

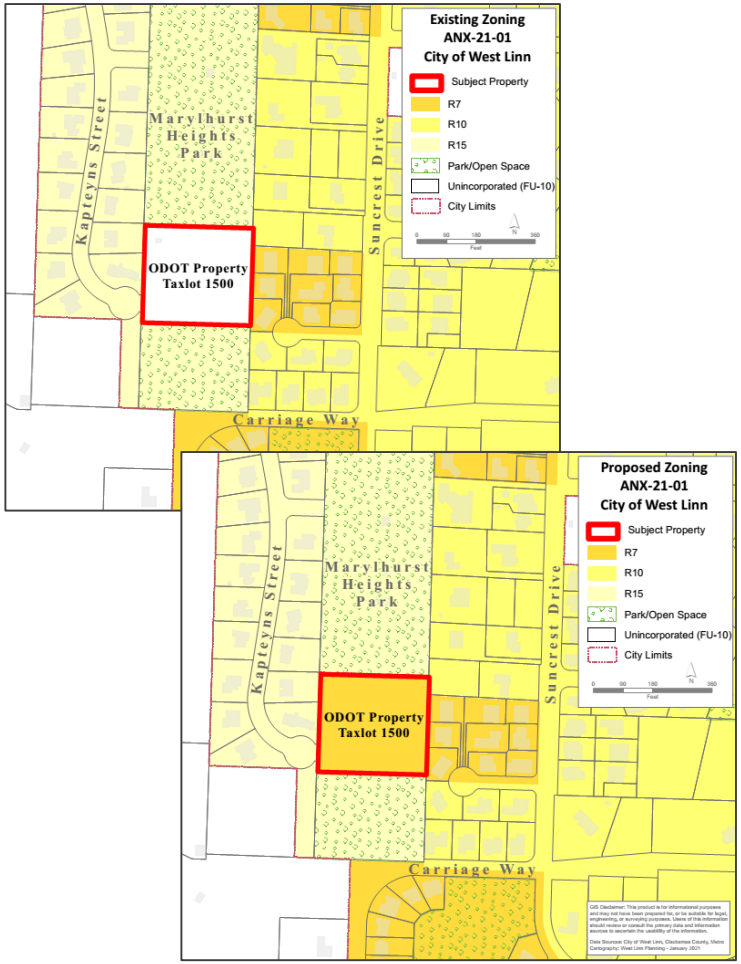
- 19676 Kapteyns Street (Taxlot 1500 Assessor Map 2S 1E 23BC)
  - 2.3 Acres
  - ODOT Ownership
  - Existing Communication Tower
  - Small Accessory Building
  - FU-10 Clackamas Co. Zoning
  - Marylhurst Heights Park
  - C800 Group Proposal
  - “Island” Property (ORS 222.750)
- West Linn Parks, Recreation, and Open Space Master Plan
  - Recommends Acquisition
  - Existing Trail



Property Location and Details

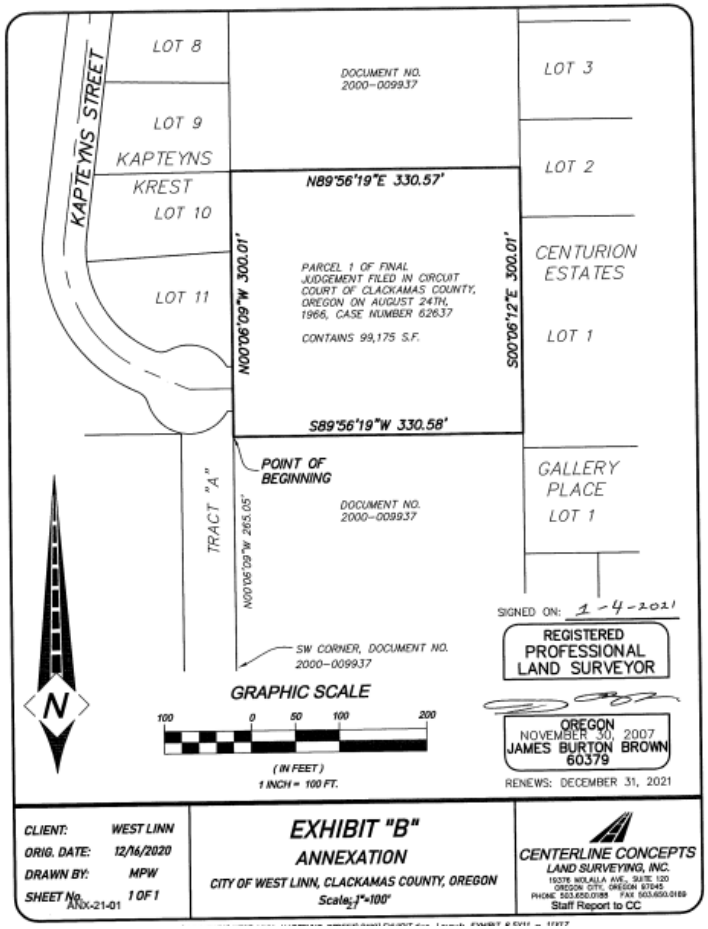
Step One – Assign Zoning Designation (ORD 1721)

- West Linn Comp Plan Designation
  - Low Density Residential
- Current Zoning
  - Clackamas County FU-10
- Recommended Zoning
  - R-7: Single-Family Residential Detached and Attached
  - 01/13/2021 ODOT Letter (Exhibit CC-1)
- Approval Criteria
  - CDC Chapter 81
    - Site Characteristics
    - Surrounding Properties
    - Capacity of Public Facilities



Step Two – Policy Decision (ORD 1722)

- Municipal Code 2.930
  - Staff Report
    - Impact on School District
    - Infrastructure Costs
    - Tax Implications
  - Advisory Vote Decision
- Metro Code 3.09
  - Process Requirements
  - Public Facility Plans
- ORS 222.050 & 222.750
  - "Island" Annexations
- CDC Chapter 99
  - Notice Requirements



ANX-21-01 Staff Recommendation

- Staff Report Findings
  - CDC and Municipal Code
  - Metro Code Chapter 3.09
  - Oregon Revised Statutes
- Step 1: Land Use Decision
  - Adopt Ordinance 1721
  - R-7 Zoning Designation
- Step 2: Policy Decision
  - Adopt Ordinance 1722
  - No Advisory Vote (City Initiated Proposal)
  - Withdrawal from Clackamas County Enhanced Law Enforcement District.

QUESTIONS OF STAFF?

City of West Linn

Agenda Bill 2021-02-08-03

Date Prepared:	January 25, 2021
For Meeting Date:	February 8, 2021
To:	Jules Walters, Mayor West Linn City Council
From:	Chris Myers, Community Development Department CJM
Through:	John R. Williams, Community Development Director JRW Jerry Gabrielatos, City Manager JG
Subject:	Appeal of DR-20-07/VAR-20-02/WAP-20-03

Purpose
To hold a public hearing and consider the appeal (AP-21-01) by Erich Kunrath, on behalf of the Bolton Neighborhood Association, of the Planning Commission's approval of application DR-20-07/VAR-20-02/WAP-20-03 a Class II Design Review proposal to construct/replace the existing post office building with a new post office or retail building.

Question(s) for Council:
Should the Council approve the appeal AP-21-01 or deny the appeal and uphold the Planning Commission decision to approve DR-20-07/VAR-20-02/WAP-20-03?

Public Hearing Required:
Yes

Background & Discussion:
At its meeting on December 2, 2020 the West Linn Planning Commission opened and continued the public hearing for DR-20-07/VAR-20-02/WAP-20-03 to a date certain of December 16, 2020. At its meeting on December 16, 2020 the West Linn Planning Commission held the initial evidentiary public hearing to consider the request by Matt Grady, representing West Linn Shopping Center Assoc. LLC. The request was for approval to construct/replace the existing post office building with a new post office or retail building at 5665/5639 Hood Street.

The initial evidentiary hearing commenced with a staff report, a presentation by the applicant and the applicant's representatives, and public testimony. The primary concerns raised during testimony included:

- The desire of citizens to retain a post office location in the City of West Linn
- Future development of adjacent properties
- Traffic circulation
- Pedestrian safety on proposed path through parking lot

Three citizens presented oral testimony. The primary concerns presented included the preference of residents for a full-service post office, traffic circulation, and future development of adjacent properties. A motion was made to approve the application, it was seconded, and a vote was taken and passed with a final tally of 6-0-1 with newly appointed Commissioner Erwin abstaining from voting.

Budget Impact:
None

Sustainability Impact:
None

Council Goal/Priority:
Not related to a Council goal

Council Options:

1. Move to deny the appeal of AP-21-01 and uphold the Planning Commission approval for construction/replacement of the existing post office building with a new post office or retail building and adopt the findings contained in the staff report.

2. Move to make a tentative decision to approve the appeal of AP-21-01, thereby overturning the Planning Commission approval for construction/replacement of the existing post office building with a new post office or retail building approval, and direct staff to bring back findings for adoption.

Staff Recommendation:
Staff supports the Planning Commission decision to approve the construction/replacement of the existing post office building with a new post office or retail building and recommends denial of the appeal (AP-21-01) based on the findings contained in the staff report, the applicant's submittal, and all other reports and testimony found in the record of DR-20-07/VAR-20-02/WAP-20-02.

Potential Motion:

1. Move to deny the appeal of AP-21-01 and **uphold** the Planning Commission's approval of the construction/replacement of the existing post office building with a new post office or retail building at 5665/5639 Hood Street and adopt the findings contained in the staff report.

2. Move to make a tentative decision to approve the appeal of AP-21-01, thereby **overturning** the Planning Commission's approval of the construction/replacement of the existing post office building with a new post office or retail building at 5665/5639 Hood Street, and direct staff to bring back findings for adoption.

Attachments:

1. Staff Report to the City Council for AP-21-01, dated February 8, 2021.

STAFF REPORT
FOR THE CITY COUNCIL

FILE NUMBER:	AP-21-01
HEARING DATE:	February 8, 2021
REQUEST:	Appeal of the Planning Commission approval of DR-20-07/VAR-20-02/WAP-20-03 to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street.
APPLICABLE CRITERIA UNDER APPEAL:	Community Development Code (CDC): Chapter 19, Chapter 32, Chapter 46, Chapter 48, Chapter 54, Chapter 55, Chapter 75, Chapter 92, and Chapter 99
STAFF REPORT PREPARED BY:	Chris Myers, Associate Planner

Planning Manager Review DSW

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION
GENERAL INFORMATION 2
BACKGROUND/PROCEDURAL HISTORY/ANALYSIS 3
PUBLIC COMMENT/RECOMMENDATION 8

EXHIBITS
CC-1 APPELLANT APPLICATION 10
CC-2 RECORD FOR DR-20-07/VAR-20-02/WAP-20-03 20
CC-3 PLANNING COMMISSION DRAFT MEETING NOTES 378
CC-4 AFFIDAVIT AND NOTICE PACKET 384

GENERAL INFORMATION

APPELLANT:	Bolton Neighborhood Association ATTN: Erich Kunrath 5725 Hood Street West Linn, OR 97068
APPEAL DEADLINE:	The appeal deadline was 5:00 p.m. on January 6, 2021. The appellant filed the appeal application at on January 6, 2021 thus meeting the deadline.
PUBLIC NOTICE:	Public notice was mailed to all persons with standing, neighborhood associations, and property owners within 500-feet on January 19, 2021. The property was posted with a notice sign on January 28, 2021. The notice was published in the West Linn Tidings on January 27, 2021. The notice requirements of CDC Chapter 99 have been met. In addition, the application was posted on the City's website January 6, 2021.
SITE LOCATION:	5665 & 5639 Hood Street
LEGAL DESCRIPTION:	Clackamas County Assessor's Map 22E30CA, Taxlots 0700 and 0900
SITE SIZE:	1.01 acres
ZONING:	General Commercial, GC
COMP PLAN DESIGNATION:	General Commercial
OWNER/APPLICANT:	West Linn Shopping Center Association LLC 1976 SW 72nd Ave, Suite 100 Tualatin, OR 97062 Contact: Matt Grady
120-DAY PERIOD:	This approved application became complete on October 18, 2020. The 120-day maximum application-processing period ends on February 15, 2021.

BACKGROUND

Site Conditions:

The subject property is located at 5665 Hood Street and is the existing site of the West Linn Post Office. The existing structure is 5,100 square feet and includes a drive through lane, parking area, loading dock and has been at this location since 1968.

The Post Office was established prior to Oregon land use laws. Ordinance 1129 established the 1983 Community Development Code and listed Postal Services as a permitted use in the General Commercial Zone. This was changed in 1997 by ordinance 1401 that changed the use of Postal Services to a conditionally permitted use. This change was supported due to the amount of rush hour traffic associated with a Post Office. The property and use is considered a conforming conditional use per Community Development Code 65.030(2), since the use was legally established as a permitted use, then legally changed. The existing Post Office utilizes a portion of the neighboring Market of Choice property (Tax Lot 900) for parking of mail trucks and employee parking.

Project Description:

The applicant is proposing to remove the existing commercial building housing the current Post Office and replacing it with a single-story commercial building. The new building has two proposed uses (Option A and Option B).

Option A is to construct a 5,255 square foot commercial building on the north western corner of the existing Post Office site (Tax Lot 700). The building will house a new Post Office exclusively. Option B is to construct a 6,550 square foot commercial building intended to be used as a mixed use commercial/retail building.

Both options use the same parking configuration. The two options are proposed due to the uncertainty in the Post Office securing a lease in the new space in addition to finding a secondary location to accommodate the service and delivery trucks associated with sorting and storing packages.

The applicant requests a Class I Variance to add two additional parking spaces under Option A to the shared parking area. No variance is proposed for Option B. The existing gravel parking area currently used by the post office on tax lot 900 (Market of Choice property) is within the current Water Resource Protection Area (WRA). The applicant requested a reduction in the WRA buffer due to the site's previously disturbed area.

The land use permits include:

- Class II Design Review
- Class I Variance
- Water Resource Protection Area

Surrounding Land Use and Zoning:
The subject property is zoned General Commercial (GC). Adjacent zoning and land uses include:

Direction From Site	Zoning	Land Use
North	GC	Commercial Development
East	R-10	Single-family Residential homes
West	GC	Commercial Development
South	GC	Commercial Development

PROCEDURAL HISTORY

At its meeting on December 2, 2020, the West Linn Planning Commission ("Commission") opened and continued the public hearing to a date certain of December 16, 2020. At its meeting on December 16, 2020 the Commission opened the public hearing to consider the request by Matt Grady, applicant on behalf of West Linn Shopping Center Assoc. LLC (owner), to approve construction/replacement of the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street. The hearing was conducted pursuant to the provisions of CDC Chapter 99.170.

The December 16, 2020 public hearing is considered the initial evidentiary hearing as no information or testimony was allowed to be given at the December 2, 2020 hearing. The December 16, 2020 hearing commenced with a staff report presented by City of West Linn Associate Planner, Jennifer Arnold. Matt Grady introduced the application as the applicant and Ken Sandblast, Planning Consultant presented on the applicant's behalf. The Bolton Neighborhood Association and Bob Wells submitted written testimony. The primary concerns raised during testimony included:

- The desire of citizens to retain a post office location in the city
- Adjacent property future development
- Traffic circulation
- Pedestrian safety on proposed path through parking lot

Diana Cubbage, Erich Kunrath, and Bob McCarthy presented oral testimony. The primary concerns raised in oral testimony included residents preference for a full-service Post Office, traffic circulation, and adjacent property future development. The hearing was closed and the Commission deliberated. A motion was made by Commissioner Pellett and seconded by Vice Chair Mathews to approve the application as presented with the staff proposed conditions of approval. The motion passed 6-0-1 with Chair Walvatne, Vice Chair Mathews, and Commissioners Pellett, Kelly, Metlen, and King voting in favor, with newly appointed Commissioner Erwin abstaining from voting.

After deliberations on December 16, 2020, the Commission approved the applicant proposal by finding compliance with the applicable criteria (Exhibit CC-2):

- Chapter 19: General Commercial, GC
- Chapter 32: Water Resource Area Protection
- Chapter 46: Off-Street Parking, Loading and Reservoir Areas;
- Chapter 48: Access, Egress and Circulation;
- Chapter 54: Landscaping;
- Chapter 55: Design Review;
- Chapter 75: Variances and Special Waivers;
- Chapter 92: Required Improvements;
- Chapter 99: Procedures for Decision Making: Quasi-Judicial.

The Planning Commission approval of DR-20-07/VAR-20-02/WAP-20-03 was appealed on January 6, 2021 by Erich Kunrath on behalf of the Bolton Neighborhood Association (Exhibit CC-1), pursuant to CDC 99.250. The appellant met the application requirements by referencing the application to be appealed and by providing a statement of standing. The appellant did not identify grounds for a procedural irregularity or misapplication of the Community Development Code.

ANALYSIS

In this analysis, staff has provided the provisions of the West Linn Community Development Code that are associated with the issues raised by the Appellant application. The findings include information gleaned from the record for SUB-20-01 or supplemental information in response to the issues raised.

Appeal Issue #1: Planning Commission failure to require a traffic and parking study.

Findings: The applicant submitted both a parking and circulation plan as required by Community Development Chapters (CDC) 46 and 48. The Planning Commission found the parking and circulation plans met the applicable criteria for parking, access, egress, and circulation. The Planning Commission found the proposal did not require a full Traffic Impact Analysis under CDC 48.025.B(1) or CDC 55.125, nor did it require any off-site improvements per CDC 55.100.I(1) after reviewing the trip generation report submitted by Kittelson & Associates and included in the record for SUB-20-01.

The trip generation report revealed that a replacement post office (Option “A”) will increase weekday daily vehicle trips by 14 total trips, with the potential for fewer daily trips upon the relocation of service and delivery trucks that visit the site in its current state and will not visit the site under Option “A”. With the proposed retail building (Option “B”), the trip generation report reveals that weekday daily vehicle trips will be reduced by 310 total trips.

The Planning Commission found no off-site street improvements were required as it would not meet the nexus and roughly proportionality tests based on the limited or reduced traffic impacts from the proposed redevelopment.

CDC 48.025 ACCESS CONTROL
B. Access Control Standards
1. Traffic impact analysis requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also CDC 55.125, Traffic Impact Analysis.)

CDC 55.125 TRANSPORATION ANALYSIS
Certain development proposals required that a Traffic Impact Analysis (TIA) be provided which may result in modifications to the site plan or conditions of approval to address or minimize any adverse impacts created by the proposal. The purpose, applicability and standards of this analysis are found in CDC 85.170(B)(2).

CDC 85.170.B(2) TRAFFIC IMPACT ANALYSIS (TIA)
When required. A Traffic Impact Analysis may be required to be submitted to the City with a land use application, when the following conditions apply:
1) The development application involves one or more of the following actions:
(A) A change in zoning or a plan amendment designation; or
(B) Any proposed development or land use action that ODOT states may have operational or safety concerns along a State Highway; and

Findings: Neither a zone change nor was plan amendment change requested. ODOT reviewed the application and did not identify any operational or safety concerns on Hwy 43 that would result from the proposed redevelopment.

(C) The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:
(1) An increase in site traffic volume generation by 250 average daily trips (ADT) or more (or as required by the City Engineer); or

Findings: The applicant submitted a trip generation report by Kittleson & Associates, which utilized the Institute of Transportation Engineers Trip Generation manual, and concluded there will a nominal increase in weekday daily vehicle trips of 14 for development Option “A” and a decrease of 310 weekday daily vehicle trips for Development Option “B”.

(2) An increase in use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day; or

Findings: Development Option "A" will lower weekday daily trips by 50 percent with the relocation of service and delivery trucks that visit the site in its current state. Documentation provided by the West Linn Post Office shows 16 daily trips from freight delivery trucks and 18 delivery trucks leaving/returning to the site (36 daily trips) Monday through Saturday. Development Option "B" would replace the post office with a retail building. This would eliminate the daily volume of freight delivery trucks. Neither option will increase trips from vehicles with 20,000-pound gross vehicle weights by 10 or more per day.

(3) The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or
(4) The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
(5) A change in internal traffic patterns that may cause safety problems, such as backup onto the highway or traffic crashes in the approach area.

Findings: Preliminary intersection site distance requirements show compliance and will not restrict vehicle movement. ODOT reviewed the proposal and did not find any evidence that vehicles would be required to queue or hesitate on Hwy 43. Final intersection site distance requirements will be confirmed during development site review. The access spacing requirements shown in the Transportation System Plan (TSP), Table 15, for a local commercial street is 50 feet between street intersections and driveways and 50 feet between driveways. Development Option "A" has the existing driveway to the market 63 feet south from the access point leading to the Post Office. The proposed drive through mail drop auxiliary exit lane is an additional 62 foot distance north of the site entry and exiting location. For Development Option "B" the distance from the existing market entrance to the south of the site is 70 feet to the one proposed driveway access point into the proposed retail building parking area.

Staff recommends City Council deny the appeal on this issue.

Appeal Issue #2: Planning Commission failure to require a transportation connection to a future four-way intersection at Burns Street and Cascade Street.

The Planning Commission found the applicant was not required to install or pay a proportional share of any off-site improvements under CDC.100.I(1). The Planning Commission found the applicant's circulation plan met the requirements of CDC Chapter 48. The West Linn Transportation System Plan does not show a future connection between the Market of Choice property and Burns Street, nor do any subarea plans exist to require this connection. The applicant testified at the Planning Commission hearing that they analyzed the potential for making a connection. The testimony stated the presence of the Water Resource Area and the slopes adjacent to Burns Street on the property to the north would make the connection extremely challenging and potentially impossible in the alignment suggested by the Appellant.

Staff recommends City Council deny the appeal on this issue.

Appeal Issue #3: Additional street improvements are needed on Hood Street.

The Planning Commission found street improvements were required, per CDC 55.100.I(1), for the portion of Hood Street abutting the subject property, including dedication of sufficient right-of-way to match existing street design. The Planning Commission found the applicant was not required to install or pay a proportional share of any off-site improvements under CDC.100.I(1).

Staff recommends City Council deny the appeal on this issue.

Appeal Issue #4: Consideration should be given to the Bolton Neighborhood Plan that sets a goal of providing transportation connections to Bolton Central Village along Hood and Burns Streets.

The Planning Commission found the applicant was not required to install or pay a proportional share of any off-site improvements under CDC.100.I(1). The Planning Commission found the applicant's circulation plan met the requirements of CDC Chapter 48. The West Linn Transportation System Plan does not show a future connection between the Market of Choice property and Burns Street, nor do any subarea plans exist to require this connection.

The Bolton Neighborhood Plan has been adopted as a supporting document to the West Linn Comprehensive Plan. To implement the Goal statements in the Plan, the City must adopt code criteria into the West Linn Community Development Code in order to exact off-site improvements from a development proposal. Currently, both Hood and Burns Streets provide a direct transportation connection from Hwy 43 to the Bolton Central Village.

Staff recommends City Council deny the appeal on this issue.

PUBLIC COMMENT

As of the publication date of this report, staff has received no public comments.

RECOMMENDATION

Staff recommends denial of the appeal and affirmation of the Planning Commission decision and the conditions of approval as outlined in the Final Decision and Order for DR-20-07/VAR-20-02/WAP-20-03:

1. **Site Plans. With the exception of modifications required by these conditions, the project shall substantially conform to all submitted drawings (sheet A1.1 "Option A" and A1.1 "Option B").**

2. **<u>Engineering Standards.</u> 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 storm water, 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. All improvements must be designed, constructed, and completed prior to the issuance of occupancy permits.**

3. **<u>Mitigation and Re-Vegetation.</u> Prior to the final approval of the site development permit, all on-site mitigation and re-vegetation shall be completed per the Schott & Associates 'Natural Resource Assessment' dated June 2020.**

4. **<u>Covered Bicycle Parking.</u> The applicant shall cover 50% of the proposed bicycle parking spaces per CDC 46.150(D)(3).**

5. **<u>Parking Easement.</u> The applicant shall record a parking easement for the shared parking area and submit it prior to issuance of the site development permit.**

6. **<u>Curb Cut Width Option A</u>. The width of the curb cuts shall comply with the standards of CDC 48.060(B).**

EXHIBIT CC-1 APPELLANT APPLICATION

CITY OF West Linn
Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

For Office Use Only			
STAFF CONTACT DARREN WYSS	PROJECT NO(S). DR-20-07/VAR-20-02/WAP-20-03 AP-21-01		PRE-APPLICATION NO. n/a
NON-REFUNDABLE FEE(S) $0	REFUNDABLE DEPOSIT(S) $0	TOTAL: $0	

Type of Review (Please check all that apply):

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

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

Site Location/Address:
5665 & 5639 HOOD ST
WEST LINN, OR 97068

Assessor's Map No.: **22E30CA**
Tax Lot(s): **00700 and PORT 00900**
Total Land Area: **1.01 AC**

Brief Description of Proposal: REQUIRE 2-WAY STREET CONSTRUCTION ALONG EAST SIDE OF THE PROPERTY LINE TO PROVIDE A FUTURE STREET CONNECTION TO THE INTERSECTION OF CASCADE AND BURNS ST.

Applicant Name: (please print) **BOLTON NEIGBHORHOOD VP – ERICH KUNRATH** Phone: **503-412-9909**
Address: **5725 HOOD ST** Email:
City State Zip: **WEST LINN, OR 97068** **erich_kunrath@hotmail.com**

Owner Name (required): (please print) **WEST LINN SHOPPING CENTER ASSOC LLC.** Phone: **503-245-1976**
Address: **1976 SW 72ND AVE, SUITE 100** Email: **MATT@GRAMOR.COM**
City State Zip: **TUALATIN, OR 97062**

Consultant Name: (please print) Phone:
Address: Email:
City State Zip:

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A decision may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **One complete hard-copy set of application materials must be submitted with this application.**
   One complete digital set of application materials must also be submitted electronically in PDF format.
   If large sets of plans are required in application please submit one set.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Erich Kunrath — Applicant's signature
01/05/21 — Date
Owner's signature ***(required)*** — Date

Gramor Appeal

January 5, 2021

Dear Mayor Walters, Councilor Relyea, Councilor Baumgartner, and Councilor Bialostosky,

Regarding the redevelopment of the West Linn Post Office, I provided written testimony on behalf of the Bolton Neighborhood Association for the Planning Commission hearing on December 16, 2020. I also provided oral testimony during the public comment period and established standing in accordance with CDC 99.140.

In addition to redeveloping the Post Office, the Bolton business districting is expanding north with the development of 1575 Burns St. Despite these new developments no further consideration has been given to improving streets and traffic flow in this congested area. The Planning Commission has allowed piece size development without regard to an overall traffic plan. A traffic and parking study would show that improvements are needed, but the West Linn Planning Commission failed to make this a requirement. They approved the redevelopment of the Post Office with a simple trip generation report. The requirement of a traffic study at 1575 Burns St was withdrawn by planning staff due to irregular traffic flow due to COVID-19.

The Bolton Neighborhood Association proposes the street and traffic plan provided in the attached drawing. It would require the city to partner with developers, provide resources and drive a plan that integrates the Bolton Business District and improves traffic circulation.

The members of the Bolton Neighborhood support the development of a new Post Office at 5665 and 5639 Hood St. However, this design must be approved with consideration for future development on neighboring properties. Providing a transportation connection to a future 4-way intersection at Burns St. and Cascade St. must be a criterion for approval. This intersection is dependent on development plans for the current development proposed at 5639 Hood St and future development at 1564 Burns St. The current retail plan at 5639 Hood St does not build street access along the east property line to provide a future connection to a 4-way intersection at Burns and Cascade St.

Additional street improvements are needed on Hood St that can be accomplished by the city now. There is a 4-foot hump on Hood St, north of the 4-way stop on Hood and Burns St. This hump is a safety hazard that impairs vision between the library parking lot, the 4-way stop and a future driveway into the 1575 Burns St development. Also consider a traffic light at the intersection of the Burns and Hwy 43 which would alleviate congestion at the south end of the business district.

Community Development Code 99.110 outlines the decision-making process for the approval authority. Paragraph B.2. states consideration may be given to, "factual oral testimony or written statements from the parties, neighborhood plans, other persons and other governmental agencies relevant to the existing conditions or factors" in this section.

Please consider the Bolton Neighborhood Plan adopted April 10, 2006. The plan states a vision and specific goals for the Bolton Neighborhood. Goal 3 states, "The Bolton Central Village area shall serve the neighborhood's commercial needs with accessible, friendly, and sustainable commercial

development: ... Provide transportation connections to the central core of Bolton Central Village along Hood and Burns Streets.

In September 2020, the Planning Commission approved a plan to develop a neighboring property at 1575 Burns St, which expands the developed commercial space of Central Village. This plan includes parking along both sides of Burns St, but there is no way to access uphill parking along the north side of the street. Vehicles, including delivery trucks currently make an illegal U-turn at the intersection of Burns St. and Cascade St. A driveway along the east side of the Central Village area would provide improved access to this parking along with another point of entry and exit into Central Village. A continuous connection from Garden Street down to the intersection of Burns St. and Cascade St. will improve traffic flow for each business and their patrons and provide better access to future planned parking.

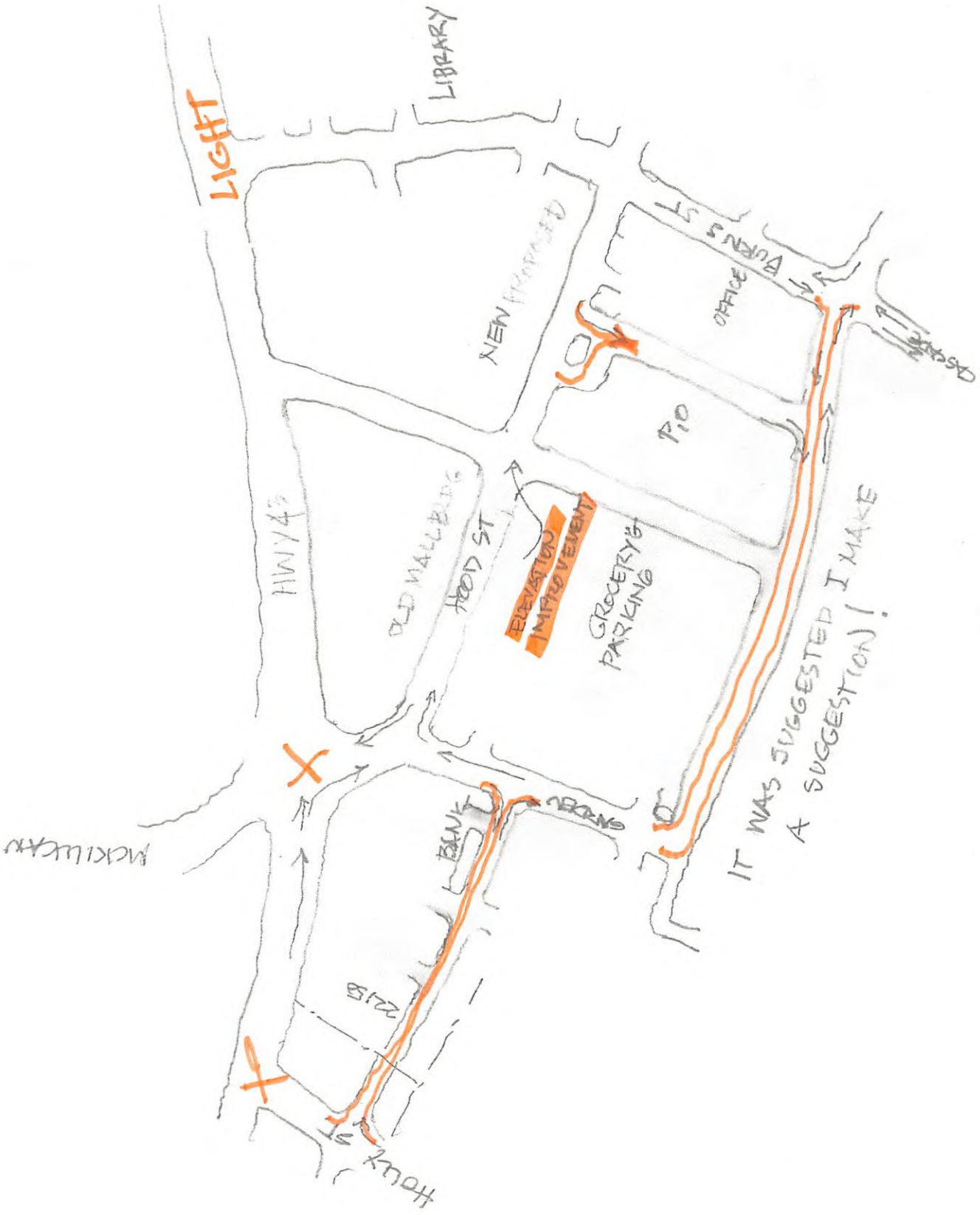
Thank you for your thought and consideration. The Bolton Neighborhood Association supports the development of a new Post Office but is appealing to the council to develop a plan that considers future development of neighboring properties and integrates existing developments into the plan.

Sincerely,

Erich Kunrath

Erich Kunrath
Bolton Neighborhood Association Vice President

HOLLY ST
22150
ZONING REQUEST
1574
1576
1578
BANK
GARDEN ST
MCKILLICAN ST
DANGEROUS/
PROBLEMATIC
OLD MAIL BLDG
HWY 43
HOOD ST
Cemetery
PO
NEW PROPOSED
BURNS ST
LIBRARY


LIGHT
LIBRARY
NEW
OFFICE
T.O
HWY 43
OLD MILLSBORO
HOOD ST
ELEVATION IMPROVEMENT
GROCERY'S PARKING
BANK
IT WAS SUGGESTED I MAKE A SUGGESTION!

BOLTON NEIGHBORHOOD ASSOCIATION

DRAFT MINUTES: Tuesday, December 15, 2020

Zoom Monthly Meeting

Meeting Called to Order: Bob McCarthy, President: 7:00 PM

Welcome to attendees and get acquainted with Zoom:

Attendees: 27 (including 11 presenters)

Draft Minutes: November 17, 2020 Minutes: reviewed and approved

Draft Agenda: Approved

Treasurer's Report: Walt Swan: $5116.71 in BNA checking account, Note: $1,000 was deposited in July, 2020 and was not included in previous reports. Expenses deducted: $14.99 was debited for monthly Zoom license, FedEx: $154.23 – printing of 20 stick-on laminated QR codes and 20 laminated ZOOM labels added to BNA signs; supplies (clips to temporarily attach ZOOM). Fast Signs: $158.00 – 4 new BNA signs that include the QR codes to the West Linn, Bolton Neighborhood site.

Presentation Re: WLWV School District High School Stadium/Parking Plan

Jim Fitzpatrick, IBI group and Remo Douglas, Capital Construction Program Manager, Mercedes Serra, 3J Consulting, along with other members of the team reviewed the updates for the new proposed plan for West Linn High School stadium and additional parking. They answered questions from BNA residents. These questions included:

- Does the school believe this additional parking will solve the challenges for all students wishing for a parking spot? No, however, it begins to address the growing issue for student parking and the issue of students parking within the surrounding neighborhood. The high school and students will have an opportunity to help resolve the ongoing parking issues. If there is a second high school built in the city, this additional parking will have a more positive impact with lower enrollment.

- ADA accessibility at various points for parking and seating? The plan has addressed easy access between the new parking lot and the stadium seating and concession stand. Meets ADA Accessibility standards.
- Parking lot will be used daily for students as well as for events.
- The treed area is under the Tree Conservation Plan is protected. There is NO development in this area.
- Skyline Drive will not be widened to accommodate additional traffic A traffic study found no issues of noncompliance with city standards or failures with traffic issues.
- Additional parking will be between 64–98 spaces depending on bids and costs.
- New LED down lighting will be a dramatic improvement on the night sky and a big reduction in ongoing lighting costs.
- Runoff is the #1 goal of meeting City's Storm Water Management Code. The plan includes using perforated pipes around the hill to capture water and empty it into underground tanks. The water is slowly metered out and filtered through the environment safely to storm water connections in the street.

  For more information on the plan go to: https://www.wlwv.k12.or.us/WLHSstadiumor https://www.wlwv.k12.or.us/domain/3509

Reaching Out to the Bolton Neighborhood:

Attendees suggested several options: Further discussions and steps at our next meeting:

- Establish a partnership with the business community. Involve the West Linn Chamber of Commerce. (1980 Willamette Falls Drive was at one time the Chamber's location)
- Annually contact the entire BMA community with information about the BNA and important events in our neighborhood.
- Re-establish "The Bolton Neighborhood Celebration" and combine it with the new neighborhood walking tour.
- Support the efforts of the Old City Hall Coalition and the Willamette Falls Heritage & Landings Historical Coalition.

2

Review 2019 Annual Report and 2020 Annual Report: Reviewed and unanimously approved.

NA Presidents Post Office Resolution: Unanimously approved to support.

Post Office: Dec. 16, 2020 Planning Commission: Bob McCarthy and Erich Kunrath will remotely attend and speak at the meeting. They will ask the Commission to include a comprehensive traffic improvement plan as part of any approval of Gramor Development design review. This should include the provision of an egress behind the existing post office to Concord Street. If necessary they will appeal the failure of the Planning Commission to include this provision. Passed without objection, 9-0.

McLean House:
Attendees voted and agreed to donate $500 for security system to be installed in the McLean House. Mike Watters shared that the front door is decorated for families to come and take their Holiday pictures. If the photos are submitted by Friday, Dec. 18th, the McLean House will forward them to The Tidings to be published.

West Linn Food Pantry: All attendees voted unanimously to suspend rule 501C3 to expedite and make a $300 donation to the Food Pantry for West Linn families.

Future Agenda Items:

January

- Central Village traffic flow: Lance Calbert
- Post Office Plan and NA Presidents Post Office Resolution
- Promoting the BNA with a Postcard and Survey
- Walking Tour App, Activities to engage neighborhood such as "Bolton Daze Celebration."
- Old Bolton Fire House as a Community Center and memorial for James Weaver

Thank you, everyone, for another great meeting. Adjourn: 8:49 pm
If you wish to receive our monthly reminder for upcoming BNA meetings and meeting minutes please send your authorization and email address to: Robert McCarthy, President of the BoltonNA@WestLinnOregon.gov.

Bolton Neighborhood Association Board Members
Robert McCarthy, President; Erich Kunrath, Vice President
Walter Swan, Treasurer; Janet McCarthy, Secretary

EXHIBIT CC-2 RECORD FOR DR-20-07/VAR-20-02/WAP-20-03

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

DR-20-07/VAR-20-02/WAP-20-03

IN THE MATTER OF A CLASS II SITE DESIGN REVIEW PROPOSAL TO CONSTRUCT/REPLACE THE EXISTING POST OFFICE BUILDING WITH A NEW POST OFFICE OR RETAIL BUILDING AT 5665/5639 HOOD STREET

I. Overview

At its meeting on December 2, 2020, the West Linn Planning Commission ("Commission") opened and continued the public hearing to a date certain of December 16, 2020. At its meeting on December 16, 2020 the Commission opened the public hearing to consider the request by Matt Grady, applicant on behalf of West Linn Shopping Center Assoc. LLC (owner), to approve construction/replacement of the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street. The approval criteria for this proposal are Community Development Code (CDC) Chapter 19, Chapter 32, Chapter 46, Chapter 48, Chapter 54, Chapter 55, Chapter 75, Chapter 92, and Chapter 99. The hearing was conducted pursuant to the provisions of CDC Chapter 99.170.

The December 16, 2020 public hearing is considered the initial evidentiary hearing because no information or testimony was allowed to be given at the December 2, 2020 continued hearing.

The December 16, 2020 hearing commenced with a staff report presented by Jennifer Arnold, Associate Planner. Matt Grady introduced the application as the applicant and Ken Sandblast, Planning Consultant presented on the applicant's behalf. The Bolton Neighborhood Association and Bob Wells submitted written testimony. The primary concerns raised during testimony included:

- The desire of citizens to retain a post office location in the city
- Adjacent property future development
- Traffic circulation
- Pedestrian safety on proposed path through parking lot

Diana Cubbage, Erich Kunrath, and Bob McCarthy presented oral testimony. The primary concerns raised in oral testimony included residents preference for a full-service Post Office, traffic circulation, and adjacent property future development. The hearing was closed and the Commission deliberated. A motion was made by Commissioner Pellett and seconded by Vice Chair Mathews to approve the application as presented with the staff proposed conditions of approval. The motion passed 6-0-1 with Chair Walvatne, Vice Chair Mathews, and Commissioners Pellett, Kelly, Metlen, and King voting in favor with newly appointed Commissioner Erwin abstaining from voting.

II. The Record

The record was finalized at the December 16, 2020 public hearing.

Findings of Fact

1) The Overview set forth above is true and correct.
2) The applicant is Matt Grady.
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; and the evidence in the whole record.

III. Findings

The Commission adopts the Staff Report for December 16, 2020, with attachments, as its findings, which are incorporated by this reference with 4 conditions of approval. The Commission concludes that all of the required approval criteria are met subject to the following conditions of approval:

1. **Site Plans. With the exception of modifications required by these conditions, the project shall substantially conform to all submitted drawings (sheet A1.1 "Option A" and A1.1 "Option B").**

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 storm water, 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. All improvements must be designed, constructed, and completed prior to the issuance of occupancy permits.**

3. **Mitigation and Re-Vegetation. Prior to the final approval of the site development permit, all on-site mitigation and re-vegetation shall be completed per the Schott & Associates *Natural Resource Assessment*, dated June 2020.**

4. **Covered Bicycle Parking. The applicant shall cover 50% of the proposed bicycle parking spaces per CDC 46.150(D)(3).**

5. **Parking Easement. The applicant shall record a parking easement for the shared parking area and submit it prior to issuance of the site development permit.**

6. **Curb Cut Width Option A. The width of the curb cuts shall comply with the standards of CDC 48.060(B).**

IV. Order

The Commission concludes that DR-20-07/VAR-20-02/WAP-20-03 is approved based on the Record, Findings of Fact and Findings above.

Gary Walvatne

Gary Walvatne, CHAIR
WEST LINN PLANNING COMMISSION

21 December 2020
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 23 day of December, 2020.

Therefore, this decision becomes effective at 5 p.m., January 6, 2020, 2021.

City of West Linn

WEST LINN PLANNING COMMISSION

NOTICE OF FINAL DECISION

FILE NO. DR-20-07/VAR-20-02/WAP-20-03

At its meeting on December 16, 2020, the West Linn Planning Commission ("Commission") held a public hearing to consider approval of DR-20-07/VAR-20-02/WAP-20-03, a proposal for a Class II Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street. The land use application was filed by Matt Grady of Gramor Development.

The Commission approved the application by a six to zero vote with one Commissioner abstaining from the vote. The decision has been based on the facts, findings, and conclusions found in the record.

The Final Decision and Order and the complete application and record for DR-20-07 is available for review at no cost on the City of West Linn website at https://westlinnoregon.gov/planning/5665-5639-hood-street-class-ii-design-review-new-retail-building-shared-parking. Printed copies of these documents may be obtained at City Hall for a minimal charge per page.

Those parties with standing may appeal this decision to the West Linn City Council pursuant to the provisions of Chapter 99 of the Community Development Code. Appeals must be filed with the West Linn Community Development Department within 14 days of mailing date. The cost is $400 and requires a completed appeal application form together with the specific grounds for appeal. Any questions can be directed to Darren Wyss, Acting Planning Manager, at 503-742-6064 or dwyss@westlinnoregon.gov.

This decision will become effective 14 days from the date of mailing of this final decision notice as identified below.

Mailed this __23____ day of _____December _____, 2020.

Therefore, this decision becomes effective at 5 p.m., __January 6, _____, 2021.

From:	Schroder, Lynn
To:	Wyss, Darren
Subject:	FW: 12/16/20 Planning Commission hearing for DR-20-07
Date:	Wednesday, December 16, 2020 4:16:09 PM

From: Bob Wells [mailto:wrobertwells@gmail.com]
Sent: Wednesday, December 16, 2020 3:37 PM
To: Schroder, Lynn ; Arnold, Jennifer
Subject: Re: 12/16/20 Planning Commission hearing for DR-20-07

Hi Jennifer and Lynn,
Here is my statement to the city planning commission for DR-20-07 December 16 2020.
My name is Robert Wells at 5651 Cascade Street, West Linn, Oregon. This statement is to address the development of the new retail building at 5665 Hood Street.
The pedestrian crossing proposed in this development is inadequate and should not be allowed. Item 20 and Staff Finding 40 of the Developer Review application plus the drawing on Page 77 of the applicant's submission propose a walking section in the middle of the parking lot going between Market of Choice and the new building. This is a tremendous hazard due to difficult site lines and vehicle behavior as I've observed in the current parking and walking flows. The proposal only increases the pedestrian activity in the middle of this difficult and dangerous parking area. I spend a good deal of my day in this area and have observed many people including myself and including postal workers themselves nearly be hit by vehicles not noticing them walking between cars into driving lanes throughout the day. I've brought this concern to Gramor representatives at prior meetings but see there has been no change to their proposal.
I urge the planning commission to act responsibly for the safety of West Linn citizens by not approving these plans until an alternate walkway or solution can be implemented. This will help keep pedestrians safe and encourage all in the area to use these businesses.
Thank you for your time and consideration.
Robert Wells
5034599891
bob@wellsmuro.com
5651 Cascade Street
West Linn, OR 97068

> On Dec 16, 2020, at 3:12 PM, R Wells <wrobertwells@gmail.com> wrote:
> Hi Lynn,
> Thanks for the helpful and detailed instructions. I now have a family urgent matter that will get in the way of me attending at 6:30 tonight. Can I submit an email statement to you that can be read or reviewed at tonight's meeting? I can follow up with that to you shortly.
> Thanks for your help.
>
> Bob
> Robert Wells
> 5034599891
> bob@wellsmuro.com
>
> > On Dec 14, 2020, at 10:58 AM, Schroder, Lynn <LSchroder@westlinnoregon.gov> wrote:

You have requested to speak at the 12/16/20 quasi-judicial hearing for DR-20-07, a request for approval of a Class 2 Design Review for a retail redevelopment at 5665/5639 Hood Street. I have sent you a Webex invitation. Please flag the email so you can access the meeting quickly and easily. If you do not receive the invitation, check your SPAM filter. If you have not received, please email me and I will resend it.

Please note that the quality of our live stream meeting is greatly affected by background noises. Rustling papers, squeaking chairs, barking dogs, phone notifications, and other noise types are significantly amplified and can drown out the person who is speaking. Please take measures to quiet background noise. Also, keep rustling papers and other noises away from your computer microphone when you are speaking.

On the day of the meeting, I go up to the meeting room at 5:30 pm. If you have trouble logging into the meeting, please email me and we can trouble-shoot over email. Most log-on problems can be addressed by downloading the Webex application before the meeting and testing your video and microphone before the meeting. You can view the instructions on how to join a Webex meeting at https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees.

The hearing will begin at 6:30 pm and will proceed as follows:

1. Preliminary legal matters,
2. Staff presentation,
3. Applicant presentation - 20 minutes,
4. Citizen comment – 5 minutes. Each citizen who requested to speak will be given 5 minutes to address the proposed project,
5. Applicant rebuttal - 10 minutes,
6. Addressing request for continuances,
7. Questions of staff,
8. Close public hearing,
9. Deliberations, and
10. Decision.

Commissioners may ask questions of the applicant, staff, or anyone else who testifies.

Each citizen commenter has five minutes to testify. The Neighborhood Association representative will have 10 minutes. When the Chair calls your name, I will unmute your microphone. Please confirm that the Commissioners can hear you and state your name and address for the record. I will tell you when you have 1 minute remaining. At the end of the 5-minute comment time, I will mute your microphone. If a Commissioner has a question for you, I will unmute your microphone again.

Please let me know if you have any questions.

Lynn

Lynn Schroder

Administrative Assistant
Community Development

22500 Salamo Rd.
West Linn, Oregon 97068
LSchroder@westlinnoregon.gov
westlinnoregon.gov
503-742-6061

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CITY HALL 22500 Salamo Rd, West Linn, OR 97068 Telephone: (503) 742-6060 Fax: (503) 742-8655

City of West Linn

Memorandum

Date: December 16, 2020

To: West Linn Planning Commission

From: Jennifer Arnold, Associate Planner

Subject: DR-20-07/VAR-20-02/WAP-20-03- A Class II Site Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street

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On December 2, 2020 Staff received testimony from the Bolton Neighborhood Association supporting the application. The BNA letter of support also noted design considerations for the future development of neighboring properties adjacent to the subject property of this application.

December 2, 2020

Dear Planning Commission members, Gary Walvante, Charles Matthews, Joel Metlen, Lamont King, Carrie Pellett, Margot Kelly and attendees,

The members of the Bolton Neighborhood support the development of a new Post Office at 5665 and 5639 Hood St. However, this design must be approved with consideration for future development on neighboring properties. Providing a transportation connection to a future 4-way intersection at Burns St. and Cascade St. must be a criterion for approval.

Chapter 99.110 outlines the decision-making process for the approval authority. Paragraph B.2. states consideration may be given to, "factual oral testimony or written statements from the parties, neighborhood plans, other persons and other governmental agencies relevant to the existing conditions or factors" in this section.

Please consider the Bolton Neighborhood Plan adopted April 10, 2006. The plan states a vision and specific goals for the Bolton Neighborhood. Goal 3 states, "The Bolton Central Village area shall serve the neighborhood's commercial needs with accessible, friendly, and sustainable commercial development: … Provide transportation connections to the central core of Bolton Central Village along Hood and Burns Streets. As a condition of Design approval, the Bolton Neighborhood Association requires the approved plan to include a driveway along the eastern property line of 5639 Hood St to provide a future connection to a 4-way intersection at Burns St and Cascade St.

The Bolton Neighborhood Association requires the city of West Linn to improve traffic flow through the Central Village area and better access to planned new parking. We propose a 4-way intersection at Burns and Cascade to provide additional access into Central Village. This intersection is dependent on development plans for the current development proposed at 5639 Hood St and future development at 1564 Burns St. The current retail plan at 5639 Hood St does not build street access along the east property line to provide a future connection to a 4-way intersection at Burns and Cascade St.

In September 2020, the Planning Commission approved a plan to develop a neighboring property at 1575 Burns St, which expands the developed commercial space of Central Village. This plan includes parking along both sides of Burns St, but there is no way to access uphill parking along the north side of the street. Vehicles, including delivery trucks currently make an illegal U-turn at the intersection of Burns St. and Cascade St. A driveway along the east side of the Central Village area would provide improved access to this parking along with another point of entry and exit into Central Village.

The proposed plan for a Post Office and retail space does not meet the stated requirements of the Post Office. They require additional space for sorting and distribution. This space could be developed nearby at the current location of Bikram Yoga, Advanced Dental Arts and Advanced Physical Therapy at 1554, 1556, 1570 Garden St. Two of these three businesses are moving to the new development at 1575 Burns St. The site is 0.93 acres and is connected to the proposed development both along Hood St and a second access along the driveway behind the Market of Choice. Continuing

this access driveway down to the intersection of Burns St. and Cascade St. will improve traffic flow for each business and their patrons and provide better access to future planned parking.

Thank you for your thought and consideration. The Bolton Neighborhood Association supports the development of a new Post Office and wants to ensure the Planning Commission makes an informed decision that considers future development of neighboring properties and integrates existing developments into the plan.

Sincerely,

Erich Kunrath
Bolton Neighborhood Association Vice President

STAFF REPORT
FOR THE PLANNING COMMISSION

FILE NUMBER:	DR-20-07/VAR-20-02/WAP-20-03
HEARING DATE:	December 2, 2020
REQUEST:	Site Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street.
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 19, Chapter 32, Chapter 46, Chapter 48, Chapter 54, Chapter 55, Chapter 75, Chapter 92, and Chapter 99
STAFF REPORT PREPARED BY:	Jennifer Arnold, Associate Planner

Planning Manager's Initials: DSW Development Review Engineer's Initials: _____

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION
GENERAL INFORMATION 2
EXECUTIVE SUMMARY 3
PUBLIC COMMENTS 4
RECOMMENDATION 4
ADDENDUM/STAFF FINDINGS 5

EXHIBITS
PC-1 APPLICANT'S SUBMITTAL 39
PC-2 COMPLETENESS LETTER 328
PC-3 AFFIDAVIT AND NOTICE PACKET 330

GENERAL INFORMATION

OWNER:	West Linn Shopping Center Assoc. LLC 19767 SW 72nd Ave, Suite 100 Tualatin, OR 97062
APPLICANT:	Matt Grady 19767 SW 72nd Ave., Suite 100 Tualatin, OR 97062
CONSULTANT:	Westlake Consultants, Inc. 15115 SW Sequoia Parkway, Suite 150 Tigard, OR 97224
SITE LOCATION:	5665/5639 Hood Street
LEGAL DESCRIPTION:	Clackamas County Assessor's Map 2S-2E-30CA, tax lots 00700 & 00900
SITE SIZE:	approx. 2 acres (Total)
ZONING:	General Commercial (GC)
COMP PLAN DESIGNATION:	Commercial
120-DAY PERIOD:	This application became complete on October 20, 2020. The 120-day maximum application-processing period ends on February 15, 2021.
PUBLIC NOTICE:	Public notice was mailed to the all neighborhood associations and affected property owners on November 12, 2020. The property was posted with a notice sign on November 19, 2020. The notice was published in the West Linn Tidings on November 18, 2020. The notice requirements of CDC Chapter 99 have been met. In addition, the staff report was posted on the City's website November 19, 2020.

EXECUTIVE SUMMARY

Site Conditions: The subject property is located at 5665 Hood Street and is the existing site of the West Linn Post Office. The existing building is 5,100 square feet and includes a drive through lane, parking area, loading dock and has been at this location since 1968. The Post Office was established prior to Oregon land use laws. Ordinance 1129 established the 1983 Community Development Code and listed Postal Services as a permitted use in the General Commercial Zone. This was changed in 1997 by ordinance 1401 that changed the use of Postal Services to a conditionally permitted use. This change was supported due to the amount of rush hour traffic associated with a Post Office. This is considered a conforming conditional use per Community Development Code 65.030(2), since the use was legally established as a permitted use, then legally changed. The existing Post Office utilizes a portion of the neighboring Market of Choice property (Tax Lot 900) for parking of mail trucks and employee vehicles.

Project Description: The applicant is proposing to remove the existing commercial building housing the current Post Office and replacing it with a single-story commercial building. The new building has two proposed uses (Option A and Option B). Option A is to construct a 5,255 square foot commercial building on the north western corner of the existing Post Office site (Tax Lot 700) and the building will house a new Post Office exclusively. Option B is to construct a 6,550 square foot commercial building intended to be used as a mixed use commercial/retail building. Both options use the same parking configuration. The two options are proposed due to the uncertainty in the Post Office securing a lease in the new space in addition to finding a secondary location to accommodate the service and delivery trucks associated with sorting and storing packages. The applicant requests a Class I Variance to add two additional parking spaces under Option A to the shared parking area. No variance is proposed for Option B. The existing gravel parking area currently used by the existing post office and on tax lot 900 (Market of Choice property) is within the current Water Resource Protection Area (WRA). The applicant requests a reduction in the WRA buffer due to the site's previously disturbed area.

The land use permits include:

- Class II Design Review
- Class I Variance
- Water Resource Protection Area

Surrounding Land Use and Zoning: The subject property is zoned General Commercial (GC). Adjacent zoning and land uses include:

Direction From Site	Zoning	Land Use
North	GC	Commercial Development
East	R-10	Single-family Residential homes
West	GC	Commercial Development

South	GC	Commercial Development

Public comments:

No comments were received as of the publication date of this staff report.

RECOMMENDATION

Staff recommends approval of application DR-20-07/VAR-20-02/WAP-20-03 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. **Site Plans. With the exception of modifications required by these conditions, the project shall substantially conform to all submitted drawings (sheet A1.1 "Option A" and A1.1 "Option B").**

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 storm water, 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. All improvements must be designed, constructed, and completed prior to the issuance of occupancy permits. (See Staff Findings: 46, 47, 48, 50, 52, 55, 56,79,80 & 92)**

3. **Mitigation and Re-Vegetation. Prior to the final approval of the site development permit, all on-site mitigation and re-vegetation shall be completed per the Schott & Associates 'Natural Resource Assessment' dated June 2020. (See Staff Findings: 6-8, 10,12, 13, 15, & 16-19)**

4. **Covered Bicycle Parking. The applicant shall cover 50% of the proposed bicycle parking spaces per CDC 46.150(D)(3). (See Staff Finding: 43)**

5. **Parking Easement. The applicant shall record a parking easement for the shared parking area and submit it prior to issuance of the site development permit. (See Staff Finding: 26)**

6. **Curb Cut Width Option A: The width of the curb cuts shall comply with the standards 48.060(B). (See Staff Finding: 55)**

ADDENDUM

PLANNING COMMISSION STAFF REPORT

December 2, 2020

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

I. CHAPTER 19, GENERAL COMMERCIAL, GC

19.030 PERMITTED USES

The following are uses permitted outright in this zoning district:

(…)

5. Utilities, minor

(…)

Staff Finding 1: The property is in the general commercial zone and the applicant proposes two options for the subject property. Option A replaces the Post Office in its current location and Option B is to construct a general commercial building which could be used by multiple tenants (one potentially being a retail style Post Office). The parking plan is the same for both options and is shared between the existing Market of Choice property and existing Post Office site.

The applicant proposes to treat stormwater onsite and discharge it to a downstream existing stormwater system. The applicant has provided engineer prepared stormwater reports to show adequate downstream capacity.

The West Linn Planning Director has determined that stormwater water quality/quantity facilities that are part of a development proposal are minor utilities. Community Development Code Chapter 99.060.A(3) gives this authority. The determination is based on: 1. The City's Clean Water Act permits require the installation of appropriate stormwater facilities as part of development; 2. The City has historically interpreted stormwater facilities as a minor utility and permitted in all zones in the City; and 3. The legislative intent that can be traced through the definition amendments of major and minor utilities. The differences between major and minor utilities were more clearly stated in the past by the identification of impact from the "use". This legislative intent clearly identifies stormwater facilities as minor utilities. Therefore, the stormwater facility is permitted and the criteria is met.

19.060 CONDITIONAL USES

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

(…)

21. Postal services

(…)

Staff Finding 2: The subject property legally established the Post Office in this location in 1968. Ordinance 1129 established the 1983 Community Development Code and listed Postal Services as a permitted use in the General Commercial Zone. This was changed in 1997 by ordinance 1401 that changed the use of Postal Services to a conditionally permitted use. This is considered a conforming conditional use per Community Development Code 65.030(2) since the use was legally established, then legally changed. The criteria are met.

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

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

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

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

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

Staff Finding 3: Both Option A and Option B utilize existing lots of record and the applicant does not propose any changes to the lot width, depth or front lot line length. The existing front lot length of tax lot 700 (5665 Hood Street) is 140 feet. The average lot width of this property is 110 feet and the average lot depth is 165 feet. These criteria are met.

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

5. The maximum lot coverage shall be 50 percent, except as provided in CDC 58.090(C)(1)(d).

Staff Finding 4: The subject property is surrounded by the following development and zones:

Direction	Zone	Development
North	GC	Commercial Development
East	R-10	Single-family Residential homes
West	GC	Commercial Development
South	GC	Commercial Development

Cascade Springs Pond and Creek separate the subject property from the nearest residentially zoned property. The applicant has proposed an approximate 42 foot setback to the eastern property line from the edge of the parking lot. These criteria are met.

6. The maximum building height shall be two and one-half stories or 35 feet for any structure located within 50 feet of a low or medium density residential zone, and three and one-half stories or 45 feet for any structure located 50 feet or more from a low or medium density residential zone.

(…)

Staff Finding 5: The applicant is proposing two options for the property at 5665 Hood Street. Option A is proposed to have a maximum height of 34 feet, and Option B is proposed to be 32 feet in height. In both options, the building height will appear to be 6 feet shorter when viewed from the public right-of-way due to grade changes. Option A and Option B are both proposed to be less than the maximum height permitted in the zone. This criterion is met.

Chapter 32
WATER RESOURCE AREA PROTECTION

32.060 APPROVAL CRITERIA (STANDARD PROCESS)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

A. WRA protection/minimizing impacts.

1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.

2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100, respectively.

Staff Finding 6: The applicant proposes to share parking with the adjacent Market of Choice parking lot (tax lot 900). This graveled parking area is currently used by the existing Post Office and the only area within the Water Resource Area Protection (WRA). The applicant proposes minimal impacts to the WRA due to the amount of mitigation and re-vegetation proposed in this area. The applicant proposes an alternative review. The applicant is also minimizing the impact on the WRA by not constructing a structure within the WRA. On-site mitigation and re-vegetation are required by Condition of Approval 3 and shall be per the Schott & Associates "Natural Resource Assessment" in Exhibit O of the applicant's submittal dated June 2020. The criteria is met.

B. Storm water and storm water facilities.

1. Proposed developments shall be designed to maintain the existing WRAs and utilize them as the primary method of storm water conveyance through the project site unless:

a. The surface water management plan calls for alternate configurations (culverts, piping, etc.); or

b. Under CDC 32.070, the applicant demonstrates that the relocation of the water resource will not adversely impact the function of the WRA including, but not limited to, circumstances where the WRA is poorly defined or not clearly channelized.

Re-vegetation, enhancement and/or mitigation of the re-aligned water resource shall be required as applicable.

Staff Finding 7: The applicant proposes to utilize the existing stormwater outfall and does not propose any impacts to the reduced WRA setback. This existing stormwater outfall is

proposed to be the primary method of conveyance. On-site mitigation and re-vegetation are required by Condition of Approval 3 and shall be per the Schott & Associates "Natural Resource Assessment" in Exhibit O of the applicant's submittal dated June 2020. The criteria are met.

2. *Public and private storm water detention, storm water treatment facilities and storm water outfall or energy dissipaters (e.g., rip rap) may encroach into the WRA if:*
    a. *Accepted engineering practice requires it;*
    b. *Encroachment on significant trees shall be avoided when possible, and any tree loss shall be consistent with the City's Tree Technical Manual and mitigated per CDC 32.090;*
    c. *There shall be no direct outfall into the water resource, and any resulting outfall shall not have an erosive effect on the WRA or diminish the stability of slopes; and*
    d. *There are no reasonable alternatives available*

A geotechnical report may be required to make the determination regarding slope stability.

Staff Finding 8: See Staff finding 7. The applicant proposes to use the existing stormwater outfall as no other reasonable alternative is available. The utilization of the existing stormwater outfall does not encroach on any significant trees or require tree removal. The applicant proposes mitigation with native plants to keep impact to a minimum and to ensure no erosive effects on the WRA. The criteria are met.

3. *Roadside storm water conveyance swales and ditches may be extended within rights-of-way located in a WRA. When possible, they shall be located along the side of the road furthest from the water resource. If the conveyance facility must be located along the side of the road closest to the water resource, it shall be located as close to the road/sidewalk as possible and include habitat friendly design features (treatment train, rain gardens, etc.).*

Staff Finding 9: The applicant does not propose any changes to the existing roadway or driveways. No roadside stormwater conveyance swales are proposed. The criteria are met.

7. *Storm water detention and/or treatment facilities in the WRA shall be designed without permanent perimeter fencing and shall be landscaped with native vegetation.*

Staff Finding 10: Staff adopts applicant findings found in Exhibit O, page 13 of the applicant's submitted 'Natural Resource Assessment'. The applicant proposes a Water Quality treatment vault which will discharge to the existing outfall. On-site mitigation and re-vegetation are required by Condition of Approval 3 and shall be per the Schott & Associates "Natural

Resource Assessment" in Exhibit O of the applicant's submittal dated June 2020. The criteria are met.

5. Access to public storm water detention and/or treatment facilities shall be provided for maintenance purposes. Maintenance driveways shall be constructed to minimum width and use water permeable paving materials. Significant trees, including roots, shall not be disturbed to the degree possible. The encroachment and any tree loss shall be mitigated per CDC 32.090. There shall also be no adverse impacts upon the hydrologic conditions of the site.

Staff Finding 11: The applicant does not propose any public stormwater facilities requiring access and maintenance. The criteria are met.

8. Storm detention and treatment and geologic hazards. Per the submittals required by CDC 32.050(F)(3) and 92.010(E), all proposed storm detention and treatment facilities must comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and the applicant must provide sufficient factual data to support the conclusions of the submitted plan.

Staff Finding 12: The applicant does not stormwater detention as the existing conveyance system has capacity and the applicant does not propose additional impervious area. This criteria is met.

32.080 APPROVAL CRITERIA (ALTERNATE REVIEW PROCESS)

Applications reviewed under the alternate review process shall meet the following approval criteria:

A. The proposed WRA shall be, at minimum, qualitatively equal, in terms of maintaining the level of functions allowed by the WRA standards of CDC 32.060(D).

Staff Finding 13: Staff adopts the applicant's findings on page 6 of the Schott & Associates June 2020"Natural Resource Assessment" in Exhibit O of the applicant's submittal. The existing conditions of the property identify a stream with fringe wetlands down a steep slope on tax lot 900. The majority of the existing WRA buffer is vegetated on the steep slope with native over story maple trees. The WRA buffer currently extends into the existing graveled parking area and considered a previously disturbed area (PDA) established in 2001. The applicant proposes a reduced WRA buffer and development is proposed to be contained within the PDA. Per condition of approval 3, the applicant shall mitigate the reduced WRA buffer. The criteria are met.

B. If a WRA is already significantly degraded (e.g., native forest and ground cover have been removed or the site dominated by invasive plants, debris, or development), the approval authority may allow a reduced WRA in exchange for mitigation, if:

1. The proposed reduction in WRA width, coupled with the proposed mitigation, would result in better performance of functions than the standard WRA without such mitigation. The approval authority shall make this determination based on the applicant's proposed mitigation plan and a comparative analysis of ecological functions under existing and enhanced conditions (see Table 32-4).

2. The mitigation project shall include all of the following components as applicable. It may also include other forms of enhancement (mitigation) deemed appropriate by the approval authority.

a. Removal of invasive vegetation.

b. Planting native, non-invasive plants (at minimum, consistent with CDC 32.100) that provide improved filtration of sediment, excess nutrients, and pollutants. The amount of enhancement (mitigation) shall meet or exceed the standards of CDC 32.090(C).

c. Providing permanent improvements to the site hydrology that would improve water resource functions.

d. Substantial improvements to the aquatic and/or terrestrial habitat of the WRA.

Staff Finding 14: The applicant has proposed a reduced WRA due to the previously disturbed area on the property. The proposed area of development for the commercial building is outside of the WRA with exception of the parking area on tax lot 900. The slope of the parking area is less than 15%. The applicant proposes mitigation in combination with a reduced WRA buffer to provide higher functional resource protection. The applicant proposes mitigation of native species and removal of invasive plant life. The criteria are met.

C. Identify and discuss site design and methods of development as they relate to WRA functions.

Staff Finding 15: The applicant has proposed development of the commercial building is entirely on tax lot 700 (existing Post Office site) and a proposed parking area is planned for the existing gravel area on tax lot 900 (Market of Choice property). This gravel parking lot is within the WRA. The applicant has proposed a reduced WRA due to the previously disturbed area on the property. The applicant proposes to pave the parking area, install a new refuse receptacle and landscaping within this area. With the reduced WRA buffer the applicant does not propose and developmental impacts to the functional resource. The applicant does not propose any impacts to the existing forested area adjacent to the site and the resource. Per condition of approval 3, the applicant must mitigate per the submitted Schott and Associates 'Natural Resource Assessment'. The criteria are met.

D. Address the approval criteria of CDC 32.060, with the exception of CDC 32.060(D).

Staff Finding 16: See Staff Findings 6-12. The criteria are met.

32.090 MITIGATION PLAN

A. A mitigation plan shall only be required if development is proposed within a WRA (including development of a PDA). (Exempted activities of CDC 32.040 do not require mitigation unless specifically stated. Temporarily disturbed areas, including TDAs associated with exempted activities, do not require mitigation, just grade and soil restoration and re-vegetation.) The mitigation plan shall satisfy all applicable provisions of CDC 32.100, Re-Vegetation Plan Requirements.

Staff Finding 17: The applicant proposes to restore TDAs with native vegetation. On-site mitigation and re-vegetation are required by Condition of Approval 3 and shall be per the Schott & Associates "Natural Resource Assessment" in Exhibit O of the applicant's submittal dated June 2020. The existing gravel area is considered a PDA and the applicant has requested a reduced WRA buffer. The criteria are met.

B. Mitigation shall take place in the following locations, according to the following priorities (subsections (B)(1) through (4) of this section):

1. On-site mitigation by restoring, creating or enhancing WRAs.

2. Off-site mitigation in the same sub-watershed will be allowed, but only if the applicant has demonstrated that:

a. It is not practicable to complete mitigation on-site, for example, there is not enough area on-site; and

b. The mitigation will provide equal or superior ecological function and value.

3. Off-site mitigation outside the sub-watershed will be allowed, but only if the applicant has demonstrated that:

a. It is not practicable to complete mitigation on-site, for example, there is not enough area on-site; and

b. The mitigation will provide equal or superior ecological function and value.

4. Purchasing mitigation credits though DSL or other acceptable mitigation bank.

Staff Finding 18: The applicant proposes on-site mitigation per Schott & Associates "Natural Resource Assessment" in Exhibit O of the applicant's submittal in Exhibit PD-1. The applicant proposes to mitigate 2,402 square feet with native plants and the removal of non-native, invasive plant life. The applicant also proposes a reduced WRA setback due to the previously disturbed area. Subject to condition of approval 3, the criteria are met.

C. Amount of mitigation.

1. The amount of mitigation shall be based on the square footage of the permanent disturbance area by the application. For every one square foot of non-PDA disturbed area, on-site mitigation shall require one square foot of WRA to be created, enhanced or restored.

2. For every one square foot of PDA that is disturbed, on-site mitigation shall require one half a square foot of WRA vegetation to be created, enhanced or restored.

3. For any off-site mitigation, including the use of DSL mitigation credits, the requirement shall be for every one square foot of WRA that is disturbed, two square feet of WRA shall be created, enhanced or restored. The DSL mitigation credits program or mitigation bank shall require a

legitimate bid on the cost of on-site mitigation multiplied by two to arrive at the appropriate dollar amount.

Staff Finding 19: The applicant proposes to restore on-site TDAs with native vegetation. The applicant proposes a reduced WRA setback due to the previously disturbed area and no impacts to the reduced WRA setback. The applicant proposes 2,402 square feet of mitigation within the WRA. Subject to condition of approval 3, the criteria are met.

D. The Planning Director may limit or define the scope of the mitigation plan and submittal requirements commensurate with the scale of the disturbance relative to the resource and pursuant to the authority of Chapter 99 CDC. The Planning Director may determine that a consultant is required to complete all or a part of the mitigation plan requirements.
E. A mitigation plan shall contain the following information:
1. A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.
2. A map showing where the specific adverse impacts will occur and where the mitigation activities will occur.
3. A re-vegetation plan for the area(s) to be mitigated that meets the standards of CDC 32.100.
4. An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, and reporting. All in-stream work in fish bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife.
5. Assurances shall be established to rectify any mitigation actions that are not successful within the first three years. This may include bonding or other surety.

Staff Finding 20: Staff adopts applicant findings found in Exhibit PD-1, page 20-21 and 33 of the Schott & Associates "Natural Resource Assessment" in Exhibit O of the applicant's submittal. The criteria are met.

32.100 RE-VEGETATION PLAN REQUIREMENTS
A. In order to achieve the goal of re-establishing forested canopy, native shrub and ground cover and to meet the mitigation requirements of CDC 32.090 and vegetative enhancement of CDC 32.080, tree and vegetation plantings are required according to the following standards:
1. All trees, shrubs and ground cover to be planted must be native plants selected from the Portland Plant List.
2. Plant size. Replacement trees must be at least one-half inch in caliper, measured at six inches above the ground level for field grown trees or above the soil line for container grown trees (the one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round), unless they are oak or madrone which may be one gallon size. Shrubs must be in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.
3. Plant coverage.
a. Native trees and shrubs are required to be planted at a rate of five trees and 25 shrubs per every 500 square feet of disturbance area (calculated by dividing the number of square feet of

disturbance area by 500, and then multiplying that result times five trees and 25 shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example, if there will be 330 square feet of disturbance area, then 330 divided by 500 equals 0.66, and 0.66 times five equals 3.3, so three trees must be planted, and 0.66 times 25 equals 16.5, so 17 shrubs must be planted). Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

b. Trees shall be planted between eight and 12 feet on center and shrubs shall be planted between four and five feet on center, or clustered in single species groups of no more than four plants, with each cluster planted between eight and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing measurements.

4. Plant diversity. Shrubs must consist of at least two different species. If 10 trees or more are planted, then no more than 50 percent of the trees may be of the same genus.

5. Invasive vegetation. Invasive non-native or noxious vegetation must be removed within the mitigation area prior to planting.

6. Tree and shrub survival. A minimum survival rate of 80 percent of the trees and shrubs planted is expected by the third anniversary of the date that the mitigation planting is completed.

7. Monitoring and reporting. Monitoring of the mitigation site is the ongoing responsibility of the property owner. Plants that die must be replaced in kind.

8. To enhance survival of tree replacement and plantings, the following practices are required:

a. Mulching. Mulch new plantings a minimum of three inches in depth and 18 inches in diameter to retain moisture and discourage weed growth.

b. Irrigation. Water new plantings one inch per week between June 15th to October 15th, for the three years following planting.

c. Weed control. Remove, or control, non-native or noxious vegetation throughout maintenance period.

d. Planting season. Plant bare root trees between December 1st and February 28th, and potted plants between October 15th and April 30th.

e. Wildlife protection. Use plant sleeves or fencing to protect trees and shrubs against wildlife browsing and resulting damage to plants.

B. When weather or other conditions prohibit planting according to schedule, the applicant shall ensure that disturbed areas are correctly protected with erosion control measures and shall provide the City with funds in the amount of 125 percent of a bid from a recognized landscaper or nursery which will cover the cost of the plant materials, installation and any follow up maintenance. Once the planting conditions are favorable the applicant shall proceed with the plantings and receive the funds back from the City upon completion, or the City will complete the plantings using those funds.

Staff Finding 21: Staff adopts applicant findings found in Exhibit PD-1, page 21 to 24 of the Schott & Associates "Natural Resource Assessment" in Exhibit O of the applicant's submittal. The criteria are met.

II. CHAPTER 38, ADDITIONAL YARD AREA REQUIRED, EXCEPTIONS TO YARD REQUIREMENTS, STORAGE IN YARDS, PROJECTIONS INTO YARDS

38.030 SETBACK FROM STREET CENTERLINE REQUIRED

A. To assure improved light, air, and sight distance and to protect the public health, safety and welfare, a setback in addition to the yard requirements of the zone may be required where the right-of-way is inadequate. A determination shall be made based on the street standards contained in CDC 85.200(A).

B. The minimum yard requirement shall be increased to provide for street widening in the event a yard abuts a street having a right-of-way width less than required by its functional classification on the City's Comprehensive Plan Map, and in such case the setback shall be not less than the setback required by the zone plus one-half of the projected road width as required under CDC 85.200(A); however

C. The minimum distance from the wall of any structure to the centerline of an abutting street shall not be less than 25 feet plus the yard required by the zone. This provision shall not apply to rights-of-way of 50 feet or greater in width.

Staff Finding 22: Hood Street is classified as a local street with a current right-of-way (ROW) width of 40 feet. The applicant proposes to dedicate 9.5 feet to the Hood Street ROW to create a 49.5' ROW. Both proposed options continue the sidewalk on Hood Street along 5655 Hood Street's frontage. Option B provides for on-street parking, but on-street parking could not be provided in Option A due to the loading ramp/drive-through Lane. Both Option A and Option B are proposed to be greater than 25 feet from the centerline of Hood Street. These criteria are met.

III. CHAPTER 41, BUILDING HEIGHT, STRUCTURES ON STEEP SLOPES, EXCEPTIONS

41.005 DETERMINING HEIGHT OF BUILDING

A. For all zoning districts, building height shall be (…)

Staff Finding 23: The subject property is not located within any historic or commercial design districts. Proposed Option A is 34 feet in height and proposed Option B is 32 feet in height. Both options will appear 6 feet shorter from Hood Street due to grade changes. The maximum height given the proximity to residentially zoned property is 35 feet in height. This criterion is met.

IV. CHAPTER 42, CLEAR VISION AREAS

42.020 CLEAR VISION AREAS REQUIRED, USES PROHIBITED

A. A clear vision area shall be maintained on the corners of all property adjacent to an intersection as provided by CDC 42.040 and 42.050.

B. A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction (except for an occasional utility pole or tree) exceeding three feet in height, measured from the top of the curb, or, where no curb exists, from the street centerline

grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed. (Ord. 1192, 1987)

Staff Finding 24: The applicant proposes to utilize the existing Hood Street entrances to the property and maintain compliance with the clear vision requirements of CDC 42.020 and 42.050. For Option A, the applicant proposes a mid-way access and another access for the truck ramp. The truck ramp is not proposed in Option B. The criteria are met.

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

Staff Finding 25: The subject property is not located within the Willamette Falls Commercial Design District located between 10th and 16th Streets of the Willamette area. This criteria does not apply.

V. CHAPTER 46, OFF-STREET PARKING, LOADING AND RESERVOIR AREAS

46.050 JOINT USE OF PARKING AREA
A. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the Planning Director as part of a building or zoning permit application or land use review:

1. The names and addresses of the owners or tenants that are sharing the parking and the uses at those locations;
2. The location and number of parking spaces that are being shared;
3. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for all uses.

B. If a joint use arrangement is subsequently terminated, the requirements of this chapter will apply to each use separately. (Ord. 1547, 2007; Ord. 1622 § 25, 2014)

Staff Finding 26: The applicant is the owner of both properties (5665 and 5639 Hood Street) and proposes to reconfigure the parking area between the two buildings (new commercial building and existing Market of Choice) to be open and shared. The applicant has proposed enough parking spaces to meet the requirements for both uses. In addition, the applicant has proposed a Class I Variance for 2 additional parking spaces under Option A. The shared parking is not intended to have overlapping parking, but an open parking area that has capacity to serve both uses. The applicant is required to submit a recorded parking easement prior to issuance of a site development permit per condition of approval 5. Subject to the conditions of approval, the criteria is met.

46.060 STORAGE IN PARKING AND LOADING AREAS PROHIBITED
Required parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons and employees only, and the required parking spaces shall not be used for storage of vehicles or materials or for the parking of trucks connected with the business or use with the exception of small (under one-ton) delivery trucks or cars.

Staff Finding 27: The applicant does not propose the storage of materials or vehicles in the parking lot that would occupy required parking spaces. This criteria is met.

46.070 MAXIMUM DISTANCE ALLOWED BETWEEN PARKING AREA AND USE
A. Off-street parking spaces for single- and two-family dwellings shall be located on the same lot with the dwelling.
B. Off-street parking spaces for uses not listed in subsection A of this section shall be located not farther than 200 feet from an entryway to the building or use they are required to serve, measured in a straight line from the building, with the following exceptions:
(…)
3. Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.
(…)
5. All disabled parking shall be placed closest to building entrances than all other parking. Appropriate ADA curb cuts and ramps to go from the parking lot to the ADA-accessible entrance shall be provided unless exempted by ADA code.

Staff Finding 28: The applicant does not propose any residential uses with this application. The 40 proposed parking spaces are proposed to be shared with employees and customers. The furthest parking space from the building is approximately 180 feet. In both Option A and Option B parking spaces abut the existing Market of Choice parking area. The applicant does not propose any stacked of valet parking with this application. All ADA accessible parking spaces are proposed close to the building's entry. These criteria are met.

46.080 COMPUTATION OF REQUIRED PARKING SPACES AND LOADING AREA
A. Where several uses occupy a single structure or unit of land...
B. To calculate building square footage as a basis for determining how many parking spaces are needed, the area measured shall be gross floor area under the roof measured from the faces of the structure, including all habitable floors and excluding only space devoted to covered off-street parking or loading.
C. Where employees are specified, the employees counted are the persons who work on the premises including proprietors, executives, professional people, production, sales, and distribution employees, during the largest shift.
D. Fractional space requirements shall be counted as a whole space.
E. On-street parking along the immediate property frontage(s) may be counted toward the minimum parking requirement with approval from the City Engineer.
(…)

Staff Finding 29: The applicant proposes to share parking with the Market of Choice for both proposed options. The applicant proposes 178 total parking spaces. The Market of Choice requires 137 of those parking spaces. The existing Post Office site has 27 existing parking spaces and 8 spaces in the gravel PDA area on tax lot 900. Option A requires 22 spaces and Option B requires 28 spaces. The applicant proposes that employees and patrons share the parking area. The applicant is requesting a variance for additional parking. These criteria are met.

46.090 MINIMUM PARKING SPACE REQUIREMENTS
(…)
C. Commercial.
(…)
2. General retail store, except as provided below.
One space for every 240 sq. ft. of gross floor area.
(…)

Staff Finding 30: The applicant used the general retail store calculations for this standard which requires 22 parking spaces for Option A. Option B is proposed to be a general retail/commercial use and would be required to follow that parking standard. In Option B the building is proposed to be 6,550 square feet and would require 28 parking spaces. The Market of Choice use requires 137 parking spaces. In total the applicant has proposed 178 parking spaces to be shared. Staff adopts the applicant's findings on pages 11 and 12 of the submitted narrative found in Exhibit PC-1. The criteria are satisfied.

46.150 DESIGN AND STANDARDS
The following standards apply to the design and improvement of areas used for vehicle parking, storage, loading, and circulation:
A. Design Standards.
1. "One standard parking space" means a minimum for a parking stall of eight feet in width and 16 feet in length. These stalls shall be identified as "compact." To accommodate larger cars, 50 percent of the required parking spaces shall have a minimum dimension of nine feet in width and 18 feet in length (nine feet by 18 feet). When multi-family parking stalls back onto a main driveway, the stalls shall be nine feet by 20 feet. Parking for development in water resource areas may have 100 percent compact spaces.
2. Disabled parking and maneuvering spaces shall be consistent with current federal dimensional standards and subsection B of this section and placed nearest to accessible building entryways and ramps.
(…)

Staff Finding 31: The applicant proposes a shared parking configuration with 178 total parking spaces. Of those 178 total spaces, the applicant proposes only 6 compact spaces (96% of proposed parking accommodates larger cars). 2 proposed ADA spaces for the Post Office/ General Retail building are proposed near the entry of the building. There is no proposed

change to the 4 ADA spaces currently near the Market of Choice entrance. All ADA spaces and ramps meet the federal dimensional standards. These criteria are met.

4. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.
5. Each parking and/or loading space shall have clear access, whereby the relocation of other vehicles to utilize the parking space is not required.
6. Except for single- and two-family residences, any area intended to be used to meet the off-street parking requirements as contained in this chapter shall have all parking spaces clearly marked using a permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety. Permeable parking surface spaces may have an alternative delineation for parking spaces.

Staff Finding 32: In Option A, the applicant has proposed a shared loading/service drive to accommodate drop off parcels and mail at the mailboxes. The applicant has designed this area to facilitate the flow of traffic and provided stacking/queuing room of 2 cars in this drive. There is no loading/service drive proposed in Option B and the parking area has been designed to facilitate the flow of traffic. The site plan for both Option A and Option B depicts clear access areas for all parking and loading areas. The applicant does not propose and stacked parking. The applicant proposes to clearly mark the parking spaces and drive aisles in both options. The criteria are met.

7. Except for residential parking, and parking for public parks and trailheads, at least 50 percent of all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of City streets. The remainder of the areas used for parking may use a permeable paving surface designed to reduce surface runoff. Parking for public parks or trailheads may use a permeable paving surface designed to reduce surface runoff for all parking areas. Where a parking lot contains both paved and unpaved areas, the paved areas shall be located closest to the use which they serve.
8. Off-street parking spaces for single- and two-family residences shall be improved with an asphalt or concrete surface, or a permeable parking surface designed to reduce surface runoff, to specifications as approved by the Building Official. Other parking facilities for two- and single-family homes that are to accommodate additional vehicles, boats, recreational vehicles, and trailers, etc., need not be paved. All parking for multi-family residential development shall be paved with concrete or asphalt. Driveways shall measure at least 20 feet from the back of sidewalk to garage or the end of the parking pad to accommodate cars and sport utility vehicles without the vehicles blocking the public sidewalk.

Staff Finding 33: All parking are drive aisles are proposed to be paved but no residential uses are proposed with this application. This criteria does not apply.

9. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site. The number of access drives shall be limited to the minimum that will allow the property to accommodate and service the anticipated traffic. Access drives shall be clearly and permanently marked and defined through use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives.

10. Access drives shall have a minimum vision clearance as provided in Chapter 42 CDC, Clear Vision Areas.
11. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located two feet back from the front of the parking stall. Such parking spaces may be provided without wheel stops if the sidewalks or landscaped areas adjacent the parking stalls are two feet wider than the minimum width.

Staff Finding 34: The applicant proposes compliance with the clear vision standards in both options. Wheel stops will be provided for all parking spaces. These criteria are met.

12. Off-street parking and loading areas shall be drained in accordance with plans and specifications approved by the City Engineer. Storm drainage at commercial sites may also have to be collected to treat oils and other residue.

Staff Finding 35: The applicant identifies all stormwater from off-street parking areas to be collected and conveyed to the stormwater facility for treatment. The applicant has submitted a stormwater analysis in exhibits D and E of the applicant's submittal. This criterion is met.

13. Artificial lighting on all off-street parking facilities shall be designed to deflect all light downward away from surrounding residences and so as not to create a hazard to the public use of any road or street.

Staff Finding 36: The applicant has proposed an illumination plan with on-site lighting that is deflected downward and away from surrounding residences and public rights-of-way. This criterion is met.

14. Directional arrows and traffic control devices which are placed on parking lots shall be identified.
(…)
16. Visitor or guest parking must be identified by painted "GUEST" or "VISITOR."
17. The parking area shall have less than a five percent grade. No drainage across adjacent sidewalks or walkways is allowed.

Staff Finding 37: The applicant has proposed directional arrows on the submitted site plans for both options. The proposed directional arrows will help facilitate the flow of traffic through the parking areas. No specific visitor/guest parking and no residential development

are proposed with this application. The parking area is proposed to have a grade of less than 5%. These criteria are met.

18. Commercial, office, industrial, and public parking lots may not occupy more than 50 percent of the main lot frontage of a development site. The remaining frontage shall comprise buildings or landscaping. If over 50 percent of the lineal frontage comprises parking lot, the landscape strip between the right-of-way and parking lot shall be increased to 15 feet wide and shall include terrain variations (e.g., one-foot-high berm) plus landscaping. The defensible space of the parking lot should not be compromised.

Staff Finding 38: The applicant does not propose parking along the main lot frontage of Hood Street in Option A. In Option A drive-through loading lane that parallels the entire frontage along Hood Street. In Option B, the proposed building, pedestrian ramp, stairs, and landscape strip consume more than 50% of the Hood Street frontage. This criterion is met.

19. Areas of the parking lot improved with asphalt or concrete surfaces shall be designed into areas of 12 or less spaces through the use of defined landscaped area. Groups of 12 or less spaces are defined as:
a. Twelve spaces in a row, provided there are no abutting parking spaces, as in the case when the spaces are abutting the perimeter of the lot; or
b. Twelve spaces in a group with six spaces abutting together; or
c. Two groups of 12 spaces abutting each other, but separated by a 15-foot-wide landscape area including a six-foot-wide walkway.
d. Parking areas improved with a permeable parking surface may be designed using the configurations shown in subsections (A)(19)(a), (b) and (c) of this section except that groups of up to 18 spaces are allowed.
e. The requirements of this chapter relating to total parking lot landscaping, landscaping buffers, perimeter landscaping, and landscaping the parking lot islands and interior may be waived or reduced pursuant to CDC 32.110(F) in a WRA application without a variance being required.

Staff Finding 39: The applicant proposal provides a parking and site plan for both options. The parking plan is the same for both Option A and Option B. The largest grouping of spaces is a group of 12 with 6 spaces abutting together (definition b above). These criteria are met.

20. Pedestrian walkways shall be provided in parking areas having 20 or more spaces. Walkways or sidewalks shall be constructed between major buildings/activity areas…Walkways shall be constructed using a material that visually contrasts with the parking lot and driveway surface. Walkways shall be further identifiable to pedestrians and motorists by grade separation, walls, curbs, surface texture, and/or landscaping. Walkways shall be six feet wide. The arrangement and layout of the paths shall depend on functional requirements.

Staff Finding 40: The applicant proposes to continue the existing pedestrian walkway on tax lot 900 (Market of Choice property) through the Post Office site. The pedestrian walkway

extends from the entrance of Market of Choice north through the new parking configuration and connects with the walkway for the proposed building. This is the same pedestrian walkway proposal in both Option A and B and is greater than 6 feet in width. This criterion is met.

(...)
B. Accessible parking standards for persons with disabilities. If any parking is provided for the public or visitors, or both, the needs of the people with disabilities shall be based upon the following standards or current applicable federal standards, whichever are more stringent:

1. Minimum number of accessible parking space requirements (see following table):

MINIMUM REQUIRED NUMBER OF TOTAL PARKING SPACES	*TOTAL NUMBER OF ACCESSIBLE SPACES*	*NUMBER OF VAN-ACCESSIBLE SPACES REQUIRED, OF TOTAL*	*SPACES SIGNED "WHEELCHAIR USE ONLY"*
26 – 50 (...)	*2*	*1*	*–*

Staff Finding 41: Option A requires one accessible space and Option B requires two. The applicant has proposed 2 ADA accessible spaces for both Option A and Option B. The applicant does not propose and changes to the existing Market of Choice ADA parking. These criteria are met.

2. Location of parking spaces. Parking spaces for the individual with a disability that serve a particular building shall be located on the shortest possible accessible circulation route to an accessible entrance to a building. In separate parking structures or lots that do not serve a particular building, parking spaces for the persons with disabilities shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.
3. Accessible parking space and aisle shall meet ADA vertical and horizontal slope standards.
4. Where any differences exist between this section and current federal standards, those standards shall prevail over this code section.
5. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide.
6. Van-accessible parking spaces shall have an additional sign marked "Van Accessible" mounted below the accessible parking sign. A van-accessible parking space reserved for wheelchair users shall have a sign that includes the words "Wheelchair Use Only." Van-accessible parking shall have an adjacent eight-foot-wide aisle. All other accessible stalls shall have a six-foot-wide aisle. Two vehicles may share the same aisle if it is between them. The vertical clearance of the van space shall be 96 inches

Staff Finding 42: The applicant proposal has located the accessible parking spot nearest the building entryway. All accessible spaces meet ADA standards. These criteria are met.

(…)
D. Bicycle facilities and parking.
1. Provisions shall be made for pedestrian and bicycle ways if such facilities are shown on an adopted plan.
2. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which accommodate bicyclist's locks securing the frame and both wheels. The bicycle parking shall be no more than 50 feet from the entrance to the building, well-lit, observable, and properly signed.
3. Bicycle parking must be provided in the following amounts:

LAND USE CATEGORY	*MINIMUM REQUIRED BICYCLE PARKING SPACES*	*MINIMUM COVERED AMOUNT*
Retail Sales	*0.33 spaces per 1,000 gross sq. ft.*	*50%*

Staff Finding 43: Option A is a proposed 5,255 square foot Post Office and requires 2 bike parking spaces. The applicant has broken the uses of Option B (6,550 square foot building) up into three different commercial uses and requires 4 spaces. Since Option B requires more bicycle parking spaces, the applicant has proposed a total of 4 spaces for both options. Per condition of approval 4, a minimum of 2 proposed bicycle parking spaces must be covered. Subject to the conditions of approval, these criteria are met.

(…)
F. (See Figures 1 and 2 below.) Minimum Standards for Parking Lot Layout

ANGLE OF PARKING	*DIRECTION OF PARKING*	*AISLE WIDTH*		*DIMENSION 'A'*		*DIMENSION 'B'*	
		STALL WIDTH		*STALL WIDTH*		*STALL WIDTH*	
		9.0'	*8.0'*	*9.0'*	*8.0'*	*9.0'*	*8.0'*
(…) *90°* *(…)*	*DRIVE-IN*	*23.0'*	*23.0'*	*18.0'*	*16.0'*	*9.0'*	*8.0'*

Staff Finding 44: The proposal is for the parking spaces to be drive-in at a 90 degree angle, which requires a drive aisle width of 23 feet regardless of whether the space is standard or compact. The applicant proposes a minimum 24 foot drive aisle for all parking spaces. This criterion is met.

VI. CHAPTER 48, ACCESS, EGRESS AND CIRCULATION

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

Staff Finding 45: The applicant submitted a trip generation report by Kittelson & Associates dated June 4, 2020. This trip generation report was updated on June 14, 2020 and noth reports are included in Exhibit PC-1. The applicant has proposed to use the existing access points on tax lot 700 (Existing Post Office) and on tax lot 900 (Market of Choice). This criterion is met.

2. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

Staff Finding 46: The applicant proposes to utilize the existing access drive from Hood Street for both options. The applicant was not required consolidate existing access points. This criterion is met.

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

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

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

c) Option 3. Access is from a public street adjacent to the development lot or parcel. If practicable, the owner/developer may be required to close or consolidate an existing access

point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B) (6) of this section.

Staff Finding 47: The applicant proposes Option 3 for access to the subject property. The access points currently exist off of Hood Street for both Option A and Option B. These criteria are met.

4. Subdivisions fronting onto an arterial street.
(…)
5. Double-frontage lots.
(…)

Staff Finding 48: The subject property has frontage Hood Street. The application does not include a subdivision or double frontage lots. The criteria are met.

6. Access spacing.
a. The access spacing standards found in Chapter 8 of the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians.
b. Private drives and other access ways are subject to the requirements of CDC 48.060.

Staff Finding 49: The proposal does not create any new intersections or non-traversable medians. CDC 48.060 is addressed in Staff Findings 44-46. These criteria are met.

7. Number of access points.
8. Shared driveways.

Staff Finding 50: The applicant proposes to utilize the existing access drive from Hood Street for both options. The applicant was not required consolidate existing access points, but does propose to remove the northern most existing access off Hood Street in Option B. The proposed drive aisles are 24' wide to accommodate for two-way traffic in the parking lot area. These criteria are met.

C. Street connectivity and formation of blocks required.
In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial.

Staff Finding 51: The applicant's proposal does not create any new blocks. This criterion does not apply.

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

Staff Finding 52: The applicant proposed to dedicate 9.5 feet to the Hood Street ROW to match adjacent property. The applicant is required to construct the half street improvements on Hood Street along the property frontage. The applicant will mitigate any impacts to public right-of-way infrastructure per Condition of Approval 2. Subject to the Conditions of Approval, this criterion is met.

(…)
48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES
Access, egress, and circulation system for all non-residential uses shall not be less than the following:
A. Service drives for non-residential uses shall be fully improved with hard surface pavement:
1. With a minimum of 24-foot width when accommodating two-way traffic; or
2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.
3. Meet the requirements of CDC 48.030(E)(3) through (6).
4. Pickup window driveways may be 12 feet wide unless the Fire Chief determines additional width is required.

Staff Finding 53: The applicant proposes a 24-foot, two-way, shared access drive from Hood Street that is improved with asphalt. The criteria are met.

B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.
C. All on-site maneuvering and/or access drives shall be maintained pursuant to CDC 46.130.
D. Gated accessways to non-residential uses are prohibited unless required for public safety or security.

Staff Finding 54: The subject property is not proposing any gated accessways or service drives. Option A will have a drive aisle for delivery trucks public mail drop off. This drive aisle also provides for two vehicles to be stacked in this lane. Option B is for general commercial uses with a possible retail Post Office and dos not include this delivery/drop off drive aisle. The accessways through the parking areas are proposed to be 24 feet wide to accommodate two-way traffic. These criteria are met.

(…)
48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS
A. Minimum curb cut width shall be 16 feet.

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

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

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

(…)

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

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

1. On an arterial street, 150 feet.

2. On a collector street, 75 feet.

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

Staff Finding 55: The nearest intersection from a public street to the curb cuts serving this proposal is over 100 feet. The applicant proposes to use the existing curb cute off Hood Street in both Option A and Option B. The applicant proposes to remove the northern most existing access to the Post Office in Option B due to the location of the proposed building. There is no proposed change to the existing Market of Choice access from Hood Street. In Option A the northern most curb cut is proposed at 36.7 feet and per condition of approval 6, the applicant must modify the curb cut to comply with the maximum 36 feet requirement. Subject to the conditions of approval, the criteria are met.

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

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

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

Staff Finding 56: The applicant is not proposing any new curb cuts on Highway 43 or rolled curbs. Line of sight is addressed in Staff Finding 24. These criteria do not apply.

(…)

48.080 BICYCLE AND PEDESTRIAN CIRCULATION

(…)

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

Staff Finding 57: The applicant has proposed bicycle parking onsite and has proposed to extend the existing pedestrian path from the entry of Market of Choice, through the parking area and to the new proposed building. This pedestrian walkway is wider than 6 feet and will lead to the sidewalk extension on Hood Street along 5655 Hood Street's frontage. These criteria are met.

VII. CHAPTER 52, SIGNS

52.210 APPROVAL STANDARDS
All signs shall meet the following standards:
(…)

Staff Finding 58: The applicant is not proposing any signs at this time. The applicant notes that the signs identifying tenants will be displayed above windows and directional signs will be installed in compliance with the standards of CDC Chapter 52, but no specific are proposed. Tenants will be responsible for securing appropriate sign permits. These criteria are met.

VIII. CHAPTER 54, LANDSCAPING

54.010 PURPOSE
The purpose of this chapter is to provide for the design, selection (…)
54.020 APPROVAL CRITERIA
(…)
E. Landscaping – By type, location and amount.
1. Residential uses (non0single-family). (…)
2. Non-residential uses. A minimum of 20 percent of the gross site area shall be landscaped. Parking lot landscaping may be counted in the percentage. (…)

Staff Finding 59: The applicant has submitted a landscaping plan (see sheets L/1 and L/2of the applicant's submittal). This criteria is met.

CHAPTER 55, DESIGN REVIEW

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW
B. Relationship to the natural and physical environment.
1. The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction.

Staff Finding 60: The subject site contains no heritage trees. This criteria does not apply.

2. All heritage trees…all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist…shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section…
a. Non-residential and residential projects on Type I and II lands shall protect all heritage trees and all significant trees and tree clusters by either the dedication of these areas or establishing tree conservation easements…

Staff Finding 61: There are no heritage trees or significant trees on the site. A portion of the property proposed to be landscaped is considered Type II lands. The area of the proposed development is on Type IV land. The criteria is met.

b. Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the area to protect trees and tree clusters that are determined to be significant, plus any heritage trees…

Staff Finding 62: No development is proposed on Type I or Type II lands with this application. This criteria does not apply.

3. The topography and natural drainage shall be preserved to the greatest degree possible.

Staff Finding 63: Staff adopts the applicant's findings on page 24 (Exhibit PC-1 applicant's narrative). See Staff Findings 6-21. Staff finds that the criteria is met.

4. The structures shall not be located in areas subject to slumping and sliding. The Comprehensive Plan Background Report's Hazard Map, or updated material as available and as deemed acceptable by the Planning Director, shall be the basis for preliminary determination.

Staff Finding 64: Staff adopts the applicant's findings on page 24 of the applicant's narrative (Exhibit PC-1 applicant's narrative). The criteria is met.

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 65: The applicant has proposed 5-foot setback from common property lines to allow for required landscaping and screening. This also serves as adequate light and air circulation and fire protection. The criteria is 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 66: Staff incorporates applicant findings found on page 24 (Exhibit PC-1 applicant's narrative). This criterion is 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.
d. Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally.

Staff Finding 67: Staff incorporates applicant findings found on pages page 25 (Exhibit PC-1 applicant's narrative). These 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…

Staff Finding 68: Staff incorporates applicant findings on pages 25 (Exhibit PC-1 applicant's narrative). These criteria are met.

f. Variations in depth and roof line are encouraged for all elevations.
To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.
g. Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.
h. The vision statement identified a strong commitment to developing safe and attractive pedestrian environments with broad sidewalks, canopied with trees and awnings
i. Sidewalk cafes, kiosks, vendors, and street furniture are encouraged. However, at least a four-foot-wide pedestrian accessway must be maintained per Chapter 53 CDC, Sidewalk Use.

Staff Finding 69: Staff incorporates applicant findings on pages 26-27 (Exhibit PC-1 applicant's narrative). These criteria are met.

7. Transportation Planning Rule (TPR) compliance. The automobile shall be shifted from a dominant role, relative to other modes of transportation, by the following means:

a. Commercial and office development shall be oriented to the street. At least one public entrance shall be located facing an arterial street; or….facing the local street with highest traffic levels…
(…)
c. Commercial, office, and multi-family projects shall be built as close to the adjacent main right-of-way as practical to facilitate safe pedestrian and transit access…

Staff Finding 70: Option A: The proposed commercial building is located 30 feet from the Hood Street ROW after the proposed dedication. This distance accommodates for the additional area needed for delivery truck loading and a drive through mail drop off lane for the Post Office. Option B: The proposed building is 1 foot from the Hood Street ROW after dedication. This accommodates for a sidewalk, landscaping strip, and road widening. These criteria are satisfied.

d. Accessways, parking lots, and internal driveways shall accommodate pedestrian circulation and access by specially textured, colored, or clearly defined footpaths at least six feet wide. Paths shall be eight feet wide when abutting parking areas or travel lanes. Paths shall be separated from parking or travel lanes by either landscaping, planters, curbs, bollards, or raised surfaces…

e. Paths shall provide direct routes that pedestrians will use between buildings, adjacent rights-of-way, and adjacent commercial developments. They shall be clearly identified. They shall be laid out to attract use and to discourage people from cutting through parking lots and impacting environmentally sensitive areas.
(…)

Staff Finding 71: Paths and accessways are provided with the proposed commercial building for both options (see Applicant's submittal sheet A 1.1 "Option A' and Sheet A1.1 "Option B"); these criteria are met.

(…)

C. Compatibility between adjoining uses, buffering, and screening.
1. In addition to the compatibility requirements contained in Chapter 24 CDC, buffering shall be provided between different types of land uses; for example, buffering between single-family homes and apartment blocks. However, no buffering is required between single-family homes and duplexes or single-family attached units. The following factors shall be considered in determining the adequacy of the type and extent of the buffer:
a. The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier.
b. The size of the buffer required to achieve the purpose in terms of width and height.
c. The direction(s) from which buffering is needed.
d. The required density of the buffering.
e. Whether the viewer is stationary or mobile.

Staff Finding 72: Staff incorporates applicant findings on page 31 (Exhibit PC-1 applicant's narrative). These criteria are met.

2. On-site screening from view from adjoining properties of such things as service areas, storage areas, and parking lots shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:
a. What needs to be screened?
b. The direction from which it is needed.
c. How dense the screen needs to be.
d. Whether the viewer is stationary or mobile.
e. Whether the screening needs to be year-round.

Staff Finding 73: Staff incorporates the applicant's findings on page 31 (Exhibit PC-1 applicant's narrative). These criteria are met.

3. Rooftop air cooling and heating systems and other mechanical equipment shall be screened from view from adjoining properties.

Staff Finding 74: The applicant proposes to screen all HVAC rooftop equipment. These criteria are met.

D. Privacy and noise.
1. Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view from adjoining units.
2. Residential dwelling units shall be placed on the site in areas having minimal noise exposure to the extent possible. Natural-appearing sound barriers shall be used to lessen noise impacts where noise levels exceed the noise standards contained in West Linn Municipal Code Section 5.487.
3. Structures or on-site activity areas which generate noise, lights, or glare shall be buffered from adjoining residential uses in accordance with the standards in subsection C of this section where applicable.
4. Businesses or activities that can reasonably be expected to generate noise in excess of the noise standards contained in West Linn Municipal Code Section 5.487 shall undertake and submit appropriate noise studies and mitigate as necessary to comply with the code. (See CDC 55.110(B)(11) and 55.120(M).)
If the decision-making authority reasonably believes a proposed use may generate noise exceeding the standards specified in the municipal code, then the authority may require the applicant to supply professional noise studies from time to time during the user's first year of operation to monitor compliance with City standards and permit requirements.

Staff Finding 75: The proposal does not include residential dwelling units so criteria 1-2, above, do not apply. Regarding noise, the properties on each side of the subject property are

also zoned commercial. The property to the east is zoned residential. Staff incorporates the applicant's findings on pages 31-32 (Exhibit PC-1 applicant's submittal). The criteria is met.

(…)
G. Demarcation of public, semi-public, and private spaces. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semi-public areas, and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, to provide for crime prevention, and to establish maintenance responsibility. These areas may be defined by:
1. A deck, patio, fence, low wall, hedge, or draping vine;
2. A trellis or arbor;
3. A change in level;
4. A change in the texture of the path material;
5. Sign; or
6. Landscaping.

Staff Finding 76: Staff incorporates applicant findings- see applicant's submittal page 32 (Exhibit PC-1 applicant's submittal). These criteria are met.

H. Public transit.
1. Provisions for public transit may be required where the site abuts an existing or planned public transit route. The required facilities shall be based on the following:
a. The location of other transit facilities in the area.
(….)

Staff Finding 77: The nearest public transit stop is on Willamette Drive (HWY 43). This stop is approximately 470 feet from the subject property and there are no public transit stops down Hood Street. The existing transit stops serve the entire Central Village Commercial area which this development is part of. These criteria are met.

I. Public facilities. An application may only be approved if adequate public facilities will be available to provide service to the property prior to occupancy.
1. Streets. Sufficient right-of-way and slope easement shall be dedicated to accommodate all abutting streets to be improved to the City's Improvement Standards and Specifications. The City Engineer shall determine the appropriate level of street and traffic control improvements to be required, including any off-site street and traffic control improvements, based upon the transportation analysis submitted. The City Engineer's determination of developer obligation, the extent of road improvement and City's share, if any, of improvements and the timing of improvements shall be made based upon the City's systems development charge ordinance and capital improvement program, and the rough proportionality between the impact of the development and the street improvements…

Staff Finding 78: The applicant shall comply with the requirements and install improvements to meet the West Linn Public Works Standards. The City Engineer has reviewed the submitted

Trip Generation Letters. See applicant submitted Trip Generation Letters (Exhibit P of the applicant's submittal); these criteria are met.

2. Storm detention and treatment and geologic hazards. Per the submittals required by CDC 55.130 and 92.010(E), all proposed storm detention and treatment facilities must comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and the applicant must provide sufficient factual data to support the conclusions of the submitted plan.
Per the submittals required by CDC 55.130(E), the applicant must demonstrate that the proposed methods of rendering known or potential hazard sites safe for development, including proposed geotechnical remediation, are feasible and adequate to prevent landslides or other damage to property and safety. The review authority may impose conditions, including limits on type or intensity of land use, which it determines are necessary to mitigate known risks of landslides or property damage.

Staff Finding 79: The applicant has submitted a Stormwater Management Report, prepared by a licensed engineer, which complies with the West Linn Public Works Design Standards, shows no adverse off-site impacts, and provides sufficient factual data to support the conclusions of the plan. The subject property does not contain any known landslide hazards. Any geotechnical hazards associated with on-site soil structure can be remediated per the PBS Engineering report included in the Natural Resource Assessment. The applicant shall comply with the requirements and install improvements to meet the West Linn Public Works Design Standards per Condition of Approval 2. Subject to the Conditions of Approval, these criteria are met.

3. Municipal water. A registered civil engineer shall prepare a plan for the provision of water which demonstrates to the City Engineer's satisfaction the availability of sufficient volume, capacity, and pressure to serve the proposed development's domestic, commercial, and industrial fire flows. All plans will then be reviewed by the City Engineer.

Staff Finding 80: The water system has sufficient water volume and pressure to serve the proposed building. The applicant shall complete and submit a fire flow test per Condition of Approval 2. These criteria are met.

4. Sanitary sewers. A registered civil engineer shall prepare a sewerage collection system plan which demonstrates sufficient on-site capacity to serve the proposed development. The City Engineer shall determine whether the existing City system has sufficient capacity to serve the development.

Staff Finding 81: The existing sanitary sewer line is sufficient to serve the proposed structure. The criteria is met.

5. Solid waste and recycling storage areas. Appropriately sized and located solid waste and recycling storage areas shall be provided. Metro standards shall be used.

Staff Finding 82: The applicant has proposed a solid waste and recycling storage area to the east of the commercial building. The storage area is also screened. The criteria is met.

J. Crime prevention and safety/defensible space.
1. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants.
2. Interior laundry and service areas shall be located in a way that they can be observed by others.
3. Mailboxes, recycling, and solid waste facilities shall be located in lighted areas having vehicular or pedestrian traffic.

Staff Finding 83: Staff incorporates applicant findings found on page 33 (Exhibit PC-1 applicant's submittal). The criteria is met.

4. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime.
5. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes.
6. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person. All commercial, industrial, residential, and public facility projects undergoing design review shall use low or high pressure sodium bulbs and be able to demonstrate effective shielding so that the light is directed downwards rather than omni-directional. Omni-directional lights of an ornamental nature may be used in general commercial districts only.

Staff Finding 84: The applicant has provided a proposed lighting plan that illuminates all areas vulnerable to crime. The parking areas and primary pedestrian walkways will be fully lighted. The light fixtures will comply with bulb standards and be directed downward. See Sheet E1.0 and Sheet E.2.0 of the applicant's submittal; these criteria are met.

7. Lines of sight shall be reasonably established so that the development site is visible to police and residents.

Staff Finding 85: See Staff Finding 24; this criterion is met.

K. Provisions for persons with disabilities.
1. The needs of a person with a disability shall be provided for. Accessible routes shall be provided between all buildings and accessible site facilities. The accessible route shall be the most practical direct route between accessible building entries, accessible site facilities, and the accessible entry to the site. An accessible route shall connect to the public right-of-way and to at

least one on-site or adjacent transit stop (if the area is served by transit). All facilities shall conform to, or exceed, the Americans with Disabilities Act (ADA) standards, including those included in the Uniform Building Code.

Staff Finding 86: Staff incorporates applicant finding on pages 34 (Exhibit PC-1 applicant's submittal). These criteria are met.

L. Signs.
(…)

Staff Finding 87: The applicant is not proposing any signs with this application. Any future tenants of the commercial building are responsible for obtaining any necessary sign permits for future signs. This criteria is met.

M. Utilities. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting, and cable television, shall be placed underground, as practical. The design standards of Tables 1 and 2 above, and of subsection 5.487 of the West Linn Municipal Code relative to existing high ambient noise levels shall apply to this section.

Staff Finding 88: All electrical utilities are already underground at this location. Any new utilities associated with this application are also proposed to be underground. The criteria are met.

(…)

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

Staff Finding 89: See Staff Finding 45. This criteria is met.

55.170 EXCEPTIONS TO UNDERLYING ZONE, YARD, PARKING, SIGN PROVISIONS, AND LANDSCAPING PROVISIONS
A. The Planning Director may grant an exception to the dimensional building setback or yard requirements in the applicable zone based on findings that the approval will satisfy the following criteria:
1. A minor exception that is not greater than 20 percent of the required setback.
(….)

B. The Planning Director may grant an exception to the off-street parking dimensional and minimum number of space requirements in the applicable zone so long as the following criteria are met:
1. The minor exception is not greater than 10 percent of the required parking;
(….)

C. The Planning Director may grant an exception to the sign dimensional requirements in the applicable zone when the following criteria are met:
1. The minor exception is not greater than 10 percent of the required applicable dimensional standard for signs;
(….)

Staff Finding 90: The applicant is not requesting any setback, parking, sign or landscape exceptions under this section. Therefore the criteria does not apply.

III. CHAPTER 75, VARIANCES AND SPECIAL WAIVERS
75.020 CLASSIFICATION OF VARIANCES
A. Class I Variance. Class I variances provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. Class I variances are allowed for the following code provisions:

1. Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval:

a. Provides for a more efficient use of the site;

b. Preserves and incorporates natural features into the overall design of the project;

c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards; and

d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.

2. Off-street parking dimensional and minimum number of space requirements may be modified up to 10 percent if the decision-making authority finds that the use is designed for a specific purpose, which is intended to be permanent in nature.

3. Dimensional sign requirements may be modified up to 10 percent if the decision-making authority finds that the proposed larger sign is:

a. Necessary for adequate identification of the use on the property; and

b. Compatible with the overall site plan, the structural improvements, and with the structures and uses on adjoining properties.

4. Landscaping requirements in the applicable zone may be modified up to 10 percent if the decision-making authority finds that the resulting approval:

a. Provides for a more efficient use of the site;

b. Preserves and incorporates natural features into the overall design of the project; and

c. Will have no adverse effect on adjoining property.

Staff Finding 91: The applicant has proposed a Class I Variance to grant two additional parking spaces. These two additional spaces are within the 10% increase permitted in this section. This requested variance is for Option A and intended to be used by the new Post Office. Staff adopts the applicant's findings on pages 36-37 of the applicant's submitted narrative (Exhibit PC-1). The applicant is not requesting a variance for Option B. The criteria are met.

IV. CHAPTER 96, STREET IMPROVEMENT CONSTRUCTION
96.010 CONSTRUCTION REQUIRED
A. New construction.
(…)

Staff Finding 92: The applicant shall install improvements to meet the West Linn Public Works Design Standards per Condition of Approval 2. Subject to the Conditions of Approval, the criteria are met.

96.020 STANDARDS
Street improvements shall be installed according to the City standards and shall be completed prior to the issuance of any occupancy permit for the new or remodeled structure or building. In unimproved areas of the City, the City Engineer may grant a time extension of the provisions of this section; provided, that the applicant provides sufficient security in amount and quantity satisfactory to the City Attorney to assure payment of such improvement costs.

Staff Finding 93: The applicant shall install improvements to meet the West Linn Public Works Design Standards per Condition of Approval 2. Subject to the Conditions of Approval, the criteria are met.

XIII. 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:
(…)
o. Variances;
(…)

Staff Finding 94: The applicant attended a pre-application conference with City staff on May 2, 2019. The criteria are met.

99.060 APPROVAL AUTHORITY

B. Planning Commission authority. The Planning Commission shall have the authority to:
(…)
e. Class II variance or special waiver (Chapter 75 CDC).
(…)

Staff Finding 95: The applicant proposal will be heard by the Planning Commission at a public hearing scheduled for December 2, 2020.

99.080 NOTICE
Notice shall be given in the following ways:
A. Class A Notice. (…)

Staff Finding 96: The applicant proposal has been properly noticed by the City. Please see Staff Report for the Planning Commission Exhibit PC-6. These criteria are met.

PC-1 APPLICANT'S SUBMITTAL

City of West Linn
Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT Jennifer Arnold	PROJECT No(s). DR-20-07/VAR-20-02/WAP-20-03	
NON-REFUNDABLE FEE(S) $825	REFUNDABLE DEPOSIT(S) $21,850.00	TOTAL $22,675.00

Type of Review (Please check all that apply):

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

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

Site Location/Address:
5665 AND 5639 HOOD STREET, WEST LINN, OR 97068

Assessor's Map No.: **22E30CA**
Tax Lot(s): 00700 AND PORT 00900
Total Land Area: **1.01 AC**

Brief Description of Proposal: **DEMOLITION OF EXISTING BUILDING AND PARKING AREA. BUILD NEW POST OFFICE BUILDING OR RETAIL BUILDING WITH A SHARED PARKING AREA.**

Applicant Name: (please print) **MATT GRADY**
Address: 19767 SW 72ND AVE, SUITE 100
City State Zip: **TUALATIN, OR 97062**
Phone: **503-245-1976**
Email: **MATT@GRAMOR.COM**

Owner Name (required): (please print) **WEST LINN SHOPPING CENTER ASSOC. LLC**
Address: **1976 SW 72ND AVE, SUITE 100**
City State Zip: **TUALATIN, OR 97062**
Phone: **503-245-1976**
Email: **MATT@GRAMOR.COM**

Consultant Name: (please print) **WESTLAKE CONSULTANTS, INC**
Address: **15115 SW SEQUOIA PARKWAY, SUITE 150**
City State Zip: **TIGARD, OR 97224**
Phone: **503-684-0656**
Email: **KSANDBLAST@WESTLAKECONSULTANTS.COM**

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.**
   One (1) complete set of digital application materials must also be submitted on CD in PDF format.
   If large sets of plans are required in application please submit only two sets.

RECEIVED
AUG 05 2020
By

* No CD required / ** Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Matt Grady — Applicant's signature
7.23.20 — Date
Matt Grady — Owner's signature ***(required)***
7.23.20 — Date

WESTLAKE CONSULTANTS

Planning | Engineering | Surveying

September 17, 2020

Ms. Jennifer Arnold
City of West Linn Planning Department
22500 Salamo Road
West Linn, OR 97068

RE: DR-20-07/VAR-20-02/WAP–20-03 Hood Street Post Office/Commercial Building
Applicant's Completeness Supplemental Submittal

Dear Jennifer,

This letter responds to your September 3, 2020 incompleteness letter to Matt Grady at Gramor Development for the above referenced land use applications. Each of the requested incomplete items are identified below in **bold italic** text followed with our Applicant response and any cross-referenced City Code text is shown in *italic* print. Each of the application completeness items are addressed as follows:

1. Plans showing the off-site street improvements. Street improvements should be designed to continue the streetscape along Hood Street with parallel on street parking and sidewalks.

Response: Option "A" contains limited street frontage to accommodate parallel parking due to the shared truck loading and customer drive through lanes. The distance between the two access points is roughly 62 feet, which when accommodating for transitions for parking would only yield 2 spaces. In addition, the required vision clearance triangles reduce this potential parking area down to one space. Based on this safety requirement, it is proposed to construct a wider than 6-foot sidewalk along this portion of the street frontage.

Option "B" does not contain the shared truck loading and drive through lane configuration and can accommodate parallel parking in addition to the sidewalk, as shown on the revised plans. Enclosed is an updated Option "B" site plan set.

2. The Storm water Report did not adequately address the following:
a. Water Quality Treatment. Proprietary Manufactured Devices will generally not be approved unless the City Engineer determines that an above ground facility will not be

functional. The storm water report must make a case that an above ground facility will not be functional at this location for review by the City Engineer.

b. Detention Waiver. Provide documentation of the downstream analysis including pictures and field observations. Refer to the City of Gresham downstream analysis guidelines.

Response: Attached to this letter is an updated storm report, Exhibit N. This report is revised to address in more detail both the on-site water quality treatment and the off-site downstream analysis. As requested, the revised report addresses the site conditions and design factors for both Option "A" and Option "B" that result in the proprietary treatment design as proposed. In addition, the revised report reflects documentation of additional field work recently completed, including existing conditions photographs of the existing downstream culvert crossing.

3. The Traffic memo does not address the change in PO size and the proposed change in operations at the PO. The traffic memo should also document this proposal change.

Response: Attached is an updated traffic memorandum (Exhibit P) from Kittelson and Associates that addresses the concerns above.

4. For the shared storm system, easements will need to be recorded.

Response: The applicant will record easements for the shared storm system at the appropriate time in the development process and utilize easement forms approved by the City of West Linn.

5. Address CDC 19.030 Permitted Uses for both options A and B.

19.030 PERMITTED USES

The following uses are permitted outright in this zone:

1. *Agricultural sales.*
2. *Agricultural services.*
3. *Animal sales and services, grooming.*
4. *Building maintenance services.*
5. *Business equipment sales and services.*
6. *Business support services.*
7. *Communications services.*
8. *Consumer repair services.*
9. *Convenience sales and personal services.*
10. *Eating and drinking establishments.*
11. *Drive-through restaurants.*
12. *Family day care.*
13. *Financial, insurance and real estate services.*

14. Food and beverage retail sales.
15. General retail services.
16. Hotel/motel, including those operating as extended hour businesses.
17. Laundry services.
18. Senior center.
19. Medical and dental services.
20. Parking facilities.
21. Participant sports and recreation, indoor.
22. Personal service facilities.
23. Professional and administrative services.
24. Research services.
25. Utilities, minor.
26. Cultural exhibits and library services.
27. Extended-hour businesses that do not include the construction of a new building or expansion of an existing structure.
28. Transportation facilities (Type I).
29. Lodge, fraternal, community center, and civic assembly within the commercial districts along Highway 43, Salamo Road or Blankenship Road.
30. Religious institutions within the commercial districts along Highway 43, Salamo Road, or Blankenship Road. (Ord. 1226, 1988; Ord. 1411, 1998; Ord. 1590 § 1, 2009; Ord. 1622 § 23,

19.060 CONDITIONAL USES

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

1. Certified child care center.
2. Automotive and equipment:
  a. Cleaning.
  b. Repairs, heavy equipment.
  c. Repairs, light equipment.
  d. Sales/rentals, heavy equipment.
  e. Sales/rentals, light equipment.
  f. Storage, recreation vehicles and boats.
3. Construction, sales and services.
4. Heliports.
5. Hospitals.
6. Light industrial, manufactured.
7. Light industrial, finished products.
8. Spectator sports facilities.
9. Vehicle fuel sales.
10. Utilities, major.
11. Wholesale storage and distribution:

a. Mini-warehouse.
b. Light.

12. Single-family homes, which were non-conforming structures and were damaged, whereby the cost of rebuilding the damaged portions would exceed 50 percent of the then current replacement cost of the entire building. Determination of rebuilding costs shall be per CDC 66.070(A).
13. Household hazardous waste depot.
14. Super stores.
15. Amusement enterprises.
16. Public agency administration.
17. Public safety facilities.
18. Public support facilities.
19. Recycle collection center.
20. Repealed by Ord. 1622.
21. Postal services.
22. Religious institutions not listed as permitted uses in CDC 19.030.
23. Schools (with under 200 students).
24. Transportation facilities (Type II). See CDC 60.090 for additional approval criteria.
25. Lodge, fraternal, community center and civic assembly not listed as permitted uses in CDC 19.030.
26. Extended hour businesses that include a new building or expansion of an existing structure. (Ord. 1192, 1987; Ord. 1339, 1992; Ord. 1463, 2000; Ord. 1523, 2005; Ord. 1590 § 1, 2009; Ord. 1604 §§ 16, 17, 2011; Ord. 1622 § 23, 2014; Ord. 1675 § 27, 2018)

Response: Preferred Option "A": Post office use is listed as a Conditional Use. This use was established in this location in 1968 (evidence by the plaque next to the entrance of the building) and continues, in the same structure. The plan is to temporarily relocate the Post Office use while the project is under construction and have the post office re-occupy the structure upon completion. Based on the provisions in Chapter 65, the use was legally established in the General Commercial District.

Relevant sections of CDC Chapter 65 include:

65.030 EXCEPTIONS TO NON-CONFORMING USE PROVISIONS

A. Prior listed permitted uses. This subsection provides for an exception to the non-conforming use provisions for uses which were prior listed permitted uses in the following zones (Neighborhood Commercial, General Commercial, Office Business Center, Campus Industrial and General Industrial), which were superseded by the code and which were legally established prior to the effective date of this code. The following shall apply:

1. A use which was permitted outright and is not listed in the applicable zone as a use permitted outright shall be deemed to be a conforming conditional use and shall be subject to the provisions of Chapter 60 CDC, Conditional Uses, and Chapter 55 CDC, Design Review.

2. A use which was permitted outright, but which is a conditional use in the applicable zone, shall be deemed to be a conforming conditional use and change shall be subject to the provisions of Chapter 60 CDC, Conditional Uses, and Chapter 55 CDC, Design Review.

Response Option "A" Continued: Section 65.030 A. 2. Addresses the current situation of the Post Office being an outright permitted use when established and when the first Development Code (CDC) was adopted in 1983. When the CDC was adopted in 1983 by Ordinance 1129 a Post Office Use was listed as a Permitted use in the General Commercial District as shown below in the relevant excerpt below, with Postal Office listed as number 30:

19.000 19.010 19.020 GENERAL COMMERCIAL, GC PURPOSE The purpose of this zone is to provide for the concentration of major retail goods and services at centers. The intent is to provide for the provision of a variety of goods and services and for comparison shopping, to accommodate new businesses and employment opportunities, to promote a suitable mix of commercial uses, to contribute to community identity and to assure that the commercial development is scaled to blend with nearby residential areas, and that the residential areas are protected from noise, glare of lights, traffic congestion and other possible adverse effects. The trade area will vary and may extend outside the community. This zone is intended to implement the policies and locational criteria set forth in the Comprehensive Plan.

19.030 PERMITTED USES

The following uses are uses permitted outright in this zone.
1. Agricultural sales.
2. Agricultural services.
3. Amusement enterprises.
4. Animal sales and services: grooming.
5. Building maintenance services.
6. Business equipment sales and services.
7. Business support services.
8. Communications services.

9. Consumer repair services.
10. Convenience sales and personal services.
11. Eating and drinking establishments.
12. Financial, insurance and real estate services.
13. Food and beverage retail sales.
14. General retail services.
15. Laundry services.
16. Lodge, fraternal and civic assembly.
17. Medical and dental services.
18. Parking facilities.
19. Participant sports and recreation: indoor.
20. Personal service facilities.
21. Professional and administrative services.
22. Public agency administration.
23. Public safety facilities.
24. Public support facilities.
25. Recycling.
26. Research services.
27. Transient lodging.
28. Utilities: minor.
29. Cultural exhibits and library services.
30. Postal services.

Response Option B: The retail use is a permitted use in the General Commercial zoning district as shown in the Permitted uses listed in section 19.030. It is likely that a mix of uses could take place including:

6. Business support services.
7. Communications services.
8. Consumer repair services.
9. Convenience sales and personal services.
10. Eating and drinking establishments.
11. Drive-through restaurants.
12. Family day care.
13. Financial, insurance and real estate services.
14. Food and beverage retail sales.
15. General retail services.

6. Respond to 32.060 Approval Criteria (excluding 32.060.D).

Response: This criterion is addressed on page 9 of Exhibit O, and also below:

32.060 APPROVAL CRITERIA (STANDARD PROCESS)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

A. WRA protection/minimizing impacts.

1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.

2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100, respectively.

Response: The proposed use of the pre-existing gravel parking lot avoids any further adverse impacts to the WRA. Motor vehicles have been parked on this compacted gravel area for fourteen (14) years by the US Postal facility operation. By utilizing the particular area, impacts to the WRA are minimized to the fullest extent, while providing safe, efficient parking and maneuvering between the existing market and the new structure (either Postal Building or Retail Building). This particular location allows for a gradual transition in slopes linking the two areas together, in lieu of keeping the same 4-foot grade change and fence between the two parcels.

Mitigation and re-vegetation is addressed in Exhibit O, Natural Resources Report dated July 2020, starting on page 16.

B. Storm water and storm water facilities.

1. Proposed developments shall be designed to maintain the existing WRAs and utilize them as the primary method of storm water conveyance through the project site unless:

a. The surface water management plan calls for alternate configurations (culverts, piping, etc.); or

b. Under CDC 32.070, the applicant demonstrates that the relocation of the water resource will not adversely impact the function of the WRA including, but not limited to, circumstances where the WRA is poorly defined or not clearly channelized.

Response: Exhibit O, page 5 addresses Section 32.070 and on page 6 under Section 32.080. The water resource will remain in its current location at the bottom of the ravine. This application seeks to reduce the width of the WRA buffer that extends from the top of the bank west into the gravel parking area.

"Currently, the majority of WRA buffer adjacent to the water resource is a vegetated steep slope with a fairly strong overstory of native big leaf maple. The understory is entirely English Ivy, so conditions are marginal. At the top of the slope, the WRA buffer extends into an existing parking lot that has been there since 2001 and had been utilized by the post office since 2006. The area is considered previously disturbed and is in degraded condition, therefore a reduced WRA is proposed to be defined by the edge of the existing parking area. This retains the entirety of the functional WRA buffer and avoids any additional impacts to the WRA. This proposal is qualitatively equal to the standards set out in 32.060. Development will be contained within the existing parking lot area and there will be no impacts to the proposed reduced WRA buffer."

Re-vegetation, enhancement and/or mitigation of the re-aligned water resource shall be required as applicable.

Response: The water resource will remain in the existing location and mitigation planting will be employed for the encroachment of the parking area into the reduced WRA buffer area.

2. Public and private storm water detention, storm water treatment facilities and storm water outfall or energy dissipaters (e.g., rip rap) may encroach into the WRA if:

a. Accepted engineering practice requires it;

b. Encroachment on significant trees shall be avoided when possible, and any tree loss shall be consistent with the City's Tree Technical Manual and mitigated per CDC 32.090;

c. There shall be no direct outfall into the water resource, and any resulting outfall shall not have an erosive effect on the WRA or diminish the stability of slopes; and

d. There are no reasonable alternatives available.

A geotechnical report may be required to make the determination regarding slope stability.

Response: The proposal for storm treatment is to collect the runoff in catch basins that feed into an underground private treatment filter system (with approval from the City Engineer) that will discharge the water into an existing outfall. According the City's regulations, detention is not required in locations that have sufficient capacity downstream. This is the case with the current location as demonstrated in storm report (Exhibit N) submitted with this application. This proposal does not encroach on significant trees, nor are any trees lost as a result of using the existing outfall. The outfall already exists and it will not have an erosive effect on the WRA or diminish the stability of the slopes. Given use of the existing outfall located within the WRA, there is no encroachment proposed into the WRA proposed under Option"A" or Option "B" and no alternatives are needed with no impact proposed. A geotechnical report (Exhibit O) is contained in the Natural Resources report to demonstrate the

stability of the soils in the gravel parking area that is in close proximity to the top of the slope.

3. Roadside storm water conveyance swales and ditches may be extended within rights-of-way located in a WRA. When possible, they shall be located along the side of the road furthest from the water resource. If the conveyance facility must be located along the side of the road closest to the water resource, it shall be located as close to the road/sidewalk as possible and include habitat friendly design features (treatment train, rain gardens, etc.).

Response: The proposed project does not propose a roadside storm water conveyance swale or ditch of any type. Therefore this is not applicable to the project.

4. Storm water detention and/or treatment facilities in the WRA shall be designed without permanent perimeter fencing and shall be landscaped with native vegetation.

Response: The proposed storm water vault is located at the top of the slope, at the western edge of the parking area, within the reduced WRA buffer zone. It will be flush to the ground with native landscaping around it.

5. Access to public storm water detention and/or treatment facilities shall be provided for maintenance purposes. Maintenance driveways shall be constructed to minimum width and use water permeable paving materials. Significant trees, including roots, shall not be disturbed to the degree possible. The encroachment and any tree loss shall be mitigated per CDC 32.090. There shall also be no adverse impacts upon the hydrologic conditions of the site.

Response: Access to the storm water vault will be from the drive aisles in the parking field that connect to Hood Street. The facility will be a private facility and privately maintained if approved by the City Engineer. If deemed a public facility, access through the parking drive aisles will be unencumbered at all times. No trees or tree roots will be disturbed and the access surface will be pavement. There are no known hydrologic conditions or adverse impacts caused by this storm water vault or the access routes that lead to the facility.

6. Storm detention and treatment and geologic hazards. Per the submittals required by CDC 32.050(F)(3) and 92.010(E), all proposed storm detention and treatment facilities must comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and the applicant must provide sufficient factual data to support the conclusions of the submitted plan.

Response: A revised stormwater report is attached as Exhibit N. The treatment design proposed for Option "A" and Option "B" is completed in accordance with both the applicable City design standards and the Geotech soils report for the property. Further, with the additional documentation on downstream conveyance included in the revised storm report, the applicant satisfies this code section by providing sufficient factual data to support the proposed stormwater system design

7. Please provide a narrative response to all criteria of DCD 32.090 and 32.100 for Mitigation and re-vegetation plans.

Response: Criterion 32.090 is addressed in Exhibit O, starting on page 16. Section 32.100 is addressed on page 19 of Exhibit O. Table 2 on page 22 (labeled Exhibit B) provides a listing of the proposed planting plan by plant type, size, spacing and quantity.

8. Please provide a narrative response to all criteria of CDC 38.030

38.030 SETBACK FROM STREET CENTERLINE REQUIRED

A. To assure improved light, air, and sight distance and to protect the public health, safety and welfare, a setback in addition to the yard requirements of the zone may be required where the right-of-way is inadequate. A determination shall be made based on the street standards contained in CDC 85.200(A).

Response: The City of West Linn Transportation Plan identifies Hood Street as a "local" classification. Table 26 Roadway Cross Sections identifies the following dimensions:

- Vehicle lanes: 10 – 12 ft
- On Street Parking: 8 ft optional
- Bike lane: none for "local" street
- Cycle track: none for "local" street
- Sidewalks: 8 ft for commercial zones
- Landscape strip: can be included in all roads with 6 ft width

The current right-of-way (ROW) on Hood Street is 40 feet. When the Market of Choice building was renovated an additional 9.5 feet of ROW was dedicated along the western side of Hood Street. The current redevelopment proposal calls for the same dedication of 9.5 feet to provide a total 49.5 foot wide ROW. There are sidewalks along Hood Street except along tax lot 700 frontage. This proposal for both Option "A" and "B" will provide a continuation of sidewalks. On street parking will be provided for Option "B", but not for Option "A", due the extent of width consumed for the truck loading ramp and drive through lane. No landscape strips, bike lanes, or cycle tracks are provided. If they were, it would be inconsistent with the current street cross section that already exists in the balance of the Hood Street to the south of tax lot 700.

B. The minimum yard requirement shall be increased to provide for street widening in the event a yard abuts a street having a right-of-way width less than required by its functional classification on the City's Comprehensive Plan Map, and in such case the setback shall be not less than the setback required by the zone plus one-half of the projected road width as required under CDC 85.200(A); however

C. The minimum distance from the wall of any structure to the centerline of an abutting street shall not be less than 25 feet plus the yard required by the zone. This provision shall not apply to rights-of-way of 50 feet or greater in width.

Response: The General Commercial zone under CDC Section 19.070.A 7 identifies setbacks that apply from "arterial" classification streets and not local streets. In this circumstance subsection (C) above would be applied to the proposed development and for both Option "A" and Option "B" the wall of the structure exceeds the combined distance of 25 feet plus the GC street yard setback distance or more from the center line of Hood Street.

9. Please provide a narrative response to all criteria of CDC 46.060 and 46.070.

46.060 STORAGE IN PARKING AND LOADING AREAS PROHIBITED

Required parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons and employees only, and the required parking spaces shall not be used for storage of vehicles or materials or for the parking of trucks connected with the business or use with the exception of small (under one-ton) delivery trucks or cars.

Response: No parking will be utilized for the storage of vehicles or material or for the parking of trucks connected with the business, except for the postal delivery trucks that will be utilizing the loading ramp.

46.070 MAXIMUM DISTANCE ALLOWED BETWEEN PARKING AREA AND USE

A. Off-street parking spaces for single- and two-family dwellings shall be located on the same lot with the dwelling.

B. Off-street parking spaces for uses not listed in subsection A of this section shall be located not farther than 200 feet from an entryway to the building or use they are required to serve, measured in a straight line from the building, with the following exceptions:

1. Shared parking areas for commercial uses which require more than 40 parking spaces may provide for the spaces in excess of the required 40 spaces up to a distance of 300 feet from the entryway to the commercial building or use.

2. Industrial and manufacturing uses which require in excess of 40 spaces may locate the required spaces in excess of the 40 spaces up to a distance of 300 feet from the entryway to the building.

3. Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.

4. Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, the applicant shall ensure that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.

5. All disabled parking shall be placed closest to building entrances than all other parking. Appropriate ADA curb cuts and ramps to go from the parking lot to the ADA-accessible entrance shall be provided unless exempted by ADA code. (Ord. 1547, 2007)

Response: Criterion A, does not apply because the project contains no residential uses. The commercial criterion is covered under criterion B. The parking spaces are for a combination of customers and employees sharing a common parking field of over 40 parking spaces that is approximately 180 feet across from building to building. Parking spaces abut the existing market to the south and will abut the proposed structure (Option "A" or "B"). No stacked or valet parking is proposed in this project. Disabled parking is located closest to the entrances and in compliance with all ADA accessible requirements for ramps and curb cuts.

10. Please provide a separate narrative response to CDC 48.025.B(3) (a-c) depending on the preferred option.

48.025 ACCESS CONTROL

B. Access control standards.

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

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

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

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

Response: For both development options "A" and "B" the access is taken from a public street to an existing parcel of record, Option #3 above. The access points are currently existing into each parcel from Hood Street. The access spacing below is addressed.

6. Access spacing.

a. The access spacing standards found in the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians. Deviation from the access spacing standards may be granted by the City Engineer if conditions are met as described in the access spacing variances section in the adopted TSP.

Table 15: City Street Access Spacing Standards

Roadway Functional Classification	Area	Traffic Signals (miles)[1]	Between Street Intersections (feet)	Between Street Intersections and Driveways (feet)	Driveways (feet)
Minor Arterial	Urban	½	500	150	300
Minor Arterial[2]	Commercial	¼	NA	NA	NA
Collector	All	¼	200	75	150
Neighborhood Route	All	¼	150	50	50
Local Residential Street	All	NA	150	35	NA[3]
Local Commercial Street	All	NA	150	50	50

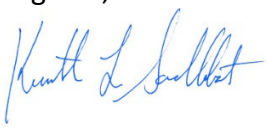
1. Target spacing between traffic signals
2. No driveways shall be permitted on 10th Street between Blankenship Road and Willamette Falls Drive
3. Driveways should be clustered or spaced to maximize on-street parking

"Urban" refers to intersections outside designated commercial zones.
"Commercial" refers to the designated commercial zones.
"NA" = Not Applicable

Response: The access spacing requirements shown in the TSP Table 15 for a local commercial street is 50 feet between street intersections and driveways and 50 feet between driveways. Development Option "A" has the existing driveway to the market 63 feet south from the access point leading the Post Office. The proposed drive through mail drop auxiliary exit lane is an additional 62 foot distance north of the site entry and exiting location. For Development Option "B" the distance from the existing market entrance to the south of the site is 70 feet to the one proposed driveway access point into the proposed retail building parking area. Given the distances, the City Access spacing requirements in the TSP are met, with all spacing in excess of 50 feet. There is an existing Hood Street driveway access serving office development on property adjacent to the north of the subject site. The distance from this existing adjacent access and the proposed site access entrance is in excess of 100 feet for both Option "A" and Option "B".

We look forward to obtaining a fully complete application with this response and attachments. If you need further clarification, please contact Matt Grady or myself.

Regards,



Kenneth Sandblast, AICP

cc: Matt Grady - Gramor Development, Inc.
Frank Schmidt - Tiland Schmidt Architects
Juniper Tagliabue - Schott & Associates

Attachments:
Revised Option "B" Plan Set (Retail) – Exhibit E
Revised Storm Report – Exhibit N
Kittelson Transportation Memorandum (dated June 2020) – Exhibit P

Hood Street

Class II Design Review

West Linn, Oregon

Owner

GRAMOR DEVELOPMENT

West Linn Shopping Center Associates LLC
19767 SW 72nd Ave., Suite 100
Tualatin, OR 97062

Applicant

WESTLAKE CONSULTANTS

Ken Sandblast, AICP
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224

Hood Street
Class II Design Review
Water Resources Area Application
Administrative Variance – Parking

Narrative Responses to Applicable Criteria

PREPARED BY: Westlake Consultants with Gramor Development, Inc.

August 5, 2020

CONTENTS

Project Overview _____ 2
Introduction _____ 3
Existing Conditions _____ 3
Proposed Development _____ 6
Adjacent Uses _____ 7
Utilities _____ 7
Chapter 19 General Commercial GC _____ 8
Chapter 32 Water Resource Area Protection _____ 8
Chapter 41 Building Height, Structures on Steep Lots, Exceptions _____ 10
Chapter 42 Clear Vision Areas _____ 11
Chapter 44 Fences _____ 11
Chapter 46 Off-Street Parking, Loading and Reservoir Areas _____ 11
Chapter 48 Access, Egress and Circulation _____ 17
Chapter 52 Signs _____ 19
Chapter 54 Landscaping _____ 19
Chapter 55 Design Review _____ 22
Chapter 75 Variances and Special Waivers _____ 35

Exhibits

A – Tax Map
B – Deed
C – Title Report
D – Site Analysis and Preliminary Civil Plan Set: Option A – Post Office
E – Site Analysis and Preliminary Civil Plan Set: Option B – Retail
F – Architectural Plans: Option A – Post Office
G – Architectural Plans: Option B – Retail
H – Landscape Plan: Option A – Post Office
I – Landscape Plan: Option B – Retail
J – Lighting Plan: Option A – Post Office
K – Lighting Plan: Option B – Retail
L – Architectural Materials Board: Option A – Post Office
M – Architectural Materials Board: Option B – Retail
N – Stormwater Report
O – Natural Resource Assessment – Water Resource Area Report
P – Transportation Memo
Q – Neighborhood Meeting Documentation
R – Pre-Application Notes

Project Overview

Introduction

The Applicant proposes two building options in this application: Option "A" is a replacement Post Office building and Option "B" is a slightly larger commercial retail building not intended for exclusive Postal Service use. The reason for two options is to account for uncertainty in the Post Office securing a new lease, as well as securing an off-site location to accommodate the service trucks and delivery trucks for sorting and storing the packages. In addition, if for some reason, the Post Office secures a 2-acre site that can accommodate the full 10,000 square foot building and 65 parking spaces they may not proceed at this particular West Linn location.

Option "A" is to remove the existing Post Office structure and construct a new single-story 5,255 square foot commercial building in the north western corner of parcel 700 to be used as a Post Office. The proposal includes a vehicle drive through lane for customers to deposit mail into drop boxes, in addition to a loading ramp on the north side of the parcel for postal delivery vehicles. The reconfigured parking on parcel 700 will be blended into the existing parking lot on Tax Lot 900 to facilitate a continuous parking field between Market of Choice and the Post Office. This includes the removal of the landscape strip and fence that currently creates a separation between the two properties. The goal is that shared parking will be allowed on both parcels for use by both Post Office and Market of Choice patrons. This project will be constructed in two phases with sitework and landscaping being completed first, followed by construction of the new building.

Option "B" utilizes the same parking field configuration and access from Hood Street with a building sized 6,550 SF in size that eliminates the mail box drive through lane and the loading ramp, effectively replacing these uses with 1,295 SF of building in the area.

Existing Conditions

The subject site is the location of the existing 5,100 SF Post Office, drive through lane, parking area and loading dock that has been in existence on this site since 1968. A small gravel portion of the site (located in Tax Lot 900) used by the Post Office for parking is located to the east, will be included in the redevelopment project. The site is zoned General Commercial, and is surrounded by properties to the north, south and west with the same zoning. There is a natural drainage area to the east of the gravel parking and the existing paved parking used by Market of Choice with large trees and steep grades. The site contains a fence along the southern boundary as well as along the northern boundary. Access is from two locations along the Hood Street frontage. There is currently no sidewalk along the property frontage. The existing Post Office provides 27 paved parking spaces on Tax Lot 700 and an additional eight (8) spaces on the gravel surface which is part of Tax Lot 900, for a total of 35 spaces. Market of Choice provides 141 parking spaces on site for Tax Lot 900. This brings the combined parking on both properties to 176 total spaces. The total area of the project includes resurfacing the northern portion of the existing Market of Choice parking field is approximately 1.01 acres (44,190 SF).

Figure 1. Existing Conditions

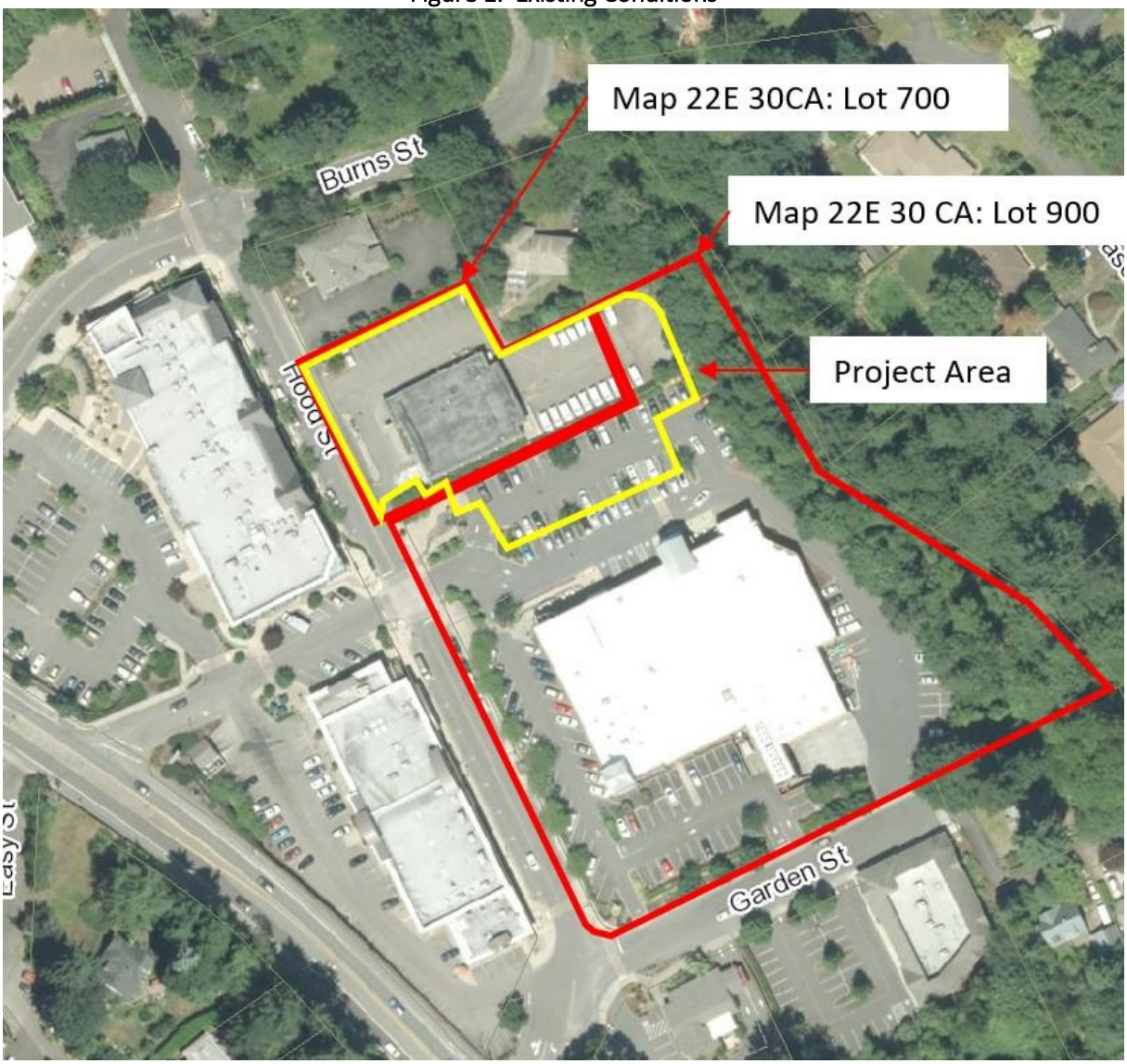


Figure 2. Vicinity Map

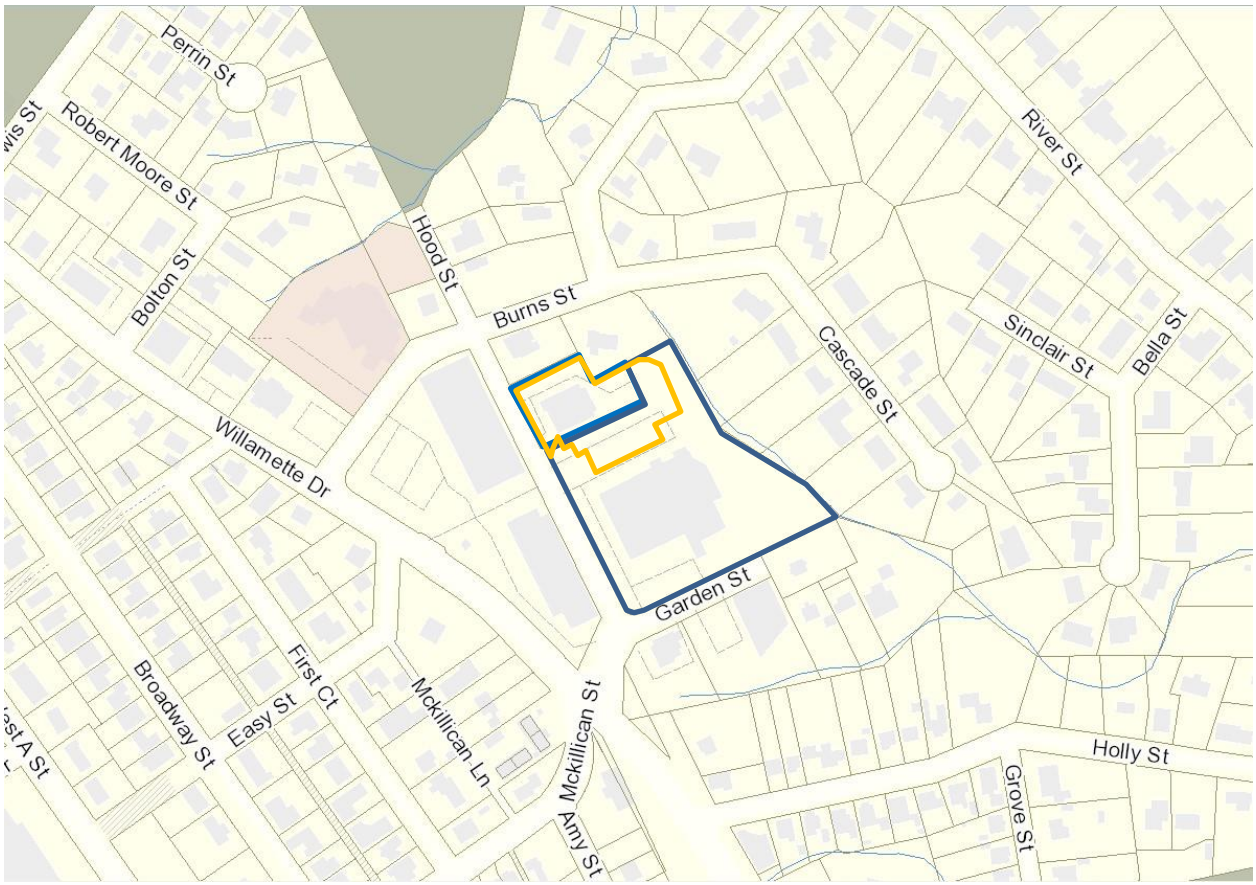
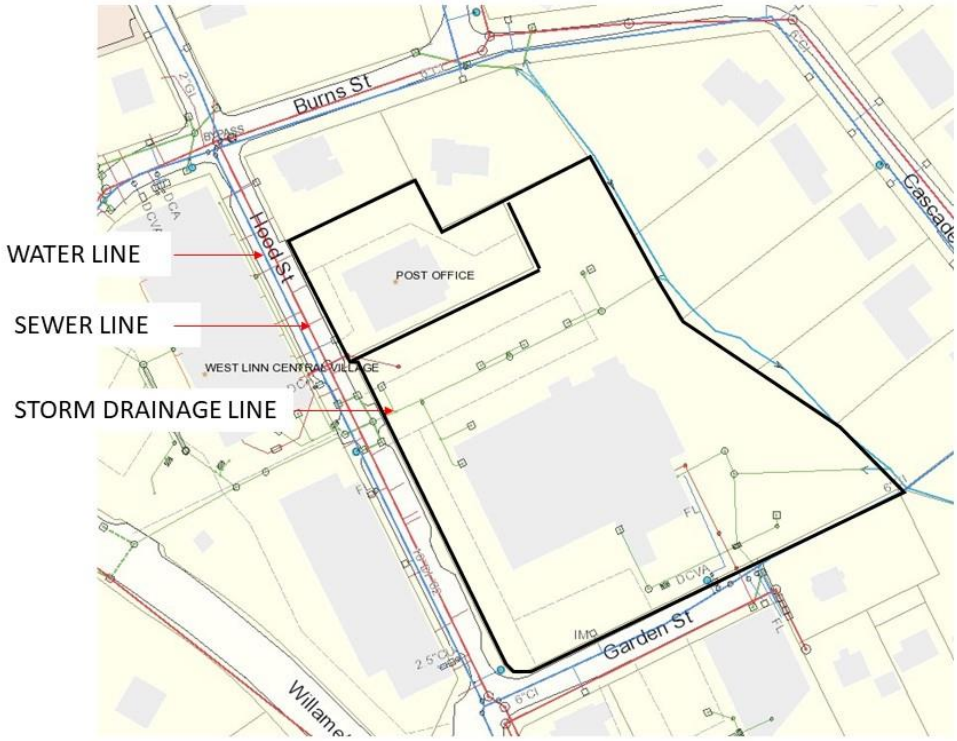


Figure 3. Utilities Map



Proposed Development

The current building on the subject site, built in 1968, is no longer suitable for the existing use. The lease has expired and has been extended several times in an effort to retain a working Post Office in the West Linn Central Village project. The project is of immense importance to all parties including the community at large, City leaders, neighborhood associations, the Federal Post Office and Gramor Development. Gramor has redesigned the project to accommodate a new Post Office building situated further north on the parcel with a loading ramp direct from Hood Street along with the vehicular drop box lane for customers. The parking lot has been blended with the existing Market of Choice parking area to facilitate shared parking between the two uses. The total parking space count between Market of Choice and the new building will increase by 2 spaces (176 to 178 spaces). To achieve this, the landscape zone and fence along the south boundary of the Post Office is removed to be more on-grade with the Market of Choice parking lot. The proposed Option "A" building is slightly larger in size (5,255 SF vs. 5,100 SF) due to the rectilinear format that accommodates the drive thru drop off lane between Hood Street and the new Post Office building, as well as a loading ramp on the north side of the parcel for delivery vehicles. The Post Office functions will be separated, meaning the "retail" portion of the Post Office will be accommodated in this new structure so that Post Office boxes, mailing, purchase of stamps will take place as normal. All major sorting and mail distribution will take place off-site, thus removing the fleet of delivery trucks that have been accessing the site on a daily basis. The gravel area currently used for parking to the east will become paved and accommodate 90-degree parking and an enclosed trash receptacle serving the new building. Landscaping, architecture and off-street parking requirements are all met with this proposal. There is a protected Water Resource Area (WRA) on the site which has been delineated by a licensed wetland biologist. The impacts to the water resource area are very minimal and are addressed in this application.

The proposed alternative building (Option "B") is sized 6,550 SF situated in the same footprint as Option "A". This building is designed to accommodate multiple tenants, therefore replacing the loading ramp and the drive through

lane with either building area or walkways. This option shares the identical parking area and main southern access point from Hood Street.

Adjacent Uses:

- To the north are two residential structures; one used for a residence and the other for an office.
- To the east is a steep drainage way containing the WRA (Water Resources Area) with residential lots beyond.
- To the south is the Market of Choice grocery store and parking area.
- To the west is Hood Street with commercial buildings and Willamette Drive a block to the west.

Utilities:

Water: Water service is available from the City of West Linn via a 12-inch water main located in the Hood Street right-of-way. The existing lateral line serving the Post Office will be adjusted to connect to the new building.

Sewer: Sanitary Sewer service is available from an existing 8-inch line located in the Hood Street right-of-way to the east. The existing lateral line serving the Post Office will be relocated to connect to the new building.

Stormwater: Existing private stormwater facilities are located onsite for the Post Office and Market of Choice with conveyance to an existing outfall after treatment in a vault. The proposed redevelopment storm water system accounts for required water quality treatment, detention conveyance and a downstream analysis of the impervious surfaces. The plan will combine the two separate areas (Post Office and north portion of Market of Choice) into one system. Comparing the pre-development impervious surface area to the proposed impervious surface area reveals that there is 790 SF less impervious area. The proposed storm filter treatment vault located in the south east corner of the property connecting into the existing storm system will contain six storm water cartridges to treat the anticipated flows. The downstream conveyance systems were visibly examined to ensure there are no issues. A 32-inch culvert was factored into the anticipated runoff, located 1,500 feet downstream from the site. It was determined that the size of this culvert is sufficient to handle the anticipated run off. Please refer to the Preliminary Civil Plan Set Exhibits D and E, Sheet P500-A for detailed stormwater plan.

Streets/Access: Hood street is a public street classified as a "local street" according to the City of West Linn Transportation Plan. The existing right-of way along Tax Lot 700 measures 40 feet that includes an 8-foot wide parallel parking zone on the west and two (2) 16-foot wide travel lanes. An 8-foot wide sidewalk is located further west outside of the right-of-way (ROW) boundary line. There is no sidewalk on the east side of the ROW. Access to this street will be from three primary access points. The southerly most access is the existing 4–way stop for Market of Choice adjacent to and south of the project allowing two-way travel. Moving north, the midway access is a shared two-way access for the new Post Office and is also shared by the drive through/ delivery truck entrance. The drive through patrons and delivery trucks enter this midway access and immediately head north parallel to Hood Street. The northerly most entrance is used as an exit to Hood Street. The delivery truck utilizes the northerly access for maneuvering to back into the loading ramp situated on the north side of the property. No new streets, private or public, are proposed as a part of this development. Option "B" would not implement this northern most access point as it would not be needed to serve the project. It would rely on the midway access and the southernmost existing access serving Market of Choice.

Applicable Criteria

The following are the applicable criteria for the Class II Design Review in the GC- General Commercial zone.

Chapter 19 General Commercial GC

19.020 PROCEDURES AND APPROVAL PROCESS

19.030 PERMITTED USES

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

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

1. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*
2. *The average minimum lot width shall be 50 feet.*
3. *The average minimum lot depth shall not be less than 90 feet.*

RESPONSE:

The front lot line, lot width, and lot depth of this redevelopment project all exceed the minimum requirements of this section for both Tax Lots 700 and 900. No changes to lot lines are proposed with either Option "A" or "B". See Preliminary Civil Plan Set submitted as Exhibits D and E. This section is met.

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

RESPONSE:

The subject sites abut an R-10 residential district to the east across the WRA. The minimum interior side yard setback for the R-10 zone is 7 ½ feet. The proposed buildings for either Option "A" or "B" has a side setback which exceeds this amount. Furthermore, the entire Tax Lot 700 is 100 hundred feet from the easterly R-10 zoned residential lots boundary line. This section is met.

5. *The maximum lot coverage shall be 50 percent, except as provided in CDC 58.090(C)(1)(d).*

RESPONSE:

This proposed Option "A" building has an area of 5,255 SF, and Option "B" has an area of 6,550 SF. Lot 700 is 27,016 SF. The proposed buildings for either Option "A" or Option "B" has a maximum lot coverage of 19 to 24 percent. This section is met.

6. *The maximum building height shall be two and one-half stories or 35 feet for any structure located within 50 feet of a low or medium density residential zone, and three and one-half stories or 45 feet for any structure located 50 feet or more from a low or medium density residential zone.*

RESPONSE:

The Applicant has submitted elevation drawings as a part of the Architectural Plans submitted as Exhibits F and G. As depicted on this plan set, the maximum height of Option "A" is 34 feet and Option "B" is 32 feet proposed to the roof peak from the finish floor elevation. Note, that the height of the building will appear to be 26 to 28 feet (approximately 6 feet shorter when viewed from the public ROW on Hood Street) due to the grade changes from the street down to the finish floor of the building. This criterion is met.

Chapter 32 – Water Resource Area Protection

Attached as Exhibit O is a "Natural Resource Assessment" report responding to all the applicable criterion of approval. Below is a condensed version to assure criterion is addressed. There is no difference between Option "A" or Option "B" buildings regarding the impacts to the Water Resource Area Protection.

32.010 PURPOSES
32.020 APPLICABILITY
32.080 APPROVAL CRITERIA (ALTERNATE REVIEW PROCESS)

RESPONSE:
A Water Resource Area is identified at the east end of the property. The majority of Tax Lot 700 is a paved parking lot with an existing postal building located at the west portion. Adjacent to the east property boundary is a gravel parking area directly adjacent to the paved parking that is a portion of Tax Lot 900. This gravel parking area has been in place since 2001 according to Google Earth Aerial and been an active parking area for postal vehicles. To the east of the gravel parking is a steep slope vegetated with Bigleaf Maple and English Ivy. A waterway with fringe wetland at the bottom of the slope was found at the east property boundary of Tax Lot 900.

During the delineation site visit, an existing gravel parking area and a small portion of paved parking were found to be located within the area that was WRA mapped as "riparian corridor". The remainder of the mapped WRA riparian corridor consists of Big Leaf Maple with an understory predominantly of non-native, invasive English Ivy.

A report is provided with this application as a part of Exhibit O, "Natural Resource Assessment Within Water Resource Area." This report contains a wetland delineation and natural resource assessment which was conducted on June 5, 2019 by Schott & Associates. The report addresses the criterion of approval under the Alternate Review Process in Section 32.080 recited below.

Applications reviewed under the alternate review process shall meet the following approval criteria:

A. The proposed WRA shall be, at minimum, qualitatively equal, in terms of maintaining the level of functions allowed by the WRA standards of CDC 32.060(D).

RESPONSE:
The report concludes that level of functions allowed by the WRA standards of this section are met through the Alternate Review Process identified in Section 32.070 and approval criterion in 32.080. Section 32.070 establishes a review and approval process when there is reason to believe that the width of the WRA prescribed under the standard process (CDC 32.060 (D)) is larger than necessary to protect the functions of the water resource at a particular site. The report states "A 100 wide riparian corridor is also mapped on each side of the water resource and believed to be mis-mapped. The standards of 32.060 (D) require a WRA width from the water resource in a ravine to top of slope where the slope breaks to less than 15% for at least 50 feet, plus an additional 50 feet. This may be reduced to 25' with a geotechnical report demonstrating slope stability. After a 25' reduction the western WRA boundary is in an existing parking lot considered previously disturbed area." Functions of the site with the reduction are identified on Table 1 of the report that addresses Table 32-4 of Chapter 32 (see Exhibit O.)

B. If a WRA is already significantly degraded (e.g., native forest and ground cover have been removed or the site dominated by invasive plants, debris, or development), the approval authority may allow a reduced WRA in exchange for mitigation, if:

1. The proposed reduction in WRA width, coupled with the proposed mitigation, would result in better performance of functions than the standard WRA without such mitigation. The approval authority shall make this determination based on the applicant's proposed mitigation plan and a comparative analysis of ecological functions under existing and enhanced conditions (see Table 32-4).

2. The mitigation project shall include all of the following components as applicable. It may also include other forms of enhancement (mitigation) deemed appropriate by the approval authority.

RESPONSE:
The report indicates that the portion of the WRA beyond the break in the slope was previously disturbed, currently consisting of an existing gravel parking lot and is considered significantly degraded. The proposed reduction in WRA width, along with proposed mitigation will provide for higher functions as shown in the comparative analysis and mitigation plan. Table 1 of Exhibit O provides the ecological functions before and after the proposed development.

2. The mitigation project shall include all of the following components as applicable. It may also include other forms of enhancement (mitigation) deemed appropriate by the approval authority.

a. Removal of invasive vegetation.
b. Planting native, non-invasive plants (at minimum, consistent with CDC 32.100) that provide improved filtration of sediment, excess nutrients, and pollutants. The amount of enhancement (mitigation] shall meet or exceed the standards of CDC 32.090(C).
c. Providing permanent improvements to the site hydrology that would improve water resource functions.
d. Substantial improvements to the aquatic and/or terrestrial habitat of the WRA.

RESPONSE:
The proposed mitigation consists of a combination of non-native, and invasive species removal and replanting with native vegetation, as identified in the mitigation plan. The mitigation will improve onsite filtration of sediment, excess nutrients and pollutants, improving water quality and erosion control functions by providing additional vegetation appropriate for the WRA.

C. Identify and discuss site design and methods of development as they relate to WRA functions.

RESPONSE:
The report concludes that there is no impact to the forested ravine or wetland and the parking lot renovations are acceptable within the reduced setback area provided the mitigation plan is implemented. The mitigation plan will have a positive effect to the WRA and functionality will increase as a result of the proposed project.

C. Address the approval criteria of CDC 32.060, with the exception of CDC 32.060(D).

RESPONSE:
This approval criteria are addressed within the report contained as Exhibit I. The propose parking lot renovations are within the reduced Riparian Corridor (setback) area and not at all within the WRA, therefore no impacts are realized from the proposed project.

Chapter 41 Building Height, Structures on Steep Lots, Exceptions.
41.05 DETERMINING HEIGHT OF BUILDING
A. For all zoning districts, building height shall be the vertical distance above a reference datum measured to the highest point of a flat roof or to the deck line of a mansard roof or to the highest gable, ridgeline or peak of a pitched or hipped roof, not including projections above roofs such as cupolas, towers, etc.

RESPONSE:
The Applicant has submitted elevation drawings as a part of the Architectural plans submitted as Exhibits F and G. As depicted on this plan set, the maximum height of the proposed building Option "A" is 34 feet to the roof peak from the finish floor elevation. The maximum height from the proposed building Option "B" is 32 feet to the roof peak. This measurement method follows the above criterion. Note that the height of the building will appear to be

26 -28 feet (approximately 4-6 feet shorter from the public ROW on Hood Street) due to the grade changes from the street down to the finish floor of the building. This criterion is met.

Chapter 42 Clear Vision Areas.

42.20 CLEAR VISION AREAS REQUIRED, USES PROHIBITED

A. A clear vision area shall be maintained on the corners of all property adjacent to an intersection as provided by CDC 42.040 and 42.050.

B. A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction (except for an occasional utility pole or tree) exceeding three feet in height, measured from the top of the curb, or, where no curb exists, from the street centerline grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed. (Ord. 1192, 1987)

RESPONSE:

Clear vision areas will be maintained at all intersections with Hood Street in accordance with CDC 42.040 and 42.050. The project uses one existing intersection serving the south portion of the proposed project. For Option "A" with the Post Office building, the project will include a mid-way two-way access and a northern access for the truck ramp. For Option "B" with the retail building, the northern most access for the truck ramp will not be included and the other two access points are the same. These intersections all comply with the above criteria. No fences or walls are planned within the clear vision areas. Landscaping will be designed in accordance with the clear vision standards and will not extend into the designated area. Please see Preliminary Design Review Plan Set Exhibit D.

Chapter 44 Fences.

44.020 SIGHT-OBSCURING FENCE; SETBACK AND HEIGHT LIMITATIONS

44.030 SCREENING OF OUTDOOR STORAGE

44.040 LANDSCAPING

44.050 STANDARDS FOR CONSTRUCTION

RESPONSE:

No site obscuring fences or walls are proposed as a part of this application, therefore meeting the requirements for clear vision areas. No outdoor storage is proposed for this site besides on-site staging of construction materials and equipment during the building phase, therefore no screening is required. Option "A" or "B" buildings do not include any site obscuring fences or outdoor storage that needs to be screened. This standard is satisfied.

Chapter 46 Off-Street Parking, Loading and Reservoir Areas.

46.020 APPLICABILITY AND GENERAL PROVISIONS

46.030 SUBMITTAL REQUIREMENTS

RESPONSE:

Off-street Parking, Loading, and Reservoir areas are designed in accordance with approval standards and criteria listed in 46.090 - Minimum Off-Street Space Requirements. A site plan has been submitted which clearly indicates the elements required by this section.

46.090 MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS

RESPONSE:

Since the project utilizes existing parking within Tax Lot 900 serving Market of Choice in addition to Tax Lot 700 serving the Post Office, both sites are included in all existing and proposed calculations, referred as the "site".

All parking on the site, including those for the adjoining Market of Choice is designated as shared parking. Currently the site has 176 existing spaces. The Applicant seeks to redevelop the site to accommodate a total of 178 parking spaces to be shared between the Post Office and Market of Choice. The Market of Choice building is 32,800 SF and

according to subsection C.2, is designated *General Retail*. The minimum parking required is 1 space for every 240 SF of gross floor area or 137 parking spaces. Market of Choice is currently served by 141 parking spaces located on site.

The existing Post Office on Tax Lot 700 contains 27 paved parking spaces and 8 compacted gravel spaces on a small portion of Tax Lot 900 for a total of 35 spaces. Subsection 46.090 C. Commercial Uses does not have a specific parking requirement listed for a Post Office facility. Subsection 64.100 Parking Requirements for Unlisted Uses A. 1-3 allows for the decision-making authority to designate a similar type of use with similar impacts be used. For this application, the Applicant has selected C.2 "*General Retail Store*" with a standard of 1 space per every 240 SF of gross floor area. This results in a minimum parking requirement of 22 spaces, yet a total of 35 are being used by the Post Office. Combining this to Tax Lot 900, Market of Choice parking spaces yields an existing total of 176 parking spaces serving both uses.

For Option "A" building: The new building, which will contain the Post Office, falls into the category of *General Retail* which requires 1 space for every 240 SF of gross floor area. The proposed new building is 5,255 SF which amounts to a minimum of 22 parking spaces. Together, the minimum required parking for all uses equals 159 spaces. The maximum parking allowed is 10% above the minimum, or 176 spaces. The Applicant has submitted a site plan which depicts 178 proposed parking spaces, which is 2 spaces above a 10% increase permitted without a variance. This 2-space increase in parking is allowed pursuant to Chapter 75 - Variances and is less than the 10% above maximum set by Chapter 75. See attached Table 1 for a depiction of the proposed parking and requested variance for the additional 2 parking spaces.

For Option "B" building: The proposed building, will contain up to 3 individual tenants, falls in the category of *General Retail* which required 1 space for every 240 SF of gross floor area. The proposed new building is 6,550 SF which requires a minimum of 28 parking spaces. Adding this to the minimum parking spaces with Market of Choice equates to 165 spaces. The standards permit another 10% increase that would equate to 182 maximum parking spaces permitted. The site plan contains 178 parking spaces, therefore it is under the allowed maximum and it does not require a variance request under Chapter 75. As such, with this option the proposed parking meets the code standards.

The reason for the different parking calculation results is due to the change in building size between Option "A" and Option "B". The proposed parking field remains the same for either option.

46.130 OFF-STREET LOADING SPACES

RESPONSE:

For Option "A" building: The proposed site plan depicts one loading area which will receive and distribute material or merchandise by truck. This loading area is 15'4" wide and 42' long. The criterion requires minimum dimensions of 14 feet wide by 20 feet long. The size of the proposed building at 5,255 SF does not require a loading ramp pursuant to this section, however, the Applicant desires to provide this due to the postal service tenant requirements. The site plan accommodates the truck by having it enter from a northbound direction on Hood Street into the mid-way access, yet continue north into the drive through lane and then nose out into Hood Street, to allow the final backing movement into the ramp. This arrangement reduces a full pull up and backing maneuver on Hood Street to minimize travel conflicts. The dimensional loading space exceeds the required standard.

For Option "B" building: This section is met, with no loading berth, as the standard is for a berth when the gross floor area is 10,000 SF. The current proposed building is 6,550 gross SF.

46.150 DESIGN AND STANDARDS

A. Design Standards

(full text of subsections omitted for brevity)

1. "One standard parking space"…

RESPONSE:

This section requires a minimum of 50 percent of the parking spaces to be able to accommodate larger cars and have dimensions of 9' x 18'. This section is met as depicted on the site plan and is met for both Options "A" and "B".

2. Disabled parking…

RESPONSE:

The proposed parking plan depicts 2 spaces that meets the appropriate amount of disabled parking and is consistent with Federal guidelines. This criterion is satisfied for both Option "A" and Option "B".

4. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site

RESPONSE:

For Option "A" with the proposed Post Office building, a shared/ loading service drive to accommodate drop off of parcels and mail at mailboxes located at the west end of the service drive. This drive is designed to facilitate flow of traffic and provide maximum safety for vehicles and pedestrians. The width allows a parked vehicle at the drop boxes to remain stationary, while another vehicle can pass through if necessary. In addition, there is stacking room of 2 vehicles behind the vehicle stopped at the mail at the boxes. Refer to the site plan for Option "A". For Option "B" there is no service drive proposed, there this criterion is not applicable.

5. Each parking and/or loading space shall have clear access, whereby the relocation of other vehicles to utilize the parking space is not required.

RESPONSE:

For Option "A" with the proposed Post Office building, the loading berth is separated completely from the parking field situated to the south of the proposed building. Option "B" does not contain any loading berths and therefore does not affect any parking spaces. Typically, if a delivery truck visits the site, it will provide delivery in the early morning to avoid any potential conflicts. Or, if a delivery occurs during business hours, it will stop in the drive aisle long enough for the delivery to take place (3 – 5 minutes). The submitted site plans depict clear access areas for all parking and loading areas. No "stacked parking" is proposed.

6. …off-street parking requirements…

RESPONSE:

All parking spaces shall be clearly marked using permanent paint. All interior drives shall be clearly marked. See Preliminary Site Plan submitted as Exhibit F. This criterion is met for both Options "A" and "B".

7. …at least 50 percent of all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of City streets.

RESPONSE:

This proposed site plan shows improvements to the vehicle parking and maneuvering area in conformance with this section and to the standards required for the construction of City streets. All parking and maneuvering will be paved. This section for both Options "A" and "B" is met.

8. Off-street parking spaces for single-and two-family residences shall be improved with an asphalt or concrete surface, or permeable surface designed to reduce surface runoff….

RESPONSE:

This criterion is not applicable, because the development proposal is for commercial facilities.

9. Access Drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site. The number or access drives shall be limited to the minimum that will allow the property to accommodate and service the anticipated traffic. Access drives shall be clearly and permanently marked and defined through the use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives.

RESPONSE:
For Option "A" with a Post Office building, the loop through access drive for the mail drop box and shared loading is specifically designed to facilitate the flow of traffic and provide maximum safety for pedestrians and vehicular flow. There is a pedestrian walk situated along the Hood Street frontage that clearly depicts the pedestrian path versus the vehicular passage.

For Option "B" there is no access drive, only a two-way access to Hood Street servicing the parking field.
For both options, this provision is met.

10. Access drives shall have a minimum vision clearance as provided in Chapter 42 CDC, Clear Vision Areas.
RESPONSE: The clear vision areas standards will be followed for any point of connection to Hood Street for both Option "A" and Option "B".

11. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located two feet back from the front of the parking stall.
RESPONSE:
As depicted on the site plan, the perimeter parking spaces have sidewalks and or landscaping that is 2-feet wider than the minimum width. The interior parking spaces that are not separated by landscaping will have a wheel stop at least 4 inches high and 2 feet back from the front of the parking stall. This section is met for both Option "A" and Option "B'.

12. Off-street parking and loading areas shall be drained in accordance with plans and specifications approved by the City Engineer.
RESPONSE:
A storm drainage and drainage plan are submitted as a part of the Preliminary Engineering Plan set submitted as Exhibits D and E. It has been determined through the stormwater analysis that the two separate systems can be merged into one system with minimal changes. The water is already treated in a vault prior to discharge into the stream. The proposed plans indicate that all the parking and loading is drained in accordance with the plans and specifications required by the City of West Linn. This section is met for Options "A" and "B".

13. Artificial lighting on all off-street parking facilities shall be designed to deflect all light downward away from surrounding residences and so as not to create a hazard to the public use of any road or street.
RESPONSE:
A lighting plan which conforms to the requirements of this section is submitted as Exhibit L. This section is met for both Options "A" and "B".

14. Directional arrows and traffic control devices which are placed on parking lots shall be identified

RESPONSE:
A circulation plan is submitted which shows directional arrows and traffic control devices which are proposed for the development. This section is met for both Options "A" and "B".

15 – 16. …Driveways for single family houses and guest/visitor parking…

RESPONSE: These two criteria are not applicable to the commercial application.

17. The parking area shall have less than a five percent grade. No drainage across adjacent sidewalks or walkways is allowed.

RESPONSE:
A grading plan is part of the Preliminary Engineering Plan Set submitted as Exhibits D and E. This grading plan depicts a less than 5% grade for all of the parking spaces. Drainage is not proposed across any of the sidewalks or walkways. This section is met for both Options "A" and "B".

18. Commercial, office, industrial, and public parking lots may not occupy more than 50 percent of the main lot frontage of a development site.

RESPONSE:
No parking proposed with this redevelopment is located along the frontage. For Option "A" there is a drive through/loading lane that parallels the lot frontage that is a required element for the tenant's intended uses for a Post Office. There will not be parking of vehicles within this drive through lane. This section is met.

For Option "B" the proposed retail building, stairs, pedestrian ramp and landscaping consume more than 50% of the property frontage on Tax Lot 700, conforming to this criterion.

19. Areas of the parking lot improved with asphalt or concrete surfaces shall be designed into areas of 12 or less spaces through the use of defined landscaped area.

RESPONSE:
The shared parking field complies with this standard. The parking field for Option "A" and Option "B" are identical, therefore this standard is met.

20. Pedestrian walkways shall be provided in parking areas having 20 or more spaces.

RESPONSE:
The project includes an extension of an existing walkway that currently leads from the Market of Choice main entrance on the north side of the store. The proposed walkway connects to the existing north portion of this walkway into the new parking field terminating at the northern sidewalk servicing Option "A" or Option "B" building scenarios.

21. The parking and circulation patterns are easily comprehended and defined. The patterns shall be clear to minimize traffic hazards and congestion and to facilitate emergency vehicles.

RESPONSE:
The parking and circulation plan has been designed to be easily comprehended and to minimize traffic hazards and congestion and to facilitate emergency vehicles. The site plans for Options "A" and "B" depict drive aisles, parking spaces and flow direction. Option "A" with the Post Office will place appropriate signage at the southern entry and northern entries of the drive through lane and loading berth to benefit customers and delivery services, thus preventing through traffic in this area. Option "B" will not contain the drive through lane or the loading ramp, so that signage will not be necessary. This section is met.

22. The parking spaces shall be close to the related use.

RESPONSE:
All parking spaces in both Options "A" and "B" are in identical locations - located as close to the related use while providing for the adequate amount of spaces, circulation and walkways. This section is met.

23. Permeable parking spaces shall be designed and built to City standards.

RESPONSE:
No permeable parking is proposed with this application. This section does not apply.

B. Accessible parking standards for persons with disabilities.

1. Minimum number of accessible parking space requirements.

RESPONSE:
The Applicant has depicted two (2) spaces as required in the table for this section. The ADA parking spaces are located in the same location and number for both Options "A" and "B". This criterion is met.

2. Location of parking spaces

RESPONSE:
The accessible parking spaces are located closest to the main entrances in Option "A" and Option "B" satisfying this requirement.

3. Accessible parking space and aisle shall meet ADA vertical and horizontal slope standards.

RESPONSE:
As depicted on the submitted site plans for Options "A" and "B", all accessible parking spaces conform to a maximum 2% slope. This section is met.

4. Where any differences exist between this section and current federal standards, those standards shall prevail over this code section.

RESPONSE:
The Applicant acknowledges the provision of this section. The Applicant has researched federal guidelines in regards to accessible parking spaces and has designed this parking lot accordingly for Options "A" and "B". This section is met.

5. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide.

RESPONSE:
The proposed design provides for 2 accessible parking spaces located in front of the new building, closest to the building entrances for Options "A" and "B" which are served by an access aisle 96 inches wide. This section is met.

C. Landscaping in parking areas. Reference Chapter 54 CDC, Landscaping

RESPONSE:
Refer to response to Chapter 54 in this narrative.

D. Bicycle facilities and parking.

1. Provisions shall be made for pedestrian and bicycle ways if such facilities are shown on an adopted plan.

2. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which accommodate bicyclist's locks securing the frame and both wheels.

The bicycle parking shall be no more than 50 feet from the entrance to the building, well-lit, observable, and properly signed.

3. Bicycle parking must be provided in the following amounts:

Retail Sales – 0.33 spaces per 1,000 gross square feet/50% covered
Quality Restaurant – 1 space per 1,000 gross square feet/ 25% covered
Shopping Center – 0.33 spaces per 1,000 gross square feet/ 50% covered

RESPONSE:
The proposed development plans accommodate pedestrians and bicyclists. Bicycle parking is provided along portions of the storefront in both Option "A" and Option "B" to provide the required number of spaces and coverage under the storefront canopies. The most probable bicycle parking standards that apply to this project are listed above. The Applicant has determined that a Shopping Center standard for both Options A and B would result in 2 spaces. The more conservative approach is to assume that if Option "B" were pursued with a 1,500 square foot restaurant, with the balance of space 5,050 SF as Shopping Center or Retail, that 4 bicycle spaces are required. As such, the Applicant commits to providing 4 spaces for either Option "A" or Option "B". Two of the spaces will be under the storefront canopy and two spaces will be along the walkway just west of the proposed building. Therefore, these standards are met.

E. Office or industrial developments shall be allowed a 10 percent reduction in the number of required parking spaces when the property owner agrees to a demand management program that includes three or more of the following measures:

RESPONSE:
The proposed development is not an office or industrial type of use, therefore this criterion is not applicable.

F. Figure 1 Minimum Standards for Parking Lot Layout

RESPONSE:
Refer to the dimensioned site plans for both Option "A" and Option "B" that identify parking space and drive aisle dimensions that meet those listed in the table for 90-degree angle.

Chapter 48 Access, Egress and Circulation.
48.020 APPLICABILITY AND GENERAL PROVISIONS
48.025 ACCESS CONTROL

RESPONSE to B. 1-8:
Access standards are being met by slightly widening existing access points located along Hood Street. Option "A" with the proposed Post Office structure relies upon 2 existing access points to Tax Lot 700 and one existing access point on Tax Lot 900 (Market of Choice). Option "B" relies upon one existing access point for Tax Lot 700 and one existing access going on Tax Lot 900 (Market of Choice). The utilization of existing access points from a public street falls into "option 3" under 48.025 B.3.c). The proposal does not include a new subdivision fronting on an arterial street nor are there double frontage lots involved. The access points are previously existing and meet spacing requirements for curb cuts on a local street. These access points serve to provide vehicular access to the Market of Choice and the new proposed building with the shared parking field. These standards are met.

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

RESPONSE:
This proposal meets the requirements for both Options "A" and "B" of subsection A. 1-4, by providing hard surface pavement for service drives with a minimum 24-foot width for two way travel and a minimum of 15-foot width for one-way travel in the proposed drive through lane. In addition, this proposal meets the requirements of CDC

48.030(E)(3) through (6) for all vertical clearance, grades, and turning radius. See attached Exhibits D and E - Preliminary Civil Plan Set.

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

RESPONSE:

The proposed loop drive through lane and loading berth on Option "A" promotes safe maneuvering and reduces any major backing movements on the "Local" 40-foot wide street. The Hood Street cross section abutting the existing Post Office shows an 8-foot wide parallel parking space on the west followed by 2 -16 foot wide travel lanes As shown on the plans, the delivery truck that will use the loading ramp must enter the drive through lane when heading north on Hood Street, with a right turn into the access drive and a left turn movement heading north parallel to Hood Street. Then the truck noses out at 90 degrees on Hood Street with full visual contact to pedestrians and vehicles prior to entering the street to allow a final backing movement from the mouth of the ramp to the back of the ramp. It appears that up to 2/3rds of the travel way is encumbered by the largest of delivery vehicles when performing this maneuver. The truck turning diagram by Kittelson & Associates Traffic Engineers, depicts the anticipated direction of travel and extent of turning movements for the largest delivery truck, that being an 11-ton single truck 34' 10" in length. It should be noted that half the truck resides in the mouth of the loading ramp prior to backing deeper into the ramp to a final resting position. This means any of the backing movements in the street are very minimal and deemed safe. Some of the deliveries will be carried out by the smaller 7-ton truck 28' 10" in length and therefore not pull as far into the street to perform a backing movement. Option "B" does not propose a drive through lane or a loading ramp, therefore this particular standard is not applicable.

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

RESPONSE:

This proposal provides one loading berth for Option "A" with the Post Office building because the postal service requires a single loading berth. The privately maintained loading berth exceeds the dimensional requirements of 14 feet wide by 20 feet long. The CDC 46.130 requires one loading berth for Retail or Service Establishments with 10,000 gross SF or more. The current proposal with Option "A" provides for a building sized 5,225 SF. Therefore, based on the code requirement, such loading berth is not required. Option "B" contains a building sized 6,550 gross SF and has no loading berth provided, still conforming to the code requirement.

48.050 ONE-WAY VEHICULAR ACCESS POINTS

Where a proposed parking facility plan indicates only one-way traffic flow on the site, it shall be accommodated by a specific driveway serving the facility, and the entrance drive shall be situated closest to oncoming traffic, and the exit drive shall be situated farthest from oncoming traffic.

RESPONSE:

Options "A" and "B" do not have any one-way traffic flow serving the proposed parking plan. All proposed parking spaces in both options are served by two-way traffic flow. This criterion is met.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

RESPONSE:

Option "A" development proposes minor readjustments of the two existing access points serving Tax Lot 700 which currently have existing curb cuts. These curb cuts onto Hood Street are separated by the required 30 feet (CDC 48.060 D.3). Option "B" provides for use of just one of the two access points on Tax Lot 700. Both options rely on the existing northerly most access point on Hood Street into Market of Choice (Tax Lot 900). All curb cuts will conform to engineering standards for line of sight. See attached Exhibits D and E – Preliminary Civil Plan Set.

48.080 BICYCLE AND PEDESTRIAN CIRCULATION

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

RESPONSE:

Refer to responses to Chapter 55 for bicycle and pedestrian requirements and the Preliminary Civil Plan Set – Exhibits D and E.

Chapter 52 Signs.

52.101 PROCEDURES AND APPROVAL PROCESS

52.103 PERMIT

52.104 APPLICATION

52.210 APPROVAL STANDARDS

52.300 PERMANENT SIGN DESIGN STANDARDS

RESPONSE:

Sign standards and applications will be addressed on a per-tenant basis. No permanent sign application will be submitted as a part of the building permit. Individual business signs will be located on the sign band areas of the building and will be subject to the standards of this section.

Chapter 54 Landscaping.

*54.020 **APPROVAL CRITERIA***

RESPONSE TO A-D:

The project area has been inventoried for trees on the site and are shown on existing conditions plan. The Applicant will comply with the Municipal Code for tree protection. There are no "Heritage Trees" within the proposed project or "tree clusters". Section 8.510 of the Municipal Code defines trees as:

Tree: For the purposes of determining whether a tree removal permit is required, the following definition of Tree is used. Only those trees that meet or exceed the size standards stipulated in this definition require permits to be removed. It is to be explicitly understood, however, that within this Ordinance there are some references to "Tree" or "Trees" (such as with street trees or replacement trees) where the term "Tree" is used (because it would be cumbersome to invent a different term) but to which the size requirements do not apply.

Any woody, perennial plant, deciduous, evergreen, or coniferous, having a main stem or trunk of a minimum of 6-inch DBH for Oregon white oak, Pacific madrone, and Pacific dogwood, and 12-inch DBH for all other tree species. Trees with multiple trunks will be measured at the 54-inch standard and computed as a total DBH. Plants that otherwise meet the above description but are typically grown as shrubs will not be considered trees. Some typical examples of these we see commonly are hazelnut, photinia, and laurel.

Section 8.570 Development Review and Building Permit Process

A. Development Review

1. Any tree which has been approved for removal through the development review process (governed by the Community Development Code, or CDC), either as part of the provision of public improvements or as part of the ultimate development of the site, shall not require an additional tree-removal permit. However, any tree not approved for removal through the development review process, but later is found to require removal during the public improvement or grading review process, shall require approval of a tree removal permit by the City. In such cases, in addition to the findings in Section 8.630, the City may

consider whether alternative public improvements or grading plans are feasible and can result in saving the threatened tree.

RESPONSE:
The Applicant has determined that one tree meets this definition of being 12 inches or larger in diameter within the proposed project area. This tree is being removed to allow for the building to be constructed, and for access along the east property line. Because this request is submitted and reviewed through a development review process (Type II application), a separate permit will not be required for these trees to be removed.

E. Landscaping – By Type, Location and Amount

2. Non- residential uses. A minimum of 20 percent of the gross site area shall be landscaped. Parking lot landscaping may be counted in the percentage.

RESPONSE:
The proposed development for both Option "A" and Option "B" exceed the 20 percent requirement when the 10% interior parking lot landscape figure is included in the calculation. Refer to Exhibits H and I that show the type, location and amount of landscaping.

3. All uses (residential uses (non-single family) and non-residential uses):

a. The landscaping shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area. There shall be one shade tree planted for every eight parking spaces. These trees shall be evenly distributed throughout the parking lot to provide shade. Parking lots with over 20 spaces shall have a minimum 10 percent of the interior of the parking lot devoted to landscaping. Pedestrian walkways in the landscaped areas are not to be counted in the percentage. The perimeter landscaping, explained in subsection (E)(3)(d) of this section, shall not be included in the 10 percent figure. Parking lots with 10 to 20 spaces shall have a minimum five percent of the interior of the parking lot devoted to landscaping. The perimeter landscaping, as explained above, shall not be included in the five percent. Parking lots with fewer than 10 spaces shall have the standard perimeter landscaping and at least two shade trees. Non-residential parking areas paved with a permeable parking surface may reduce the required minimum interior landscaping by one-third for the area with the permeable parking surface only.

b. The landscaped areas shall not have a width of less than five feet.

c. The soils, site, proposed soil amendments, and proposed irrigation system shall be appropriate for the healthy and long-term maintenance of the proposed plant species.

RESPONSE:
The landscape plans for both Option "A" and Option "B" devote more than the required 10% interior landscaping and one shade tree per every eight parking spaces. The parking field plans are identical for either option and the interior landscape percentage is over 15%, as shown on Exhibits H and I. The parking lot landscape planters meet the minimum 5-foot wide and the soils and irrigation system will be installed to maintain healthy plant species.

d. A parking, loading, or service area which abuts a street shall be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width. When a parking, loading, or service area or driveway is contiguous to an adjoining lot or parcel, there shall be an intervening five-foot-wide landscape strip. The landscaped area shall contain:

1) Street trees spaced as appropriate to the species, not to exceed 50 feet apart on the average;

2) Shrubs, not to reach a height greater than three feet, six inches, spaced no more than five feet apart on the average; or

3) Vegetative ground cover such as grass, wildflowers, or other landscape material to cover 100 percent of the exposed ground within two growing seasons. No bark mulch shall be allowed except under the canopy of low level shrubs.

RESPONSE:
Options "A" provides for a perimeter landscaping strip to be set back from the Hood Street ROW behind the sidewalk that contains the drive though lane and drop boxes. The balance of the project frontage is utilized for the two paved access points to allow not only vehicle parking but also the maneuvering areas for the drive through lane and the delivery truck loading berth. The loading berth, situated parallel to the north property line, contains an intervening 5-foot landscape strip along the northern property boundary line. Street Trees will be placed in accordance with the spacing standards provided they do not impair the site lines. On either side of the access connection to the parking field, there will be a combination of perimeter and interior landscaping in a planter on each side. Vegetative cover will extend over 100 percent of the exposed ground as required.

Option "B" has the opportunity to install street trees with the requisite spacing. The plans show an expansive sidewalk along the frontage where this is none today. The north property line provides for a 5-foot landscape strip along the entire north property line. Vegetative cover will extend over 100 percent of the exposed ground as required.

54.030 PLANTING STRIPS FOR MODIFIED AND NEW STREETS

RESPONSE:
The proposed project does not plan to alter the width of the public street right-of-way or any proposed street improvement. Outside the right-of-way on the west side abutting Tax Lot 700, Option "A" will provide a sidewalk and planter strip about 60 feet in length. Option "B" will provide for an expanded 15-foot-wide sidewalk in lieu of a planter strip and sidewalk, all outside of the right-of-way. This standard is met.

54.040 INSTALLATION

RESPONSE:
The landscaping will adhere to accepted planting procedures, with soil and plants in good quality, installed pursuant to provisions of the CDC for both Option "A" and "B".

54.050 PROTECTION OF STREET TREES

RESPONSE:
Street Trees are not planned to be topped or trimmed in either Options "A" or "B".

54.060 MAINTENANCE

RESPONSE:
The subject site is currently developed as a private commercial property. The owner maintains all the landscaping on a regular basis in good condition. The interior landscaped areas are also controlled by pruning, trimming that will not interfere with any public utility, not restrict pedestrian or vehicular access, or constitute a traffic hazard because of reduced visibility. The set of standards are met for both Options "A" and "B".

54.070 SPECIFICATION SUMMARY

RESPONSE:
The proposed landscape plans for both Options "A" and "B" satisfy the applicable standards listed in the summary table. In particular, the proposed landscape plan adheres to:
1. Between parking lot and R-O-W CDC 54.020€(3) (d) – 10 feet
2. Between parking lot and other lot. CDC 54.020 € (3) (b) – 5 feet

5. Percentage of non-residential (commercial/industrial/office) site to be landscaped. CDC 54.020E(2) – 20%

Chapter 55 Design Review

55.020 CLASSES OF DESIGN REVIEW

55.030 *ADMINISTRATION AND APPROVAL PROCESS*

RESPONSE:

This proposal requires a Class II Design Review be processed in accordance with standards and regulations contained in these sections and in accordance with the administration and approval process set forth in 55.030 of the CDC. A pre application conference was held on May 2, 2019 and neighborhood association meeting was held on May 21 and June 18, 2019 (refer to Exhibit O). Subsequent to this outreach, the Applicant participated in a Town Hall Meeting regarding the Post Office at this site on June 25, 2019, that resulted in a mission to continue to work with the Post Office on a new lease for the current project site. The Applicant has spent a year from this time period exploring an expanded development program preferred by the Post Office that included a 10,000 square foot structure, loading berth and parking for approximately 65 vehicles on about 2 acres. The Applicant's design team generated expanded plan using properties immediately north with an area of 1.5 acres. It was determined that this full development scope could not be provided on this expanded site, due to existing changes in elevation as well as encroachment into the water resources ravine area. The Post Office agreed that this was not feasible and have been pursuing a lease on a smaller 5,255 SF building on the existing property with the idea that the operations portion of the business (package sorting) would take place at another unknown off-site location, hopefully in West Linn. This would leave the "retail" type uses in the new proposed building. The Post Office and the Applicant have been working through a new lease, which still must be reviewed and approved internally through the Post Office standard procedures that will take several months. During this time the Post Office continues their search for another location to either: 1) establish the full 2 –acre 10,000 SF building plan or 2) to establish a smaller building to accommodate the delivery and sorting of packages, separate from the retail location. Given this predicament, the Applicant is also pursuing a second retail building sized 6, 550 SF in size identified as "Option "B" throughout this application, so that the Applicant also has an option to pursue if the Post Office plans evolve to a site other than this location. A neighborhood meeting was held on June 16, with the Bolton Neighborhood Association to discuss both Option "A" (preferred Post Office building) and Option "B" (retail building). This meeting is fully documented in Exhibit Q. The meeting was held in a virtual format through audio and video, permitted by City Staff on 4-27-20 (Jennifer Arnold). The overall meeting resulted in support for Option "A" with the Post Office replacement building sized 5,255 SF. The group stressed the desire to retain the Post Office use right here in Central Village. The group understood the Applicant needed a fall back option "B" but thought there may not be demand for more retail uses.

*55.040 **EXPIRATION** OR EXTENSION OF APPROVAL*

RESPONSE:

Applicant acknowledges the time limitations associated with this application and that substantial construction must occur within 3 years of approval.

55.070 SUBMITTAL REQUIREMENTS

RESPONSE:

Applicant complies with the submittal requirements of this section for a Type II application. An Application form is submitted with the owner's signature. A pre-application conference was held on May 2, 2019 and a courtesy meeting with the Bolton neighborhood association was held on May 18, 2019 with the official neighborhood meeting held on June 18, 2019 (Exhibit Q). The proposed plans were subsequently changed due to changes requested by the Post Office and by the Applicant to add an optional building plan that that could share a common

parking area with Market of Choice and could allow eventual development regardless of the intended out come with the Post Office. As such, a second neighborhood meeting was held on June 16, 2020 to gain further community input from the Bolton Neighborhood Association this second meeting is documented in Exhibit Q. The development plans for this proposal contain all the necessary elements required in accordance with 55.070.D.2 Class II Design Review. In addition, to the listed items 2 a – i, the Applicant is including a materials board for exterior building materials and colors, as well as the required deposit and fee. Refer to the List of Exhibits attached with this application.

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

The approval authority shall make findings with respect to the following criteria when approving, approving with conditions, or denying a Class II design review application:

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

RESPONSE:

Refer to the following responses to applicable chapter sections in this narrative for Chapters, 41, 42, 46, 48, 52 and 54. Chapters 34 (Accessory Structures…), Chapter 38 (Additional yard area required…) and Chapter 44 (Fences) are not addressed because the proposed project does not include these elements.

B. *Relationship to the natural and physical environment*

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

2. All heritage trees, as defined in the municipal code, all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. In cases where there is a difference of opinion on the significance of a tree or tree cluster, the City Arborist's findings shall prevail. It is important to acknowledge that all trees are not significant and, further, that this code section will not necessarily protect all trees deemed significant.

RESPONSE:

The proposed project does not contain any Heritage Trees or Tree Clusters. The proposed redevelopment of the site takes place on land that is already developed largely with buildings or pavement or compacted gravel for parking. A slope analysis sheet is included in Exhibits D and E, and a breakdown by type for existing slopes is provided. Other than a small portion of landscaped area within existing parking lot that is Type II, the site development proposed for this application is occurring on lands that meet the City's definition for Type IV Lands, identified as:

> These lands are considered to have few, if any, constraints to development and are within the major portion of the City's developable lands. Normal development standards will apply in these areas. Type IV lands have slopes 10 percent or under on more than 50 percent of the site, as shown on the RLIS topography GIS layer.

Therefore, standards listed in subsections (a) – (f) are not applicable to this proposed project for either Option "A" or Option "B".

3. The topography and natural drainage shall be preserved to the greatest degree possible.

RESPONSE:

The proposed project for both Options "A" and Option "B" retain all the natural drainage and topography of the site, in particular regarding the large ravine to the east of the flat developed land. The project does take advantage of the existing elevated landscape strip that divides the two properties along the common property line between Tax Lot 700 and 900, to make a continuous parking field between the existing Market of Choice the proposed building to the north. This criterion is satisfied.

4. The structures shall not be located in areas subject to slumping and sliding. The Comprehensive Plan Background Report's Hazard Map, or updated material as available and as deemed acceptable by the Planning Director, shall be the basis for preliminary determination.

RESPONSE:

The proposed new building in both Option "A" and Option "B" are not in locations subject to slumping and sliding, therefore this criterion is met.

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.

RESPONSE:

The proposed buildings for both Option "A" and Option "B" account for a setback from the common property line by a distance of 5 feet to allow for a required landscape strip that also serves for adequate light and air circulation and fire protection. This criterion is satisfied.

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.

RESPONSE:

Architectural plans for Options "A" and Options "B" show that the Applicant has chosen contextual design respecting the prominent architectural styles, building lines, and roof forms that come from the surrounding commercial buildings on the project site. Option "A" Post Office incorporates a similar peaked roof form close to Hood Street as used on the building to the west. Similarly, it includes the maroon brick and lap siding as used on the adjacent building. It also includes black metal canopies and dark storefront window systems as exhibited across the street. It introduces a stained ship lap siding that provides a lighter coloring similar to the lighter colors across the street. The north elevation closest to the property line is horizontal lap siding to reflect the residential type of building to the north. Option "B" follows a very similar materials pallet except the roof forms further east of Hood Street contain a mixture of a simple and articulated parapets. The north building elevation is more residential with two forms of siding, horizontal siding and board and batten. Refer to the attached Exhibits F and G --Architectural Plans, and Exhibits L and M--Architectural Materials Boards.

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.

RESPONSE:

Options "A" and "B" both provide a building mass that contains the tallest portions of the buildings closest to Hood Street, to match the 2-story building with roof pitches across the street. The building heights at Hood Street are

about 28 feet from the sidewalk (32-34 feet from finish grade) along Hood Street. The buildings then step down in massing heading towards the east to approximately 2-to-22 feet in height. This type of design provides the "step down" format as mentioned in the design criteria. The north side of the building elevations with lap siding and board and batten provide a transition to the low-rise residential structures on the tax lots just north of the site. See attached Exhibits F and G - Architectural Plans.

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.*

RESPONSE:
The building designs for Options "A" and "B" do not provide contrasting architectural styles or materials. Rather the designs draw from elements in the adjacent commercial buildings such that there are similarities between the new structures and the existing structures on the site.

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

RESPONSE:
The two most visible building elevations that directly relate to human scale are those viewed from public areas, meaning Hood Street (west) or towards Market of Choice (south). Option "A" contains ground floor windows on both the west and south. The west elevation windows are separated by horizontal and vertical mullions. In addition, there are metal awnings over the windows to add shade and more character. The south elevations are comprised with tall storefront windows anchored by a series of masonry columns, with metal canopies.

Option "B" in the west elevation has tall windows with fabric awnings. There is also a change in materials with horizontal siding on the northern half and brick on the south half of this elevation. The south elevation contains tall storefront windows with mullions, and steel canopies anchored by masonry columns in between the storefront windows. The main materials on this elevation are brick and shiplap siding.

Collectively, these architectural elements meet the "human scale" design requirements set forth above.

e. *The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window-shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-foot-long building elevation shall have at least 60 feet (60 percent of 100 feet) in length of windows. The window height shall be, at minimum, three feet tall.*

RESPONSE:
Option "A" facing Hood Street (west elevation) contains a 43-foot wide building elevation with 32 linear feet of windows equating to 74% transparency. The south elevation facing Market of Choice provides a building length of 105 feet with 70 feet of windows equaling 75% transparency. The east elevation, facing the ravine, contains a 57-

foot building length and 16 feet of windows equating to 28% transparency. There are no windows on the north elevation.

Option "B" facing Hood Street (west elevation) contains a building length of 40 feet and 24 linear feet of windows equaling 60%. The south elevation facing Market of Choice provides a building length of 136 feet and 113 linear feet of windows equaling 83% transparency. The east elevation has a building length of 40 feet wide and 24 linear feet of windows equaling 60% transparency. The north elevation does not contain any windows.

Based on the above calculations the main entrances to the buildings are located on the south elevation with 75%-83% transparency, well above the 60% required. The publicly viewed elevations from Hood Street provide 60% to 74% transparency, well above the required 30%. The east elevation faces a ravine and the north elevation faces another commercial zoned property. The window heights for the smaller windows are 5 feet and the larger ones are 8 feet, exceeding the 3-foot tall minimum. This design criteria is met.

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.

RESPONSE:
Option "A" provides one gabled roof element on the west elevation facing Hood Street which is fitting for the overall 43-foot width of the structure. The south elevation facing Market of Choice is measure approximately 105 linear feet and is composed of two distinctly different roof elements – hip roof on half of the elevation and a flat parapet on the other half further east. The east elevation facing the ravine provides for two similar parapets yet the materials on the siding form two distinct elements, one with brick and the other with lap siding. The north elevation provides a simple flat parapet with a break in elevation in addition to the hip and gable roof that is close to the west elevation.

Option "B" depicts a 40-foot-wide elevation on the west facing Hood Street, with two distinct roof elements – hip/gabled and an articulated cornice, both with different materials to make them act as separate compositions. The south elevation facing Market of Choice measures 136 feet long and is composed of 3 roof forms – hip/gabled simple flat parapet and an articulated cornice. The east elevation provides an articulated cornice in addition to a simple cornice that steps down in elevation matching a siding material change from brick to horizontal siding.

Based on the above design variations in the roof lines, this design criterion is satisfied.

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.

RESPONSE:
Both Options "A" and "B" demonstrate micro design for the intended users and pedestrians. The main component is the inclusion of canopies and awnings on the west and south elevations where the public will be either viewing or accessing the structures. Should transit users visit these buildings, they will be afforded the same benefits as all pedestrians.

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

RESPONSE:

Both Options "A" and "B" seek to excel in making a safe and attractive pedestrian environment – the existing retail center is all about moving pedestrians safely around after getting out of their vehicles. The proposed buildings continue to carry this vision. A sidewalk will be added along Hood Street, where none exists today. A main north-south walkway will extend from the Market of Choice store entrance across the parking area to the walkways that front the new building. Option "A" on the south side, contains an 8-foot wide walkway servicing the south side of the building oriented east-west to the new refuse enclosure. Option "B" provides the same walkway on the south elevation yet, it has a direct connection to Hood Street. See Exhibits H and I - Landscape Plan.

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.

RESPONSE:
No sidewalk cafes or outside street furniture are proposed with this application. Both Options "A" and "B" provide for sidewalks and walkways that exceed the 4-foot minimum width. Therefore, this criterion is satisfied.

7. Transportation. The automobile shall be shifted from a dominant role, relative to other modes of transportation, by the following means:

a. Commercial and office development shall be oriented to the street. At least one public entrance shall be located facing an arterial street; or, if the project does not front on an arterial, facing a collector street; or, if the project does not front on a collector, facing the local street with highest traffic levels. Parking lots shall be placed behind or to the side of commercial and office development. When a large and/or multi-building development is occurring on a large undeveloped tract (three plus acres), it is acceptable to focus internally; however, at least 20 percent of the main adjacent right-of-way shall have buildings contiguous to it unless waived per subsection (B)(7)(c) of this section. These buildings shall be oriented to the adjacent street and include pedestrian-oriented transparencies on those elevations.

RESPONSE:
Option A: The building is situated approximately 30 feet east of the Hood Street ROW with an east-west orientation, such that the narrow portion of the building fronts Hood Street. This separation allows the intended user, US Post Office, to maintain a drive through mail drop box lane, also shared with the service vehicles for part of the needed northwards travel movement access for the loading ramp to the north of the building. Aside from the building setback, the building mass does exceed the 20 percent adjacency requirement with 30 percent of the building parallel to the right-of-way. Due to the building finish floor elevation being nearly 5 feet lower than the existing sidewalk at Hood Street, the actual public entrance is located at the south west corner of the building. A set of stairs and a ramp leads from the sidewalk grade down to the finish floor elevation of the new building and to the front door. The parking area is to the side of the building. The west elevation facing Hood Street provides for glazing and canopies supporting the pedestrians. This criterion is met, understanding the building placement must accommodate automobile features for the customer drop box lane and shared loading.

Option B: The building is oriented in the same alignment as above in an east-west footprint. The proposed structure is moved closer to the ROW due to the fact that there is no drive through lane or loading berth. The west building elevation is within 10 feet east of the ROW covering 28% of the tax lot frontage on Hood Street. It provides windows and canopies over the windows, with a set of stairs and pedestrian ramp that lead down the 5-foot grade change to the actual entry doors at the south west corner of the building. Since this building is designed for multiple tenants, there are a series of double doors providing access to future tenant spaces along the entire south building elevation.

For both Options "A" and "B" the grade change of 5 feet from the Hood Street elevation does not permit a main entry in this location. The reason for this is because the building finish floor elevation aligns with the parking field along the south elevation of the buildings. Hood Street is another 5 feet higher in elevation, and if the new building was constructed at the Hood Street elevation, the reconfigured shared parking lot would not be possible to achieve with the gentle 3 percent cross slope (which is a normal acceptable gradient for commercial shopping centers). The access drive from Hood Street contains a 5-7% slope to account for this grade change, to permit vehicles to transition from Hood Street down to the shared parking field. The inclusion of window glazing and canopies and awnings retains the intent of the building orientation requirement. The stairs and ramps provide a logical path to the entrances, and the parking is located on the side of the building

c. *Commercial, office, and multi-family projects shall be built as close to the adjacent main right-of-way as practical to facilitate safe pedestrian and transit access. Reduced frontages by buildings on public rights-of-way may be allowed due to extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations, not just inconveniences or design challenges.*

RESPONSE:

Option "A": The proposed building is set back 40 feet from the current ROW (30 feet after frontage dedication). This is the closest this building can be positioned to the ROW in order to accommodate the Post Office requirements for a vehicular drive through lane and for delivery truck loading. The vehicle drive through and loading is shared requiring a 20-foot-wide lane to safely accommodate the delivery truck tuning radii of 62 feet. These two uses are not considered safe or practical to introduce deeper into the parking field due to conflicts with pedestrians and vehicular maneuvering. In addition, these two uses need to be positioned in a location that contains minimal cross slopes for grades. The plan takes advantage of the 5-foot grade change from Hood Street to the building finish floor elevation and shared parking field, by keeping the two uses at the Hood Street elevations. The close proximity to Hood Street enables both the loading and drive through lane to be placed at acceptable slopes for both passenger vehicles and delivery trucks. Therefore, the current plan is the most suitable arrangement to accommodate the uses required by the Post Office.

Option "B": The proposed building is set back 13 feet from the current ROW (1 foot after frontage dedication). This allows for the Hood Street sidewalk to be brought up to the face of building. This option is considered as close as possible to the main right-of-way.

Both options meet this criterion in the safest manner for pedestrians and vehicle movements. Transit users visit this part of the project as will other patrons and employees. There is no transit stop on Hood Street. The closest stop is one block west at Hwy. 43 and Burns Street.

d. *Accessways, parking lots, and internal driveways shall accommodate pedestrian circulation and access by specially textured, colored, or clearly defined footpaths at least six feet wide. Paths shall be eight feet wide when abutting parking areas or travel lanes. Paths shall be separated from parking or travel lanes by either landscaping, planters, curbs, bollards, or raised surfaces. Sidewalks in front of storefronts on the arterials and main store entrances on the arterials identified in CDC 85.200(A)(3) shall be 12 feet wide to accommodate pedestrians, sidewalk sales, sidewalk cafes, etc. Sidewalks in front of storefronts and main store entrances in commercial/OBC zone development on local streets and collectors shall be eight feet wide.*

RESPONSE:

For both Option "A" and Option "B" pedestrians are accommodated via the extension of the existing sidewalk along Hood Street, designated as a "local street", north from the existing water feature plaza. The sidewalk width varies

from 8 feet to 12 feet along Hood Street depending upon the location. This meets the 8-foot minimum standard for a local street in a commercial zone. The sidewalk provides pedestrian access into the site with either striped patterns on asphalt or concrete. A connector walkway internal to the site, classed as a "path" in this chapter, is provided from the existing path that starts at the Market of Choice main entrance and crosses the existing parking lot to the proposed building. This path is shown at 6' wide, demarcated with a striping pattern to match the existing path design. Another 6-foot wide elevated concrete sidewalk runs east-west along the south building elevation. This walkway immediately in front of the building expands to 12 feet wide to accommodate storefront activities.

e. *Paths shall provide direct routes that pedestrians will use between buildings, adjacent rights-of-way, and adjacent commercial developments. They shall be clearly identified. They shall be laid out to attract use and to discourage people from cutting through parking lots and impacting environmentally sensitive areas.*

RESPONSE:
Option "A" and option "B" both utilize the same parking field the includes a 110 foot extension of an existing path that connects the main entrance of Market of Choice to the walkway that abuts the entrances to the proposed building. This path is clearly marked with a striping pattern to be easily identified. This is the safest, most direct pedestrian route linking the two buildings together. There are no other pathways in the proposed project. There is a raised concrete sidewalk that runs east-west along the south building elevation to provide access to all the building entries and to access Hood Street. The paths or sidewalks do not encroach into environmentally sensitive areas. This criterion is satisfied.

f. *At least one entrance to the building shall be on the main street, or as close as possible to the main street. The entrance shall be designed to identify itself as a main point of ingress/egress.*

RESPONSE:
Option "A": The main street in this case is Hood Street. The current Post Office entrance is 40 feet from the existing Hood Street ROW. The proposed building is situated the same distance, yet the entrance is moved another 24 feet further east on the south side of the structure to align with floor plan, which sits approximately 5 feet lower in elevation from the Hood Street sidewalk. The entrance is clearly defined by being centered under the gable of the hip roof, with metal canopies and double glass doors. A stairway and an adjacent walkway both provide access to this main entrance.

Option "B": The building in this plan is positioned 10 feet from the existing ROW, with the first of five (5) tenant entry door located another 16 feet east on the south side of the structure to allow align with the floor plan, which sits approximately 5 feet lower in elevation from the Hood Street sidewalk. The entrance is clearly defined by being centered under the gable roof form that also contains canopies and double glass doors. A stairway and adjacent walkway provide access to this main entrance.

The main entries are provided as close as possible to the main street due to the 5-foot change in grade from Hood Street to the finish floor elevation and the parking field. This criterion is met.

g. *Where transit service exists, or is expected to exist, there shall be a main entrance within a safe and reasonable distance of the transit stop. A pathway shall be provided to facilitate a direct connection.*

RESPONSE:
For Both Option "A" and Option "B": No transit service currently exists on Hood Street adjacent to this development. The nearest transit stop is located on Willamette Drive (Hwy. 43), one street west of Hood Street and approximately

400' from the subject site. However, in the case of future transit stops in this vicinity, this proposal meets these conditions by providing clearly identifiable walkways from the right-of-way to the interior of the development.

h. *Projects shall bring at least part of the project adjacent to or near the main street right-of-way in order to enhance the height-to-width ratio along that particular street. (The "height-to-width ratio" is an architectural term that emphasizes height or vertical dimension of buildings adjacent to streets. The higher and closer the building is, and the narrower the width of the street, the more attractive and intimate the streetscape becomes.) For every one foot in street width, the adjacent building ideally should be one to two feet higher. This ratio is considered ideal in framing and defining the streetscape.*

RESPONSE:
Option "A": The proposed new building location is as close to Hood Street as is feasible while still accommodating the service drive/loading area. The distance is 40 feet from the existing ROW and will be reduced to 30 feet after ROW dedication occurs. The building massing is approximately 34 feet tall from finish floor or 28 feet when views from Hood Street sidewalk. The building across Hood Street to the west is a two-story 38-foot-tall configuration and with the new proposed structure at 28 feet, the anticipated height-to-width-ratio will be implemented.

Option "B" places the building within 10 feet of the existing ROW and will be within 1 foot after ROW is dedicated. By putting the highest peak of the building closest to Hood street, this proposal seeks to enhance the height-to-width ratio along Hood Street providing a more intimate and attractive streetscape. The building will appear to be 28 feet tall from Hood Street, with an overall height of 34 feet from the actual finish grade of the building. The building across Hood Street to the west is a two-story 38-foot-tall configuration and with the new proposed structure at 28 feet, the anticipated height-to-width-ratio will be implemented.

This criterion is met.

i. *These architectural standards shall apply to public facilities such as reservoirs, water towers, treatment plants, fire stations, pump stations, power transmission facilities, etc. It is recognized that many of these facilities, due to their functional requirements, cannot readily be configured to meet these architectural standards. However, attempts shall be made to make the design sympathetic to surrounding properties by landscaping, setbacks, buffers, and all reasonable architectural means.*

RESPONSE:
For both Options "A" and "B" there are no public facilities proposed with this project. This criterion does not apply.

j. *Parking spaces at trailheads shall be located so as to preserve the view of, and access to, the trailhead entrance from the roadway. The entrance apron to the trailhead shall be marked: "No Parking," and include design features to foster trail recognition.*

RESPONSE:
For both Options "A" and "B" there are no trailheads identified or planned at this development site. This section does not apply.

C. *Compatibility between adjoining uses, buffering, and screening.*

1. *In addition to the compatibility requirements contained in Chapter 24 CDC, buffering shall be provided between different types of land uses; for example, buffering between single-family homes and apartment blocks. However, no buffering is required between single-family homes and duplexes or single-family attached units. The following factors shall be considered in determining the adequacy of the type and extent of the buffer:*

2. *On-site screening from view from adjoining properties of such things as service areas, storage areas, and parking lots shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening: (additional text omitted for brevity).*

RESPONSE:
The current use to the immediate north is an office on commercial zoned property. The current use on the property to the north east is residential on commercial zoned property. For both Options "A" and "B" the plans include landscape buffering on the north and northeast property lines. The existing arborvitae will be removed and replanted with a new Pyramidal Arborvitae (PA on plan) which will serve as an evergreen buffer, as shown on the Landscape Plan, Exhibits H and I. No screening is necessary to the south or east and to the west is the frontage on Hood street.

3. Rooftop air cooling and heating systems and other mechanical equipment shall be screened from view from adjoining properties.

RESPONSE:
For both Options "A" and "B" the building design includes 32-34-foot-tall roof element closest to Hood Street. The building design is lower in elevation at 22 feet towards the east. The roof includes a depression where the mechanical equipment will be mounted, concealed by the 3-4-foot-tall parapets at the perimeter of the building. The parapets provide the necessary screening from adjoining properties. This criterion is met.

D. *Privacy and noise.*
   3. *Structures or on-site activity areas which generate noise, lights, or glare shall be buffered from adjoining residential uses in accordance with the standards in subsection C of this section where applicable.*
   4. *Businesses or activities that can reasonably be expected to generate noise in excess of the noise standards contained in West Linn Municipal Code Section 5.487 shall undertake and submit appropriate noise studies and mitigate as necessary to comply with the code. (See CDC 55.110(B)(11) and 55.120(M).)*

RESPONSE:
For both Options "A" and "B" criterion D. 1. and D.2. apply to residential dwellings and are not applicable to this project. All exterior lights meant for pedestrian illumination and signage are oriented to the south and west, away from any adjoining properties. The current Post Office operations contain regular noise from the series of service trucks circulating in and out of the subject site on a daily basis. The fleet of service trucks will be largely relocated from this site and only a singular delivery vehicle will be frequenting the site at the loading ramp area on the north side of the building. This factor alone has the opportunity to reduce the frequency of ambient noise generated from the project. If Option "B" is pursued, it is anticipated that the noise generated will be similar to either of the two existing retail buildings to the north of this area. The anticipated tenants for the building will not exceed the noised limitations in CDC 19.030.

F. Shared outdoor recreation areas.

RESPONSE:
This criterion is only applicable to multi-family projects, there it does not apply to this project.

G. Demarcation of public, semi-public, and private spaces. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semi-public areas, and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, to provide for crime prevention, and to establish maintenance responsibility.

RESPONSE:
For Option "A" and Option "B" all areas of the property are private yet designed to be open to the public. Any accessways and parking are for the benefit of patrons of the retail establishments on the property. The existing plaza and water feature at the 4-way stop functions as a semi-public space. The project retains this plaza, as an area just north of it will be devoted to the northerly access from Hood Street into the shared parking field. The proposed project does not add or create any new public spaces. This criterion is satisfied.

H. Public transit.

1. *Provisions for public transit may be required where the site abuts an existing or planned public transit route: a-c.*

2. *The required facilities shall be limited to such facilities as the following: a – d.*

RESPONSE:
For Both Option "A" and Option "B" The abutting right-of-way, Hood Street, is not on any transit route according to the Tri-Met System Map. The closest transit stop is across from Easy Street, on Highway 43 approximately 400 feet from the proposed development site according to the Google Aerial map. Therefore, these criteria are not applicable, unless the transit authority designates Hood Street as a planned transit route.

3. The transit stop shall be located as close as possible to the main entrance to the shopping center, public or office building, or multi-family project. The entrance shall not be more than 200 feet from the transit stop with a clearly identified pedestrian link.

4. All commercial business centers (over three acres) and multi-family projects (over 40 units) may be required to provide for the relocation of transit stops to the front of the site if the existing stop is within 200 to 400 yards of the site and the exaction is roughly proportional to the impact of the development. The commercial or multi-family project may be required to provide new facilities in those cases where the nearest stop is over 400 yards away. The transit stop shall be built per subsection (H)(2) of this section.

RESPONSE: For both Options "A" and "B" this proposed redevelopment area is part of a larger commercial center. When the site was initially redeveloped in 2006 a transit stop was provided through the granting of a bus stop pad and easement opposite Easy Street along the commercial project fronting Highway 43. This stop is centrally located to an internal access drive that bisects the commercial site in half, therefore meeting the intentions of these 2 criteria.

I. Public facilities. An application may only be approved if adequate public facilities will be available to provide service to the property prior to occupancy.

1. *Streets.*
2. *Storm detention and treatment and geologic hazards.*
3. *Municipal water*
4. *Sanitary sewers*
5. *Solid waste and recycling storage areas.*

RESPONSE:
For both Options "A" and "B" this action is a redevelopment of an existing site. As such all public facilities already exist with capacity to support either of the building options. Below is an explanation for each type of facility.

Streets. The site currently abuts Hood Street which is classified as a "local street" with an existing 40-foot right-of-way. Access to this site will continue to be from this street. It is planned to dedicate an additional 9' 6" width of property along Tax Lot 700 such that the ROW will align with the ROW in the abutting Tax Lot 900.

Storm Management. The Composite Utility Plan shows the storm water is managed via a 10- inch HDPW storm line which will tie into the existing storm system at the east end of Parcel 900. The proposed redevelopment will require the installation of 6 water quality cartridges in the existing vault to comply with the anticipated flows.

Municipal Water. Municipal water is available from a 12- inch water main located in the Hood Street right-of-way and currently serves the existing building. A 1.5-inch water service line will be stubbed off of this main or the existing lateral line will be relocated to serve the new building.

Sanitary Sewers. Sanitary sewer is serving the existing building from the 8- inch PVC sanitary main located in the Hood Street right-of-way. A 6- inch sanitary lateral will be relocated or a new stub off from this main line will be created to serve the new building.

Solid Waste and Recycling Storage Areas. The site plans provide for a single solid waste and recycling storage facility, sized 10' x 20' wide with double swing gates that align with a drive aisle for refuse truck access. This is sized appropriately for either of the new buildings.

J. Crime prevention and safety/defensible space.

RESPONSE:
For both Options "A" and "B" crime prevention and defensible space is a number one priority. This design incorporates windows facing the public street and the south building elevation also visible from the street. Exterior lighting is provided within the entire parking area that would be potentially vulnerable to crime. Light fixtures will be located so that light patterns meet or exceed the illumination standards for a commercial business. The height of fixtures will be located at or above the 7-foot elevation. Cut-off shields will be used to reduce glare and direct the illumination downwards. This proposal increases line of sight between both parcels from the public right-of-way allowing greater visibility to police and residents. Security fences are not being proposed at this time. The proposal for either option complies with these standards.

K. Provisions for persons with disabilities.

1. The needs of a person with a disability shall be provided for. Accessible routes shall be provided between all buildings and accessible site facilities. The accessible route shall be the most practical direct route between accessible building entries, accessible site facilities, and the accessible entry to the site. An accessible route shall connect to the public right-of-way and to at least one on-site or adjacent transit stop (if the area is served by transit). All facilities shall conform to, or exceed, the Americans with Disabilities Act (ADA) standards, including those included in the Uniform Building Code.

RESPONSE:
For both Options "A" and "B" the accessible route between buildings is provided from the Market of Choice (MOC) building entry through the parking field to the planned building pad to the north of the MOC entrance. This is an asphalt paving 6 feet wide, with white striping to differentiate the surface from the parking area. This route connects to the concrete sidewalk that fronts the south side of the new building allowing direct access to all the entrances in the new building. An accessible route is provided to the existing Market from Hood Street and this building to building route extends the route from the Market to the Post Office site. This application proposes to provide an ADA designed pedestrian access from the existing Hood Street public sidewalk along the site's frontage and connecting to the main entry of the new building under both Option "A" and "B" (see Exhibits D and E.)

L. Signs. 1-6

RESPONSE:

For both Options "A" and "B": These standards regulate the manner in which signs are displayed on the building to be visible but not impair drivers site distance or emergency vehicles. It also controls directional signage or vehicles and pedestrians. The building signs will be placed to identify the main building address and tenants at a higher elevation above the storefront windows. Way finding signs such as traffic control devices and markings will be installed to provide safe and efficient flow of vehicles at specific locations on the site. Pedestrian paths and walks will be clearly visible. No signs will obscure vehicle driver's sight distance. These standards are met.

M. Utilities. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting, and cable television, shall be placed underground, as practical. The design standards of Tables 1 and 2 above, and of subsection 5.487 of the West Linn Municipal Code relative to existing high ambient noise levels shall apply to this section.

RESPONSE:

For both Options "A" and "B" the Applicant shall coordinate with utility companies and any businesses affected by the installation of underground lines and facilities. The project will comply with the design standards in tables 1 and 2 and subsection 5.487 of the municipal code.

O. Refuse and recycling standards a. – g.

RESPONSE:

For both Options "A" and "B" one refuse/recycling facility is proposed measuring 10' x 20' wide with double swing gates providing access from a drive aisle in the parking field. The enclosure is constructed of masonry walls, concrete floor and steel swing-gate doors. Recycling and solid waste areas will not be used as a storage area or to store belongings of tenants. This will be maintained by the property owner in a clean and safe condition.

O. 4. Special wastes or recyclable materials; 5. screening and buffering; 6. Litter receptacles

RESPONSE:

For both Options "A" and "B" a single refuse/recycling facility will be constructed to serve the new building. No hazardous wastes will be stored permitted at this site. Containers used for cooking oils will not be stored in this facility. A landscaped hedge will be provided around three sides of the facility (west, north, and east). The structure is located 15 feet south of the closest property line, at the far east end of the parking field to reduce visibility from public ways. It is constructed of durable materials such as concrete, masonry block and steel. Litter receptacles will be placed on the private property and not encroach on the required walkway widths. The number of receptacles will meet or exceed the standard of one per every 25 parking spaces.

55.110 SITE ANALYSIS

RESPONSE:

For both Options "A" and "B" a single site analysis has been completed depicting the vicinity of the property and all pertinent information as required in Sections 55.110.1-10. In addition, the site analysis indicates that, other than a small portion of landscaped area within existing parking lot that is Type II, the site development proposed for this application is occurring on lands that meet the City's definition for Type IV Lands

55.120 SITE PLAN

RESPONSE:

There are two site plans provided to comply with Option "A" (Post Office building) and Option "B" (retail building) The site plans are at the same scale as the site analyses and depicts the Applicant's entire property including all elements required in Section 55.120.A-H.

55.125 TRANSPORTATION ANALYSIS

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

RESPONSE:

For both Option "A" and "B": The proposed project does not require a traffic impact analysis because it does not propose a subdivision or partition plat, no change in zone or plan amendment; or an increase in site traffic volume. Access locations meet site distance requirements and no change in internal traffic is expected to cause safety problems. The Applicant has provided a trip generation by Kittelson & Associates, transportation engineers to clarify the potential changes in vehicle trips between the current 5,100 SF Post Office and a proposed Post Office building sized 5,255 SF. In addition, a single retail building sized 6,550 SF in size was examined with a portion of it utilized for a restaurant. This study is provided as Exhibit P. It concludes that for Option "A" a replacement Post Office the vehicle trips would be virtually the same, yet they provided a footnote to explain it would actually be less trips with the relocation of service and delivery trucks that frequent the site today. For Option "B" with a retail building including a restaurant, the vehicle trips will provide a reduction of 310 weekday daily trips compared to the existing postal service. Table 1 of the trip memorandum reveals the following:

Use	Weekday Daily Vehicle Trips
Existing Post Office	530
Option "A" Proposed Post Office	544
Option "B" Proposed Retail	220 with pass by reductions
Proposed Retail (Opt "B") – Existing Post Office Trips	-310

55.130 GRADING AND DRAINAGE PLANS

RESPONSE:

For both Options "A" and "B" grading and drainage plans are provided in the Preliminary Civil Plan Set, Exhibits D and E. These plans depict the location and extent of all grading on the site including all the requirements under Sections 55.130.A-F. Only Type IV lands are proposed for the redevelopment of this site.

55.140 ARCHITECTURAL DRAWINGS

RESPONSE:

For both Options "A" and "B" architectural drawings are provided as Exhibits F and G showing building elevations, footprint, and design elements. These drawings also depict curb elevations and building material color and type. The name of the Architect is also listed on the plan set.

55.150 LANDSCAPE PLAN

RESPONSE:

For Options "A" and "B" landscape plans are provided as Exhibits H and I, depicting the location and height of buffering and screening materials. An irrigation is not provided and notes on the plans require all the plantings to be irrigated. The actual landscape installer will be responsible to design and install the irrigation system. The plans also depicts the location, size, and species of proposed plant materials.

Chapter 75 Variances and Special Waivers

75.10 Purpose

The purpose of this chapter is to provide standards for granting variances and special waivers from the applicable requirements of this code.

RESPONSE:

The requested variance is for 2 additional parking spaces for Option "A" only. According to Section 19.030.20, parking is a specified use in the zone.

75.20 Classification of Variances

A. Class I Variance. Class I variances provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. Class I variances are allowed for the following code provisions:

2. Off-street parking dimensional and minimum number of space requirements may be modified up to 10 percent if the decision-making authority finds that the use is designed for a specific purpose, which is intended to be permanent in nature.

RESPONSE:

The requested variance for Option "A" is to grant an additional 2 parking spaces to the maximum allowed for the entire site of 176 total spaces. These additional 2 parking spaces will be designated for retail (Post Office) parking that will be shared between the existing market and the new Post Office building. The Applicant requests administrative review as identified in Section 75.030.A Class I Variances. See Table 1 – Hood Street Parking Matrix.

Table 1 – Hood Street Parking Matrix.

Option "A" with New 5,225 SF Post Office Building

Total for both New Post Office and Grocery						Max	Max		On-site
	Minimum	No Variance Required			Variance	Allowed	Applicant's	Site Plan
	Required	10%		Max	10%	After	Parking Space	Proposal
	Parking	Increase	Rounded	Allowed	Increase	Variance	Allocation	Shows
Existing Grocery	137	13.7	14	151	13.70	164.40	150	141
New Retail (Post Office)	22	2.2	3	25	2.20	26.40	28	37
Totals:				176	15.90	190.80	178	178
Provided Parking in Application				178				
No of spaces over max				**2**	**Class 1 Variance for these 2 spaces**			

Option "B" with 6,550 SF Retail Building

Total for both New Retail and Grocery					Max	Max		On-site
	Minimum	No Variance Required			Variance	Allowed	Applicant's	Site Plan
	Required	10%		Max	10%	After	Parking Space	Proposal
	Parking	Increase	Rounded	Allowed	Increase	Variance	Allocation	Shows
Existing Grocery	137	13.7	14	151	13.70	164.40	150	141
New Retail	28	2.8	3	31	2.80	33.60	28	37
Totals:				182	16.50	198.00	178	178
Provided Parking in Application				178				
No of spaces over max				**-4**	**No Class 1 Variance Required**			

Existing Conditions for Current Post Office and Market of Choice

Existing Stall Count (on-site)			Existing Stall Count with Gravel Parking						
grocery		141				141			
post office		27	gravel lot	8		35			
Totals:		168				176			
Proposal:		178				178			
Difference:		10				2	more spaces than present today		

As shown in the above table, only Option "A" is seeking an administrative variance for 2 spaces above the outright 10% allowed by the code. The Administrative Variance allows another 10% increase from the minimum required parking. Of this additional 15.9 spaces the Applicant is seeking approval for only 2 of the 15.9 allowed through the variance for the specific purpose of better serving the proposed retail (Post Office) and existing grocery market. The Applicant desires to allocate the spaces in a shared manner and for convenience has shown the Applicant's Allocation of the Parking Spaces. This allocation distributes the spaces where they are most beneficial to the users. The spaces closest to the Post Office are intended for that building. The spaces that are the flattest and closest to the north-south pathway from the market are intended for the Market. This differs from the last column labeled "On-site Site Plan Proposal Shows" that depicts the numbers of spaces shown on the site plan, that does not account for the allocation of the spaces between the two uses. Option "B" does not require an administrative variance and demonstrates that the maximum number of spaces permitted is 182, yet only 178 are proposed, therefore there is a "-4" spaces shown in the table.

This Variance is fully justified for Option "A" by the criteria of approval and is devoted to specific purposes, therefore approval is requested.

CONCLUSION:
The application meets the applicable criteria of approval as demonstrated in the responses and the attached plans and exhibits. Therefore, we request approval be granted for the application for Design Review Class II, Water Resources Area and the parking Administrative Variance.

This map was prepared for assessment purpose only.

N.E.1/4 S.W.1/4 SEC. 30 T.2S. R.2E. W.M.
CLACKAMAS COUNTY

1"=100'

D.L.C.
HUGH BURNS NO. 51

2 2E 30CA
WEST LINN

SEE MAP 2 2E 30BD

SEE MAP 2 2E 30CB

SEE MAP 2 2E 30DB

SEE MAP 2 2E 30CC

BOLTON STREET

STATE HWY

HWY 43 NAMED WILLAMETE DRIVE IN WEST LINN BY 86-38375

MOODY INV. CO'S. PLAT OF HOLLY GARDENS ADD TO WEST LINN

BURNS STREET

HOOD STREET

CASCADE STREET

MOODY INV. CO'S. PLAT OF TRACTS 35 TO 93 INCL. OF UNIT "D"

PLAT OF TRACTS 1 TO 34 INCL. OF UNIT "D" OF WEST OREGON CITY

WEST OREGON CITY

OREGON CITY

FIRST STREET

WILLAMETTE STREET

MCKILLICAN STREET

UNRECORDED (LOTS 1 TO 8)

SEE SUPPLEMENTAL MAP NO.1

COURT

LANE

(EAST) 9TH STREET

P.P. 2003-93

AMY STREET

GARDEN STREET

E DRIVE

HOLLY STREET

EASY (6th.)

BROADWAY

WEST "A" STREET

McKILLICAN STREET

(5th.)

(4th.)

EUSE STREET

Vacated by City Ord. NO. 960

NO. 43

CANCELLED
3300
5400
9900
9100
9300
800
1301
1400
1500
9200
5000
4901
4801
4701
5201
5301
3801A
6200
3101
3202
2600
2700
2800
2900
3000
3100
3200
3201
3600
3804
1600
1700
1000
1100
1200
1300
3500

21800

22000

22300

BOOK 19
2 2E 30CA
WEST LINN

FORM No. 961 – BARGAIN AND SALE DEED – STATUTORY FORM (Individual Grantor).

NN

Clackamas County Official Records
Sherry Hall, County Clerk

2003-061767

$111.00

05/16/2003 11:18:01 AM

D-D Cnt=1 Stn=3 BEVERLY
$70.00 $11.00 $10.00 $20.00

DeJardin Family Limited Partnership, et al

Grantor's Name and Address

West Linn Shopping Center Associates, LLC
19767 SW 72nd, Suite 100
Tualatin, OR 97062

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

West Linn Shopping Center Associates, LLC
19767 SW 72nd, Suite 100
Tualatin, OR 97062

Until requested otherwise, send all tax statements to (Name, Address, Zip):

SAME AS GRANTEE ABOVE

SPACE RESERVED FOR RECORDER'S USE

book/reel/volume No. ____ on page ____ and/or as fee/file/instrument/microfilm/reception No. ____, Records of this County.

Witness my hand and seal of County affixed.

NAME TITLE

By ____, Deputy.

BARGAIN AND SALE DEED – STATUTORY FORM

(INDIVIDUAL GRANTOR)

SEE GRANTORS LISTED IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF, Grantor, conveys to WEST LINN SHOPPING CENTER ASSOCIATES, LLC, an Oregon limited liability company, Grantee, the following real property situated in Clackamas County, Oregon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TRANSNATION TITLE/COMMERCIAL 1236766

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The true consideration for this conveyance is $5,400,000.00. (Here, comply with the requirements of ORS 93.030.)

DATED May 15 2003.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

SEE EXHIBIT "C" ATTACHED HERETO AND MADE A PART HEREOF, FOR SIGNATURE PAGE

STATE OF OREGON, County of ____) ss.

This instrument was acknowledged before me on ____,

by ____.

Notary Public for Oregon

My commission expires ____

EXHIBIT "A"
Legal Description

PARCEL I:
[Tax Lot 3500]

A tract of land in the Hugh Burns Donation Land Claim No. 51 in Section 30, Township 2 South, Range 2 East, of the Willamette Meridian, City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of Tract No. 1 of Moody Investment Company's plat of HOLLY GARDENS (an addition to the City of West Linn); thence South 55°07' East along the Southerly line of said Tract No. 1, 100 feet to the point of beginning of the tract being described herein; thence following the said Southerly line of said Tract No. 1, and a projection thereof, South 55°07' East 100 feet; thence South 34°53' West 120 feet, more or less, to the Northerly line of Pacific Highway No. 1 (now known as Willamette Drive); thence Northwesterly following the Northerly line of said Pacific Highway No. 1 (now known as Willamette Drive), 100 feet, more or less, to the Southeast corner of a tract of land conveyed by Moody Investment Company to J.C. Polajnar and Dorothy M. Polajnar by deed recorded August 23, 1940, in Book 272, Page 32, Deed Records; thence North 34°53' East 125 feet, more or less, to the point of beginning.

PARCEL II:
[Tax Lot 3200]

A tract of land in the Hugh Burns Donation Land Claim No. 51 in Section 30, Township 2 South, Range 2 East, of the Willamette Meridian, City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the Southwesterly line of a tract described in Deed to Godfrey R. Watson, et ux, recorded December 30, 1969 as Recorder's Fee No. 69-26730, Film Records, said point being South 55°07' East a distance of 12.71 feet from the railroad iron at the most Southerly corner of Tract No. 1 of Moody Investment Company's plat of HOLLY GARDENS as recorded in Book 16, Page 33, Record of Town Plats for Clackamas County, Oregon; thence North 45°18'42" East a distance of 27.18 feet; thence South 44°41'18" East a distance of 31.95 feet; thence South 45°18'42" West a distance of 15.80 feet; thence South 44°41'18" East a distance of 13.30 feet; thence South 45°18'42" West a distance of 3.06 feet to said Southwesterly line of said Watson tract; thence North 55°07' West a distance of 46.01 feet to the point of beginning.

(Continued)

2

Exhibit "A"
Legal Description

PARCEL III:
[Tax Lots 2600/3400]

Part of the Hugh Burns Donation Land Claim No. 51 in Section 30, Township 2 South, Range 2 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point in the Easterly line of the right-of-way of the Southern Pacific Company, described as Tract "A" in that certain Deed dated January 2, 1917, from the Moody Investment Company to Southern Pacific Company, recorded January 5, 1917 in Book 144, Page 545, Records of Clackamas County, that is North 27° West along said Easterly line of right-of-way 25.00 feet from the Westerly extension of the Northerly line of Garden Street; thence North 27° West along said Easterly line of right-of-way; thence North 27°00' West, continuing along said Easterly line 325.00 feet to the most Easterly corner of that certain 0.45 acre parcel of land described in Deed dated March 7, 1946 from Southern Pacific Company to Clifford Robins and Martha Robins recorded March 26, 1946 in Book 363, Page 508, Deed Records; thence South 63°00' West, along the Southeasterly line of said Robins parcel, 100.00 feet to a point in the Westerly line of said 10.643 acre Southern Pacific Company parcel, being also the most Southerly corner of said Robins parcel; thence South 27°00' East, along said Westerly line, 78.00 feet, more or less, to an iron pipe at the most Southerly corner of Parcel I of that tract of land conveyed to Godfrey R. Watson, et ux, in Deed recorded December 30, 1969 as Recorder's Fee No. 69-26730, Film Records; thence North 55°07' West along the Northeasterly boundary of Parcel IV of that tract of land conveyed to West Linn Thriftway, Inc., in Deed recorded March 16, 1960 in Book 568, Page 618, Deed Records, 112.00 feet, more or less, to the most Northerly corner of said Parcel IV tract, said point being the most Easterly corner of a tract conveyed to J.C. Polajnar and Dorothy M. Polajnar, husband and wife, in Deed recorded September 6, 1944 in Book 331, Page 155, Deed Records; thence South 34°53' West 120.00 feet, more or less, to the Northerly line of Pacific Highway No. 1 (now known as Willamette Drive); thence Southeasterly following the said Northerly line of said Pacific Highway No. 1 (Willamette Drive) to the most Westerly corner of that tract of land conveyed to the City of West Linn, for public street purposes, in Deed recorded March 25, 1975 as Recorder's Fee No. 75-7317, Film Records; thence North 23°46'57" East along the Northwesterly line of the City of West Linn tract, 114.14 feet to the point of beginning.

(Continued)

3

Exhibit "A"
Legal Description

PARCEL IV:
[Tax Lot 700]

The Southwesterly 220.00 feet of the Northwesterly 80.00 feet of Tract 31 and that portion of Tract 32 of TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the most Southerly corner of Tract 32, thence North 27°40' West on the Southwesterly boundary of Tract 32, 60.0 feet to an iron pipe; thence at right angles North 62°20' East 150.0 feet to a one-half inch iron pipe in the Northeasterly boundary of Tract 32; thence South 27°40' East on said Northeasterly boundary 60.0 feet to the most Easterly corner of Tract 32; thence South 62°20' West on the Southeasterly boundary of Tract 32, 150.0 feet to the place of beginning.

PARCEL V:
[Tax Lot 900]

Tracts 28, 29, 30 and 31, TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, EXCEPTING therefrom, the Southwesterly 220.00 feet of the Northwesterly 80.00 feet of said Tract 31; ALSO EXCEPTING therefrom, the Westerly one-half of said Tract 29, being determined by a line drawn parallel with the Southwesterly line of said Tract 29; ALSO EXCEPTING therefrom, the Southeasterly 95 feet of the Easterly one-half of said Tract 29, the Easterly one-half of said Tract 29 being determined by a line drawn parallel with the Southwesterly line of said Tract 29 and the Southeasterly 95 feet of said Easterly one-half of said Tract 29 being determined by a line drawn parallel with the Northwesterly line of said Tract 29.

PARCEL VI:
[Tax Lot 1000]

The Northerly one-half of the Westerly one-half of Tract 29, TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the Westerly line of said Tract 29, a distance of 75 feet Northerly of the most Southerly corner of said Tract 29; thence Northerly along the Westerly line of said Tract 29, a distance of 75 feet, more or less, to the most Westerly corner thereof; thence Easterly along the Northerly line of said Tract 29, a distance of 100 feet, more or less, to the East and West division line of said Tract

(Continued)

4

Exhibit "A"
Legal Description

29; thence Southerly on said division line and at right angles to the last course, 75 feet, more or less, to a point; thence Westerly at right angles to the last course, 100 feet to the place of beginning.

PARCEL VII:
[Tax Lot 1100]

The Westerly one-half of the Southerly one-half of the Westerly one-half of Tract 29, TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the most Southerly corner of said Tract 29; thence Northerly along the Westerly line of said Tract, 75 feet; thence at right angles and Easterly 50 feet to the Northwest corner of that certain tract of land described in Deed from Robert A. Wells to Eric Hoffman, et ux, recorded December 16, 1927 in Book 191, Page 174, Deed Records of Clackamas County, Oregon; thence Southerly along the Westerly line of said Hoffman tract, 75 feet to a point on the South line of said Tract 29; thence Westerly on the South line of said Tract 29, 50 feet to the place of beginning.

PARCEL VIII:
[Tax Lot 3201]

A tract of land in the Hugh Burns Donation Land Claim No. 51 in Section 30, Township 2 South, Range 2 East, of the Willamette Meridian, and including a portion of Tract No. 1, HOLLY GARDENS, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the Southwesterly line of a tract described in Deed to Godfrey R. Watson, et ux, recorded December 30, 1969 as Fee No. 69 26730, Film Records, being the most Southerly corner of Tract No. 1 of Moody Investment Company's plat of HOLLY GARDENS as recorded in Book 16, Page 33, Record of Town Plats for Clackamas County, Oregon; thence South 55°07' East a distance of 12.71 feet; thence North 45°18'42" East, a distance of 27.18 feet; thence South 44°41'18" East, a distance of 31.95 feet; thence South 45°18'42" West, a distance of 15.80 feet; thence South 44°41'18" East, a distance of 13.30 feet; thence South 45°18'42" West, a distance of 3.06 feet to said Southwesterly line of said Watson tract; thence South 55°07' East a distance of 106.18 feet to the most Southerly corner of said Watson tract; thence North 27°40' West a distance of 185.3 feet to the most Easterly corner of said Tract No. 1 of HOLLY GARDENS; thence

(Continued)

5

Exhibit "A"
Legal Description

continuing North 27°40' West to a point on the Northeasterly line of said Tract No. 1 that is a distance of 112.69 feet Southeasterly from the most Northerly corner thereof; thence South 34°53' West a distance of 23.05 feet; thence North 53°07' West a distance of 100 feet to a point on the Southeasterly boundary of Burns Street, said point being Southwesterly a distance of 75 feet from the most Northerly corner of said Tract No. 1; thence South 34°53' West a distance of 88.5 feet to the most Westerly corner of said Tract No. 1; thence South 55°07' East a distance of 150 feet to the point of beginning.

PARCEL IX:
[Tax Lot 3100]

A tract of land located in Tract No. 1 of Moody Investment Company's Plat of HOLLY GARDENS, a town plat recorded in Book 16, Page 33, Records of Town Plats for Clackamas County, in the City of West Linn, County of Clackamas and State of Oregon and more particularly described as follows, to-wit:

Beginning at the most Northerly corner of said Tract No. 1; thence following the Southeasterly boundary of Burns Street, South 34°53' West 75.00 feet; thence at right angles Southeasterly, South 55°07' East 100.00 feet; thence parallel with the Southeasterly boundary of said Burns Street, North 34°53' East 23.05 feet to the Northeasterly boundary of said Tract No. 1; thence following the said Northeasterly boundary of Tract No. 1, North 27°40' West 112.69 feet to the place of beginning.

PARCEL X:
[Tax Lot 3600]

A tract of land in Section 30, Township 2 South,Range 2 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of Tract No. 1 of Moody Investment Company's Plat of HOLLY GARDENS (an addition to the City of West Linn); thence South 55°07' East along the Southerly line of said Tract No. 1, 100.02 feet, (100 feet by deed); thence South 34°53' West 125.0 feet, more or less, to the Northerly line of Pacific Highway No. 1 (now known as Willamette Drive); thence North 59°33' West following said Northerly line 100.00 feet, more or less, to intersect a Southerly projection of the Westerly line of said Tract No. 1; thence North 34°53' East 126.99 feet, (127.8 feet by deed) to the place of beginning.

(Continued)

6

Exhibit "A"
Legal Description

PARCEL XI:
[Tax Lot 1300]

The Southeasterly 95 feet of the Easterly one-half of Tract 29, TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, the Easterly one-half of said Tract 29 being determined by a line drawn parallel with the Southwesterly line of said Tract 29 and the Southeasterly 95 feet of said Easterly one-half of said Tract 29 being determined by a line drawn parallel with the Northwesterly line of said Tract 29.

PARCEL XII:
[Tax Lot 3000]

A tract of land in the Hugh Burns Donation Land Claim No. 51 in Section 30, Township 2 South, Range 2 East, of the Willamette Meridian, and being a portion of Tract E, WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point of intersection of the Easterly line of the right-of-way of the Southern Pacific Company described as Tract "A" in that certain Deed dated January 2, 1917, between the Moody Investment Co. and Southern Pacific Co., recorded January 5, 1917, in Book 144, Page 545, of Deed Records of Clackamas County, Oregon (Westerly line of Hood Street) with the South line of Burns Street; thence South 70°30' West 100.86 feet to a point on the Westerly line of said right-of-way of the Southern Pacific Company as described in said indenture dated January 2, 1917; thence South 27° East along said Westerly line of right-of-way 88.16 feet; thence North 63° East 100.00 feet to the said Easterly line of the said right-of-way (Westerly line of Hood Street); thence North 27° West along said Easterly line of right-of-way 75.0 feet to the point of beginning.

PARCEL XIII:
[Tax Lots 2900/2800]

A tract of land in the Hugh Burns Donation Land Claim No. 51 in Section 30, Township 2 South, Range 2 East, of the Willamette Meridian, and being a portion of Tract E, WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point in the Northeasterly line of the right-of-way (100 feet wide) of the Southern Pacific Company, described as Tract "A" in that certain Deed dated January 2, 1917, between the Moody

(Continued)

Exhibit "A"
Legal Description

Investment Co. and Southern Pacific Co., recorded January 5, 1917, in Book 144, Page 545, of Deed Records of Clackamas County, Oregon (Westerly line of Hood Street), that is South 27°00' East thereon, 75 feet from its intersection with the South line of Burns Street, said point also being the most Easterly corner of the Tract of land described in Deed dated November 24, 1941 from Southern Pacific Company to J.L. Moore; thence South 63°00' West along the Southerly line of said Moore Tract 100 feet to the Southwesterly line of said Southern Pacific Company right-of-way; thence South 27°00' East, along said Southwesterly line 200 feet; thence North 63°00' East 100 feet to a point in the Northeasterly line of said Southern Pacific Company right-of-way (Westerly line of Hood Street); thence North 27°00' West, 200 feet to the point of beginning.

EXCEPTING THEREFROM the Southerly 36 feet thereof.

PARCEL XIV:
[Tax Lot 1800]

The Easterly 50 feet of Tract 25, of TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, said Easterly 50 feet to be determined by a line drawn parallel to and 50 feet Westerly from the Northeasterly line of said Tract 25.

ALSO part of Tract 26 of TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the most Westerly corner of said Tract 26, thence North 62°20' East 18 feet along the lot line; running thence South 27°40' East parallel with the Westerly line of said Tract 26, a distance of 190.00 feet, more or less, to a point on the Southerly line of said Tract 26; running thence Westerly on said lot line to the Southwest corner of said Tract 26; running thence North 27°40' West along the lot line 188.9 feet, more or less, to the point of beginning.

PARCEL XV:
[Tax Lot 1700]

Part of Tract 26 of TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the most Westerly corner of said Tract 26; thence North

(Continued)

8

Exhibit "A"
Legal Description

62°20' East a distance of 18 feet to the most Northerly corner of that tract of land conveyed to John W. Splinter, et ux, by Deed recorded January 25, 1960 in Book 566, Page 455, Deed Records, and the True Point of Beginning; thence continuing North 62°20' East 80 feet to the most Westerly corner of that tract conveyed to Otto Werner, et ux, by Deed recorded March 1, 1930 in Book 204, Page 460, Deed Records; thence South 27°40' East along the Westerly line of said Werner tract to a point on the Southerly line of said Tract 26, which point is the most Southerly corner of said Werner tract; thence South 76°28' West to the most Easterly corner of said Splinter tract; thence North 27°40' West along the Easterly line of said Splinter tract, a distance of 190 feet to the true point of beginning.

PARCEL XVI:
[Tax Lot 1600]

The Easterly 50 feet of Tract 26 of TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the Northerly line of said Tract 26 North 62°20' East 100 feet from the most Westerly corner of said Tract 26; thence North 62°20' East 50 feet to the most Northerly corner of said Tract 26; thence South 27°40' East along the Easterly line of said Tract 26, 226.7 feet to the most Easterly corner thereof; thence South 76°38' West along the Southerly line of Tract 26 to the most Easterly corner of that tract of land conveyed to William Splinter, et ux, in Book 185, Page 485, thence North 27°40' West along the Easterly line of said Splinter tract to the place of beginning.

PARCEL XVII:
[Tax Lot 2700]

The Southerly 36 feet of the following described property, to-wit:

Part of Unit "E", WEST OREGON CITY, according to the duly recorded plat thereof in the Hugh Burns Donation Land Claim in Section 30, Township 2 South, Range 2 East of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, described as:

Beginning at a point in the Northeasterly line of the right of way (100 feet wide) of the Southern Pacific Company, described as Tract "A" in that certain indenture dated January 2, 1917, between the Moody Investment Company and Southern Pacific Company, recorded January 5, 1917 in Book 144, Page 545, Deed Records of Clackamas County, that is South 27°00' East thereon 75 feet from its intersection with the

(Continued)

9

Exhibit "A"
Legal Description

Westerly extension of the Southerly line of Burns Street as shown on the recorded plat of West Linn (correctly called the plat of Tracts 1 to 34, of Unit "D", WEST OREGON CITY), said point also being the most Easterly corner of the 0.187 acre parcel of land described in deed dated November 24, 1941 from Southern Pacific Company to J. L. Moore; thence South 63°00' West along the Southerly line of said 0.187 acre parcel of land, 100 feet to an iron pipe in the Southwesterly line of said right of way; thence South 27°00' East along said Southwesterly line of right of way 100 feet to an iron pipe and the true point of beginning of the tract herein described; thence South 27°00' East along said right of way 100 feet to an iron rod; thence North 63°00' East 100 feet to an iron pipe; thence North 27°00' West 100 feet to an iron pipe; thence South 63°00' West 100 feet to the true point of beginning.

The line dividing said tract shall be parallel with the Southerly line of the above described tract.

10

EXHIBIT "B"

GRANTORS:

DEJARDIN FAMILY LIMITED PARTNERSHIP, an Oregon limited partnership,
as to Parcels I, II, III, IV, V & VI
[Tax Lots 3500/3200/3400/2600/700/900/1000]
and
DEJARDIN FAMILY LIMITED PARTNERSHIP II, an Oregon limited partnership,
as to Parcels VIII, IX, X & XI
[Tax Lots 3201/3100/3600/1300]
and
CAROL A. DEJARDIN, TRUSTEE of the LESTER DEJARDIN RESIDUAL TRUST
as to Parcel XII
[Tax Lot 3000]
and
CAROL DEJARDIN, TRUSTEE under TESTAMENTARY TRUST AGREEMENT as
contained in the last will and testament of LESTER DEJARDIN,
deceased, as to Parcel XIII
[Tax Lots 2800/2900]
and
CAROL A. DEJARDIN, TRUSTEE of the LESTER T. DEJARDIN RESIDUARY
TESTAMENTARY TRUST as to Parcel XIV
[Tax Lot 1800]
and
PHYLLIS E. DEJARDIN, TRUSTEE of the PHYLLIS DEJARDIN REVOCABLE LIVING
TRUST DATED AUGUST 9, 1991 as to Parcels XV & XVI
[Tax Lots 1700/1600]
and
DeJardin Family Limited Partnership, an Oregon limited partnership,
as to Parcel VII
[Tax Lot 1100]
and
PHYLLIS E. DEJARDIN, as to an undivided 1/2 interest as to Parcel XVII
[Tax Lot 2700]

11

EXHIBIT "C"

SIGNATURE PAGE

DEJARDIN FAMILY LIMITED PARTNERSHIP

By _____
Carol DeJardin, General Partner

DEJARDIN FAMILY LIMITED PARTNERSHIP II

By _____
Carol DeJardin, General Partner

_____
Carol DeJardin, Trustee

_____
Phyllis E. DeJardin, Trustee

_____
Phyllis E. DeJardin

12

STATE OF OREGON, COUNTY OF Clackamas)ss.
The foregoing instrument was acknowledged before me this 15th day of May, 2003, by Carol DeJardin, as General Partner of DeJardin Family Limited Partnership.

Theresa M Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04

OFFICIAL SEAL
THERESA M KILMER
NOTARY PUBLIC-OREGON
COMMISSION NO. 336054
MY COMMISSION EXPIRES JULY 25, 2004

STATE OF OREGON, COUNTY OF Clackamas)ss.
The foregoing instrument was acknowledged before me this 15th day of May, 2003, by Carol DeJardin, as General Partner of DeJardin Family Limited Partnership II.

Theresa M Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04

OFFICIAL SEAL
THERESA M KILMER
NOTARY PUBLIC-OREGON
COMMISSION NO. 336054
MY COMMISSION EXPIRES JULY 25, 2004

STATE OF OREGON, COUNTY OF Clackamas)ss.
The foregoing instrument was acknowledged before me this 15th day of May, 2003, by Carol A. DeJardin, Trustee of the Lester DeJardin Residual Trust aka Lester DeJardin Testamentary Trust, aka the Lester T. DeJardin Residuary Testamentary Trust.

Theresa M Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04

OFFICIAL SEAL
THERESA M KILMER
NOTARY PUBLIC-OREGON
COMMISSION NO. 336054
MY COMMISSION EXPIRES JULY 25, 2004

STATE OF OREGON, COUNTY OF Clackamas)ss.
The foregoing instrument was acknowledged before me this 15th day of May, 2003, by Phyllis E. DeJardin, Trustee of the Phyllis DeJardin Revocable Living Trust.

Theresa M Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04
(Continued)

OFFICIAL SEAL
THERESA M KILMER
NOTARY PUBLIC-OREGON
COMMISSION NO. 336054
MY COMMISSION EXPIRES JULY 25, 2004

13

Continued

STATE OF OREGON, COUNTY OF Clackamas)ss.
The foregoing instrument was acknowledged before me this 15th day of May, 2003, by Phullis E. DeJardin.

Theresa M Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04

OFFICIAL SEAL
THERESA M KILMER
NOTARY PUBLIC-OREGON
COMMISSION NO. 336054
MY COMMISSION EXPIRES JULY 25, 2004

(14)

Fidelity National Title Company of Oregon

1433 SW Sixth Avenue
(503)646-4444

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Gramor Development, Inc.
19767 SW 72nd Ave. #100
Tualatin, OR 97062

Customer Ref.: _____
Order No.: 45141910113
Effective Date: June 7, 2019 at 08:00 AM
Charge: $350.00

The information contained in this report is furnished by Fidelity National Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

West Linn Shopping Center Associates, LLC, an Oregon limited liability company

Premises. The Property is:

(a) Street Address:

5639 and 5665 Hood Street, West Linn, OR 97068

(b) Legal Description:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. Property taxes for the fiscal year shown below are paid in full.

Fiscal Year:	2018-2019
Amount:	$9,269.52
Levy Code:	003-002
Account No.:	00565659
Map No.:	22E30CA00700
(Parcel I)	

Amount:	$78,234.37
Levy Code:	003-002
Account No.:	00565668
Map No.:	22E30CA00900
(Parcel II)	

2. City Liens, if any, in favor of the City of West Linn.

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	City of West Linn
Purpose:	Utilities
Recording Date:	December 19, 1972
Recording No:	72 38284
Affects:	Parcel II

4. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Memorandum of Lease
Lessor:	DeJardin Family Limited Partnership
Lessee:	United States Postal Service
Recording Date:	December 11, 1998
Recording No:	98-118306

5. Maintenance Agreement, including the terms and provisions thereof

Recording Date:	September 27, 2007
Recording No.:	2007-083449
(Parcel I)	

6. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$23,000,000.00
Dated:	June 1, 2017
Trustor/Grantor:	West Linn Shopping Center Associates, LLC, an Oregon limited liability company
Trustee:	First American Title Insurance Company
Beneficiary:	Washington Capital Joint Master Trust Mortgage Income Fund

Loan No.: NA
Recording Date: June 1, 2017
Recording No.: 2017-036526

The Deed of Trust set forth above is purported to be a "Credit Line" Deed of Trust. It is a requirement that the Trustor/Grantor of said Deed of Trust provide written authorization to close said credit line account to the Lender when the Deed of Trust is being paid off through the Company or other Settlement/Escrow Agent or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing.

An assignment of the beneficial interest under said deed of trust which names:

Assignee: The Bank of New York Mellon Trust Company, N.A,
Loan No.: NA
Recording Date: June 1, 2017
Recording No.: 2017-036541

7. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Subordination Agreement
Lessor: West Linn Shopping Center Associates LLC
Lessee: Market of Choice, Inc.
Recording Date: June 1, 2017
Recording No: 2017-036542

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Kim Alf
503-469-4156
Kim.Alf@TitleGroup.FNTG.com

Fidelity National Title Company of Oregon
1433 SW Sixth Avenue
Portland, OR 97201

EXHIBIT "A"

Legal Description

PARCEL I:

The Southwesterly 220.00 feet of the Northwesterly 80.00 feet of Tract 31 and that portion of Tract 32 of TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the most Southerly corner of Tract 32, thence North 27°40' West on the Southwesterly boundary of Tract 32, 60.0 feet to an iron pipe; thence at right angles North 62°20' East 150.0 feet to a one-half inch iron pipe in the Northeasterly boundary of Tract 32; thence South 27°40' East on said Northeasterly boundary 60.0 feet to the most Easterly corner of Tract 32; thence South 62°20' West on the Southeasterly boundary of Tract 32, 150.0 feet to the place of beginning.

PARCEL II:

Tracts 28, 29, 30 and 31, TRACTS 1 TO 34, INCLUSIVE, UNIT "D" WEST OREGON CITY, in the City of West Linn, County of Clackamas and State of Oregon, EXCEPTING therefrom, the Southwesterly 220.00 feet of the Northwesterly 80.00 feet of said Tract 31; ALSO EXCEPTING therefrom, the Westerly one-half of said Tract 29, being determined by a line drawn parallel with the Southwesterly line of said Tract 29; ALSO EXCEPTING therefrom, the Southeasterly 95 feet of the Easterly one-half of said Tract 29, the Easterly one-half of said Tract 29 being determined by a line drawn parallel with the Southwesterly line of said Tract 29 and the Southeasterly 95 feet of said Easterly one-half of said Tract 29 being determined by a line drawn parallel with the Northwesterly line of said Tract 29.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED**, SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

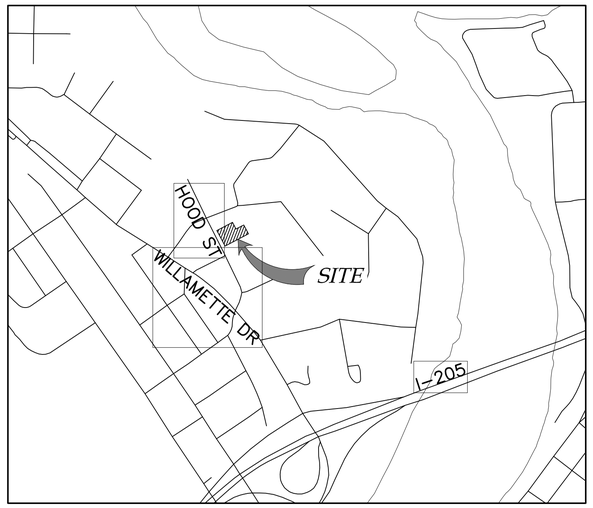
END OF THE LIMITATIONS OF LIABILITY

PRELIMINARY PLANS FOR

WEST LINN REDEVELOPMENT

OPTION A - POST OFFICE

WEST LINN, OREGON

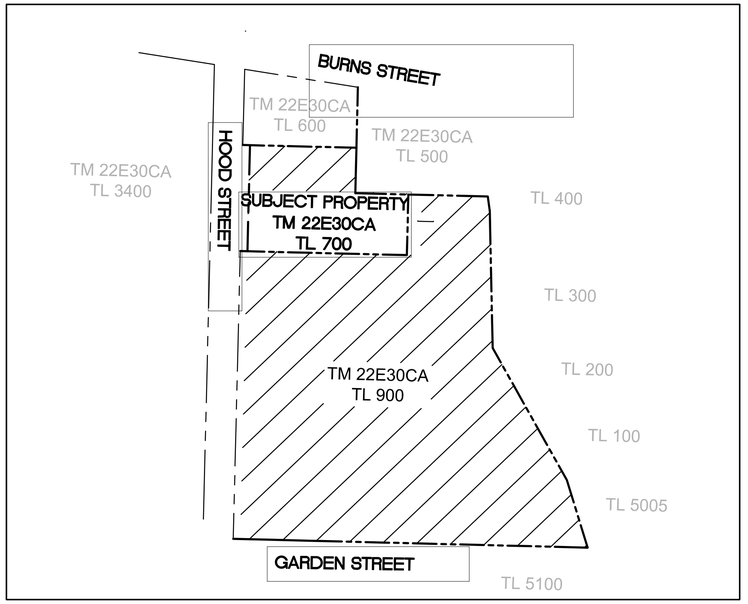


VICINITY MAP

NOT TO SCALE

SHEET INDEX

NAME:	NO.
COVER SHEET	P100-A
EXISTING CONDITIONS AND DEMOLITION PLAN	P200-A
SITE ANALYSIS	P201-A
PRELIMINARY OVERALL SITE PLAN	P300-A
PRELIMINARY SITE PLAN	P301-A
PRELIMINARY GRADING AND EROSION CONTROL PLAN	P400-A
PRELIMINARY COMPOSITE UTILITY PLAN	P500-A
PRELIMINARY CIRCULATION PLAN	P600-A
PRELIMINARY FIRE ACCESS PLAN	P601-A



LOCATION MAP

SCALE: 1"=100'

APPLICANT / OWNER

WEST LINN SHOPPING CENTER ASSOCIATES LLC.
19767 SW 72ND AVE SUITE 100
TUALITIN, OR 97229
PHONE: (503) 245-1976
CONTACT: MATT GRADY

ENGINEER / PLANNER

WESTLAKE CONSULTANTS, INC.
PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY,
SUITE 150 TIGARD, OREGON 97224
PHONE: (503) 684-0652
FAX: (503) 624-0157
CONTACT: JACOB BILLINGSLEY, PE
KEN SANDBLAST, AICP

PROPERTY DESCRIPTION

TAX MAP & TAX LOT:
22E30CA, 700 & PART OF 900

SITE SIZE:
1.01 ACRES

ZONING DESIGNATION:
GENERAL COMMERCIAL (GC)

PROPOSAL:
BUILD NEW COMMERCIAL BUILDING & PARKING, LANDSCAPING, AND LIGHTING

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THESE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987).

UTILITY STATEMENT: THE UNDERGROUND UTILITIES SHOWN ARE PER FIELD MARKINGS AND RECORD DRAWINGS PROVIDED BY THE RESPECTIVE UTILITY AGENCIES. LOCATION OF NON-OBSERVABLE AND/OR UNDERGROUND UTILITIES ARE SHOWN FOR INFORMATION ONLY AND ARE NOT GUARANTEED TO BE COMPLETE OR ACCURATE.

UTILITY VERIFICATION: CONTRACTOR SHALL POTHOLE TO VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION AND SHALL PROVIDE **WESTLAKE CONSULTANTS, INC.** 72-HOURS NOTICE OF ANY POTENTIAL CONFLICTS.

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT
WEST LINN OREGON
COVER SHEET

PRELIMINARY

THESE DRAWINGS ARE THE PROPERTY OF WESTLAKE CONSULTANTS INC. (WCI) AND ARE NOT TO BE REPRODUCED IN ANY MANNER EXCEPT WITH THE WRITTEN PERMISSION OF WCI

NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
0	2020-07	LAND USE SUBMITTAL	JAB	KLS

REVISIONS

SHEET
P100-A

JOB NO
2838-001

2020-07 LAND USE SUBMITTAL

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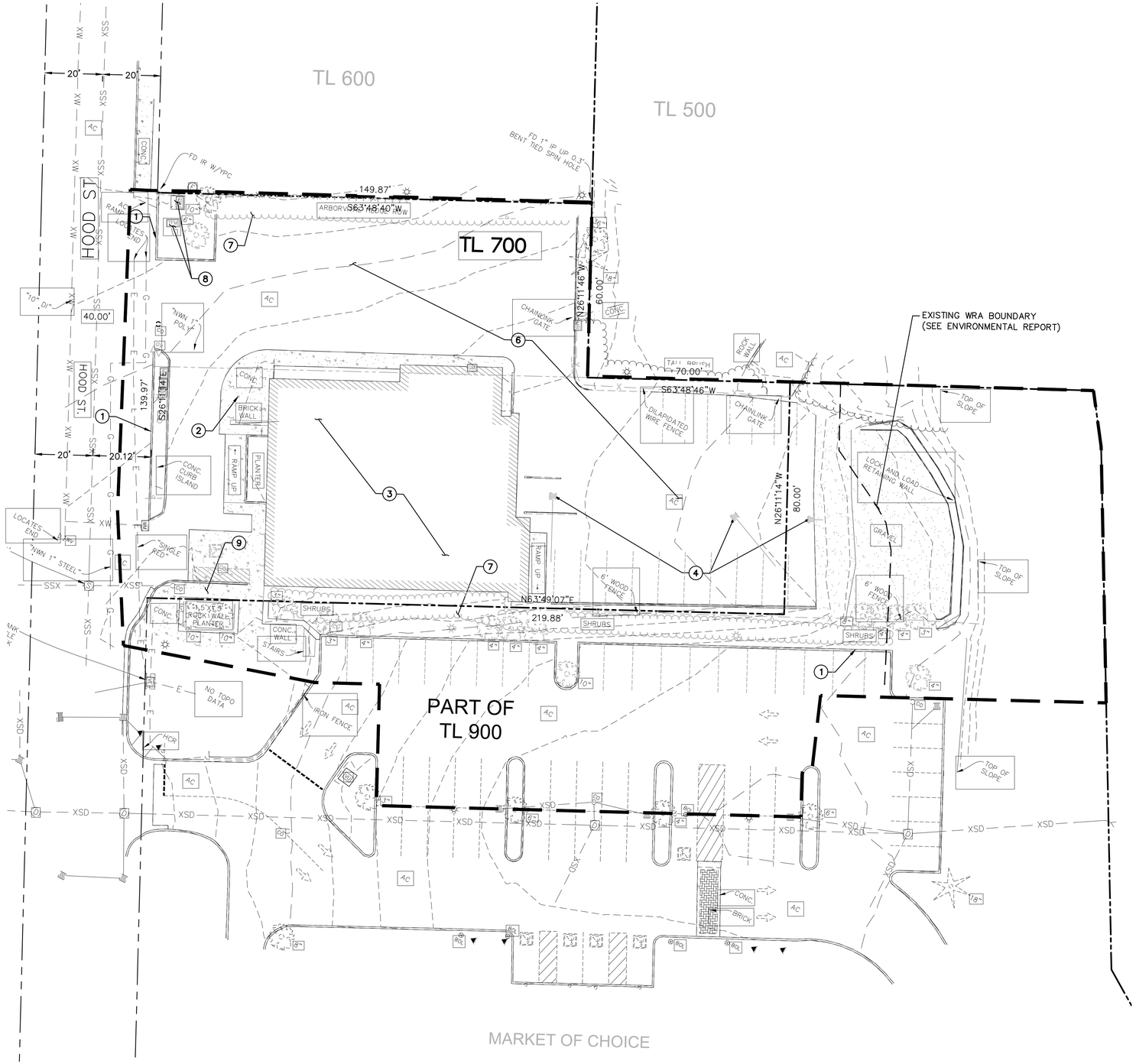

NOTES

SEE LANDSCAPE PLANS (BY OTHERS) FOR TREE REMOVAL

DEMOLITION KEYNOTES

1. REMOVE EXISTING CURB.
2. REMOVE EXISTING SIDEWALK AND BASE ROCK AND DISPOSE OF OFF SITE.
3. REMOVE EXISTING BUILDING
4. REMOVE EXISTING UTILITIES
5. NOT USED
6. REMOVE EXISTING PARKING LOT
7. REMOVE EXISTING SHRUBS.
8. EXISTING VAULTS TO BE REMOVED AND RELOCATED
9. REMOVE PORTION OF EXISTING PLAZA, PLANTER BOX AND VEGETATION TO BE PROTECTED

LEGEND

EM	ELECTRIC METER
ER	ELECTRIC RISER
VE	ELECTRIC VAULT
LP	LIGHT POLE
GV	GAS VALVE
T	TELEPHONE MANHOLE
TR	TELEPHONE RISER
U	UTILITY MANHOLE
VU	UTILITY VAULT
FDC	FIRE DEPT. CONNECTION
	FIRE HYDRANT
	WATER BLOWOFF VALVE
	WATER VALVE
W	WATER MANHOLE
WM	WATER METER
VW	WATER VAULT
	CLEANOUT
S	SANITARY SEWER MANHOLE
	CATCH BASIN
D	STORM SEWER MANHOLE
CB	IRRIGATION CONTROL BOX
	PROJECT BOUNDARY LINE
	EXISTING RIGHT-OF-WAY
	ADJACENT PROPERTY LOT LINE
SD	UNDERGROUND STORM LINE
W	UNDERGROUND WATER LINE
SS	UNDERGROUND SANITARY LINE
T	UNDERGROUND TELEPHONE LINE
E	UNDERGROUND POWER LINE
G	UNDERGROUND GAS LINE
	EDGE OF PAVEMENT
	EASEMENT LINE
	EXISTING TREE
	TREE TO BE REMOVED
	FOUND 5/8" IRON ROD WITH ALUMINUM CAP MARKED "WESTLAKE CONSULTANTS".
	FOUND BRASS SCREW WITH 3/4" BRASS WASHER SCRIBED "PLS 2810".
	FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WESTLAKE CONSULTANTS".
S.S.E.	SANITARY SEWER EASEMENT
S.D.E.	STORM DRAINAGE EASEMENT
P.S.S.E.	PUBLIC SANITARY SEWER EASEMENT
P.S.D.E.	PUBLIC STORM DRAINAGE EASEMENT
W.L.E.	WATER LINE EASEMENT
P.W.L.E.	PUBLIC WATER LINE EASEMENT

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

EXISTING CONDITIONS AND DEMOLITION PLAN

PRELIMINARY

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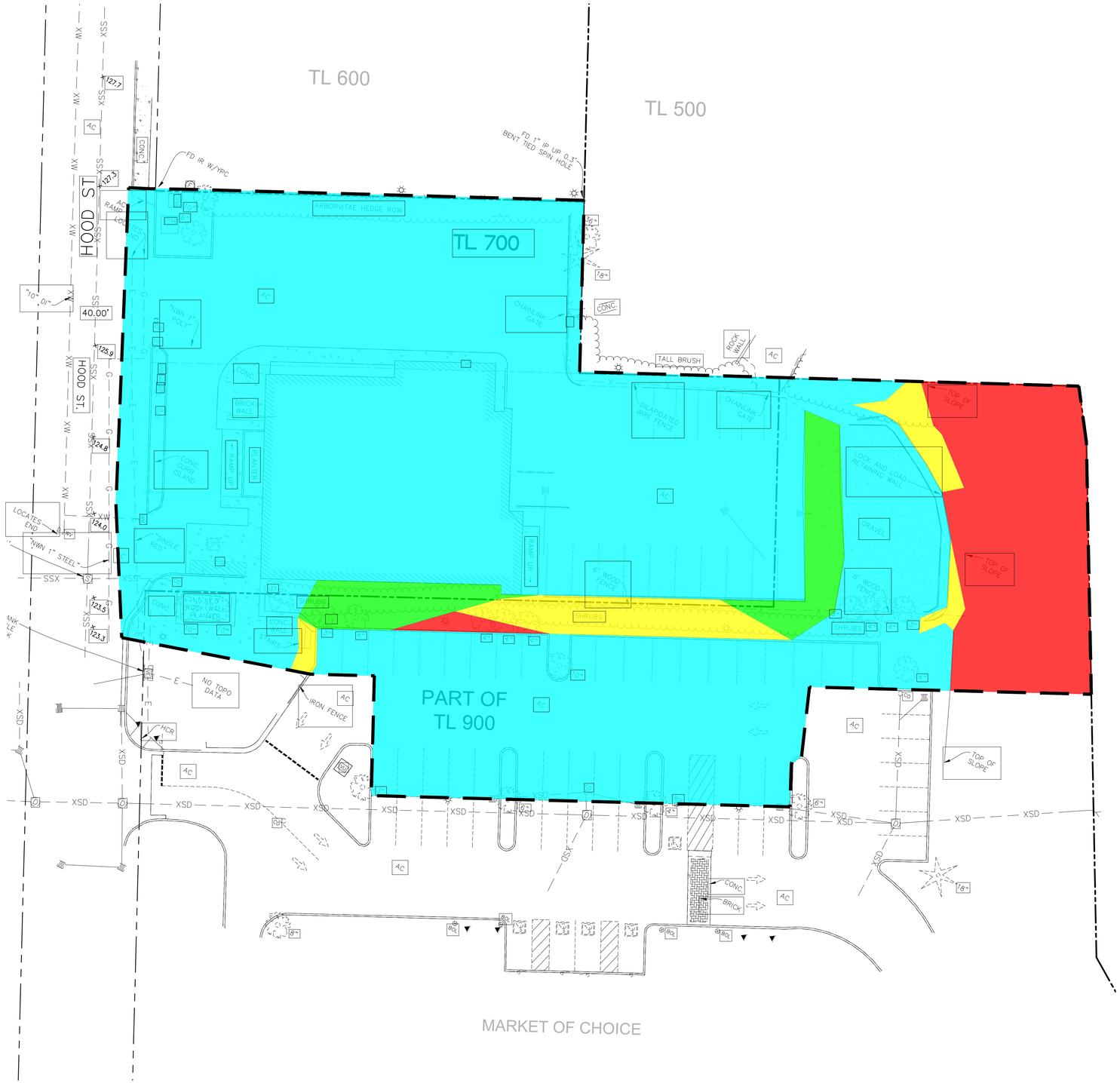

20' 0 10' 20' 40'

SCALE: 1 INCH = 20 FEET

Slopes Table				
Type	Minimum Slope	Maximum Slope	Area (sf)	Color
IV	0.00%	10.00%	42,850	
III	10.00%	25.00%	1,950	
II	25.00%	35.00%	1,960	
I	35.00%		5,420	

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

SITE ANALYSIS

PRELIMINARY

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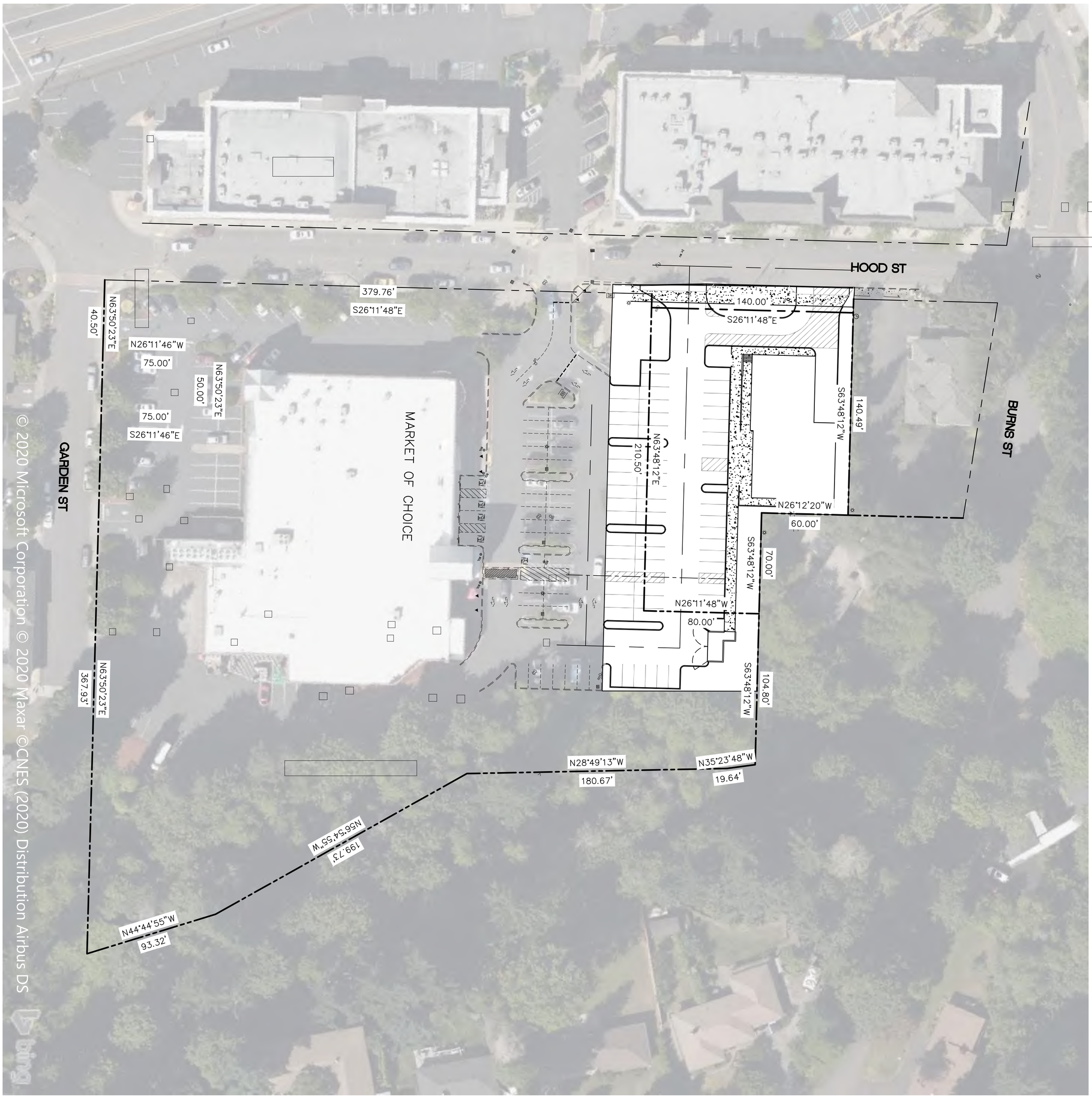

SCALE: 1 INCH = 40 FEET

40' 0 20' 40' 80'

JOB NO. 2838-001	SHEET P300-A	REVISIONS				
		0	2020-07	LAND USE SUBMITTAL	JAB	KLS
		NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:

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PRELIMINARY

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY OVERALL SITE PLAN

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC

DEVELOPER: GRAMOR DEVELOPMENT, INC.

CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.

ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.

LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

20' 0 10' 20' 40'

SCALE: 1 INCH = 20 FEET

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY SITE PLAN

PRELIMINARY

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JOB NO.
2838-001

2020-07 LAND USE SUBMITTAL

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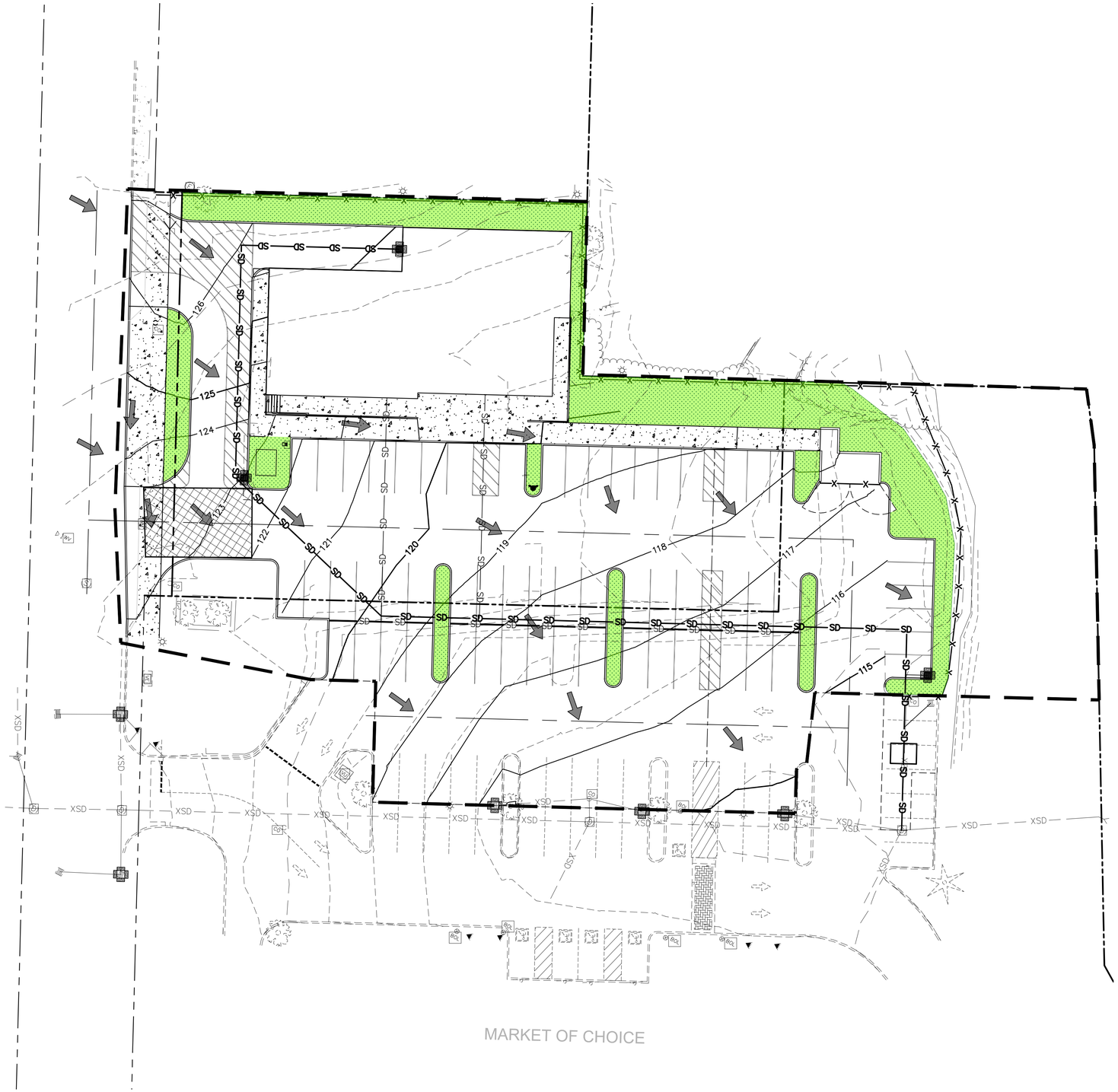

LEGEND

- EXISTING CONTOUR – 1' INTERVAL
- EXISTING CONTOUR – 5' INTERVAL
- PROPOSED CONTOUR – 1' INTERVAL
- PROPOSED CONTOUR – 5' INTERVAL
- PROJECT BOUNDARY LINE
- EXISTING RIGHT-OF-WAY
- ADJCENT PROPERTY LOT LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED CURB
- PROPOSED SIDEWALK
- PROPOSED RETAINING WALL
- SEDIMENT FENCE
- INLET PROTECTION
- CONSTRUCTION ENTRANCE
- HARDSCAPE FLOW DIRECTION

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

GRADING AND EROSION CONTROL

PRELIMINARY

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REVISIONS NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
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SHEET
P400-A

JOB NO
2838-001

2020-07 LAND USE SUBMITTAL

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MARKET OF CHOICE

KEYNOTES

1. EXISTING SANITARY MAIN
2. EXISTING WATER MAIN
3. EXISTING STORM DRAIN MAIN
4. PROPOSED SANITARY SEWER MAIN
5. PROPOSED SANITARY SEWER CONNECTION
6. PROPOSED WATER LINE – FIRE
7. PROPOSED WATER LINE – DOMESTIC
8. PROPOSED FIRE HYDRANT
9. PROPOSED STORM DRAIN MAIN
10. PROPOSED ROOF DRAIN CONNECTION
11. PROPOSED CATCH BASIN
12. PROPOSED STORM TRENCH DRAIN
13. PROPOSED POWER

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY COMPOSITE UTILITY PLAN

PRELIMINARY

THESE DRAWINGS ARE THE PROPERTY OF WESTLAKE CONSULTANTS INC. (WCI) AND ARE NOT TO BE REPRODUCED IN ANY MANNER EXCEPT WITH THE WRITTEN PERMISSION OF WCI

REVISIONS			
NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
0	2020-07	LAND USE SUBMITTAL	JAB	KLS

SHEET
P500-A

JOB NO.
2838-001

2020-07 LAND USE SUBMITTAL

DRAWING NAME: J:\2838-001\9.6 ENGINEERING\3 CAD\PRODUCTION\1 LU\2838-001 - P500.DWG 2020/07/31 - 02:25PM - JAB

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\PRODUCTION\1. LU\2838-001 - P600.DWG 2020/07/31 - 02:25PM - JAB

HOOD ST

LEGEND

PEDESTRIAN ACCESS

SCALE: 1 INCH = 20 FEET

20' 0 10' 20' 40'

SHEET P600-A

JOB NO. 2838-001

NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
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REVISIONS

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PRELIMINARY

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY CONNECTIVITY PLAN

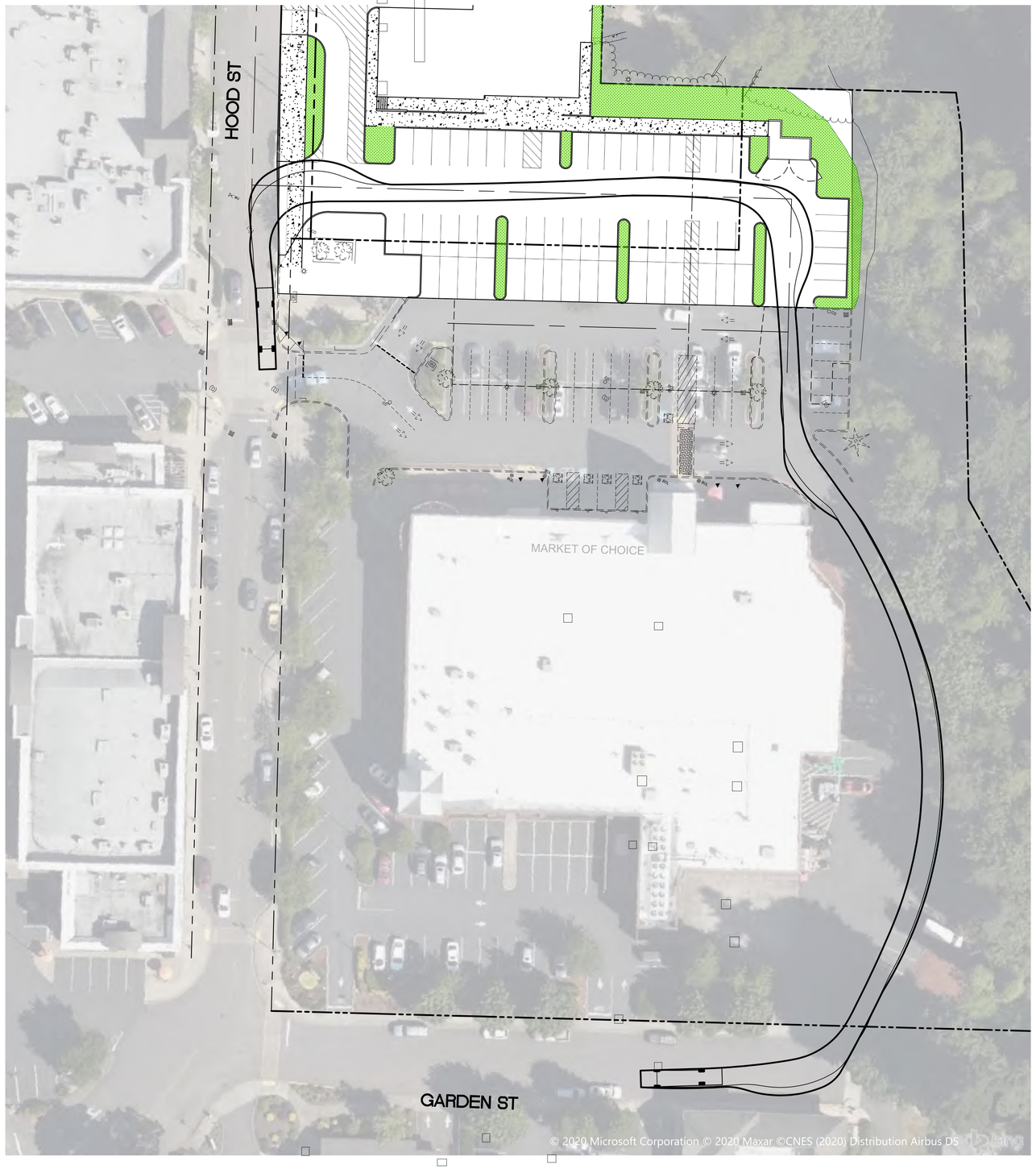
OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC

DEVELOPER: GRAMOR DEVELOPMENT, INC.

CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.

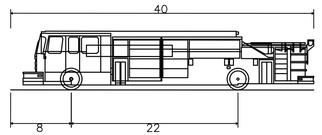
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.

LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT



30' 0 15' 30' 60'

SCALE: 1 INCH = 30 FEET



Pumper Fire Truck	
Overall Length	40.000ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

FIRE ACCESS

PRELIMINARY

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REVISIONS NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
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SHEET
P601-A

JOB NO.
2838-001

2020-07 LAND USE SUBMITTAL

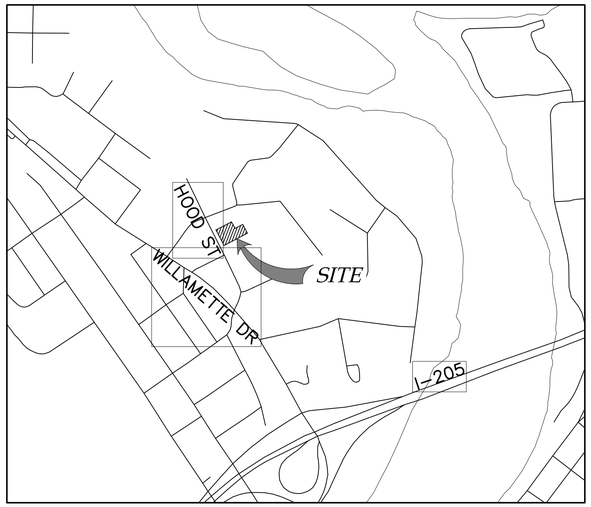
DRAWING NAME: J:\2838-001 19\6. ENGINEERING\3. CAD\PRODUCTION\1. LU\2838-001 - P601.DWG 2020/07/31 - 02:25PM - JAB

PRELIMINARY PLANS FOR

WEST LINN REDEVELOPMENT

OPTION B - RETAIL

WEST LINN, OREGON

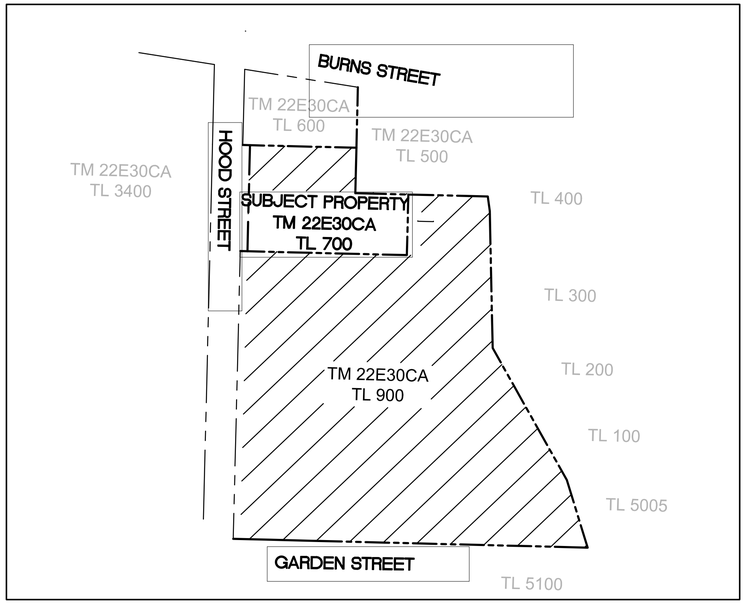


VICINITY MAP

NOT TO SCALE

SHEET INDEX

NAME:	NO.
COVER SHEET	P100-B
EXISTING CONDITIONS AND DEMOLITION PLAN	P200-B
SITE ANALYSIS	P201-B
PRELIMINARY OVERALL SITE PLAN	P300-B
PRELIMINARY SITE PLAN	P301-B
PRELIMINARY GRADING AND EROSION CONTROL PLAN	P400-B
PRELIMINARY COMPOSITE UTILITY PLAN	P500-B
PRELIMINARY CIRCULATION PLAN	P600-B
PRELIMINARY FIRE ACCESS PLAN	P601-B



LOCATION MAP

SCALE: 1"=100'

APPLICANT / OWNER

WEST LINN SHOPPING CENTER
ASSOCIATES LLC.
19767 SW 72ND AVE SUITE 100
TUALITIN, OR 97229
PHONE: (503) 245-1976
CONTACT: MATT GRADY

ENGINEER / PLANNER

WESTLAKE CONSULTANTS, INC.
PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY,
SUITE 150 TIGARD, OREGON 97224
PHONE: (503) 684-0652
FAX: (503) 624-0157
CONTACT: JACOB BILLINGSLEY, PE
KEN SANDBLAST, AICP

PROPERTY DESCRIPTION

TAX MAP & TAX LOT:
22E30CA, 700 & PART OF 900

SITE SIZE:
1.01 ACRES

ZONING DESIGNATION:
GENERAL COMMERCIAL (GC)

PROPOSAL:
BUILD NEW COMMERCIAL BUILDING & PARKING, LANDSCAPING, AND LIGHTING

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THESE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987).

UTILITY STATEMENT: THE UNDERGROUND UTILITIES SHOWN ARE PER FIELD MARKINGS AND RECORD DRAWINGS PROVIDED BY THE RESPECTIVE UTILITY AGENCIES. LOCATION OF NON-OBSERVABLE AND/OR UNDERGROUND UTILITIES ARE SHOWN FOR INFORMATION ONLY AND ARE NOT GUARANTEED TO BE COMPLETE OR ACCURATE.

UTILITY VERIFICATION: CONTRACTOR SHALL POTHOLE TO VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION AND SHALL PROVIDE **WESTLAKE CONSULTANTS, INC.** 72-HOURS NOTICE OF ANY POTENTIAL CONFLICTS.

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT
WEST LINN OREGON
COVER SHEET

PRELIMINARY

THESE DRAWINGS ARE THE PROPERTY OF WESTLAKE CONSULTANTS INC. (WCI) AND ARE NOT TO BE REPRODUCED IN ANY MANNER EXCEPT WITH THE WRITTEN PERMISSION OF WCI

NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
1	2020-09	COMPLETENESS	JAB	KLS
0	2020-07	LAND USE SUBMITTAL	JAB	KLS

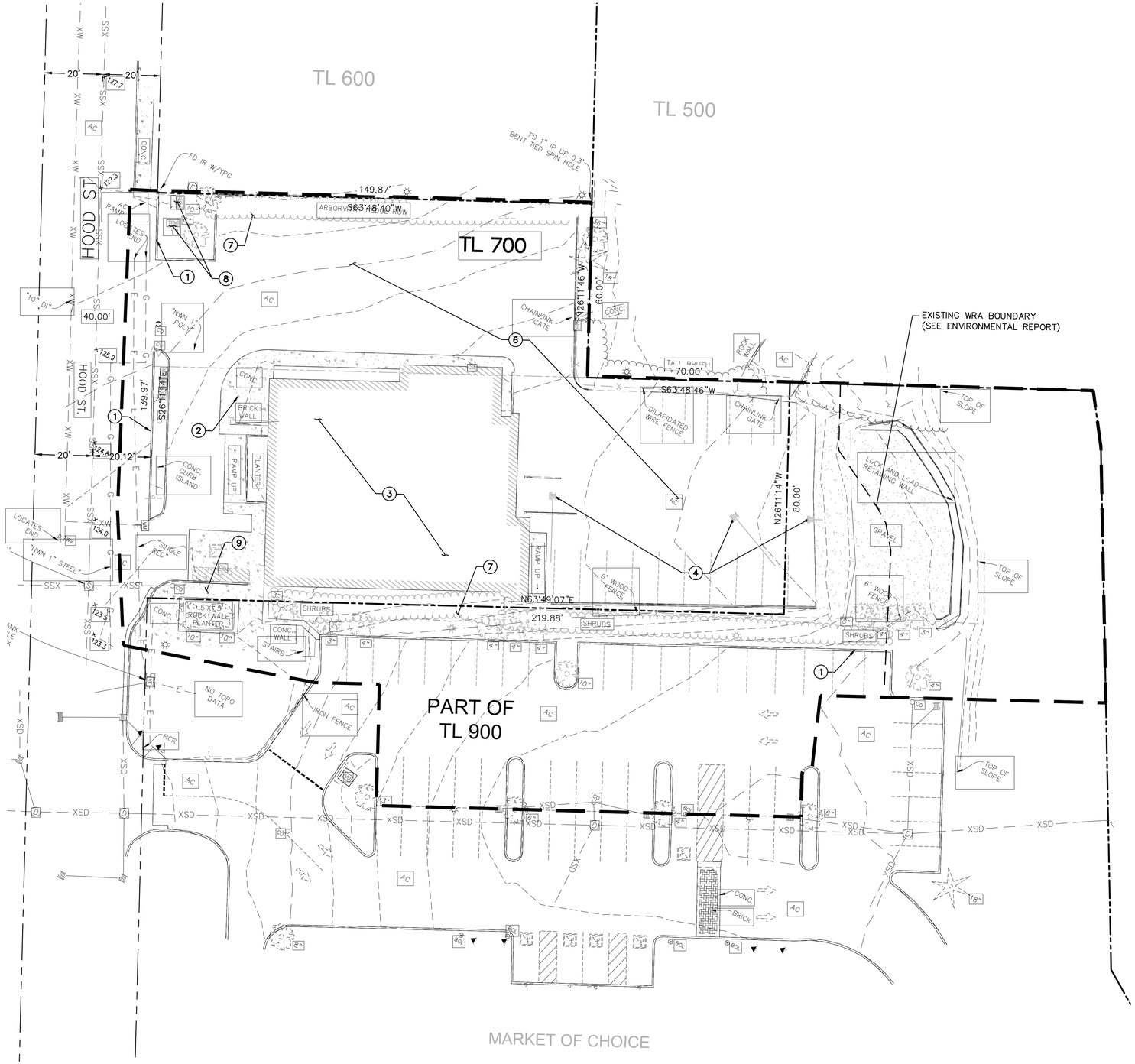
REVISIONS

SHEET
P100-B

JOB NO.
2838-001

2020-09 LAND USE SUBMITTAL - COMPLETENESS

DRAWING NAME: s:\2838-001.19\6. ENGINEERING\3. CAD\PRODUCTION\1. LU - RETAIL\2838-001 - P100.DWG 2020/09/11 - 12:38PM - JAB



20' 0 10' 20' 40'

SCALE: 1 INCH = 20 FEET

NOTES

SEE LANDSCAPE PLANS (BY OTHERS) FOR TREE REMOVAL

DEMOLITION KEYNOTES

1. REMOVE EXISTING CURB.
2. REMOVE EXISTING SIDEWALK AND BASE ROCK AND DISPOSE OF OFF SITE.
3. REMOVE EXISTING BUILDING
4. REMOVE EXISTING UTILITIES
5. NOT USED
6. REMOVE EXISTING PARKING LOT
7. REMOVE EXISTING SHRUBS.
8. EXISTING VAULTS TO BE REMOVED AND RELOCATED
9. REMOVE PORTION OF EXISTING PLAZA, PLANTER BOX AND VEGETATION TO BE PROTECTED

LEGEND

EM	ELECTRIC METER
ER	ELECTRIC RISER
VE	ELECTRIC VAULT
LP	LIGHT POLE
GV	GAS VALVE
T	TELEPHONE MANHOLE
TR	TELEPHONE RISER
U	UTILITY MANHOLE
VU	UTILITY VAULT
FDC	FIRE DEPT. CONNECTION
	FIRE HYDRANT
	WATER BLOWOFF VALVE
	WATER VALVE
W	WATER MANHOLE
WM	WATER METER
VW	WATER VAULT
	CLEANOUT
S	SANITARY SEWER MANHOLE
	CATCH BASIN
D	STORM SEWER MANHOLE
CB	IRRIGATION CONTROL BOX
	PROJECT BOUNDARY LINE
	EXISTING RIGHT-OF-WAY
	ADJACENT PROPERTY LOT LINE
SD	UNDERGROUND STORM LINE
W	UNDERGROUND WATER LINE
SS	UNDERGROUND SANITARY LINE
T	UNDERGROUND TELEPHONE LINE
E	UNDERGROUND POWER LINE
G	UNDERGROUND GAS LINE
	EDGE OF PAVEMENT
	EASEMENT LINE
	EXISTING TREE
	TREE TO BE REMOVED
	FOUND 5/8" IRON ROD WITH ALUMINUM CAP MARKED "WESTLAKE CONSULTANTS".
	FOUND BRASS SCREW WITH 3/4" BRASS WASHER SCRIBED "PLS 2810".
	FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WESTLAKE CONSULTANTS".
S.S.E.	SANITARY SEWER EASEMENT
S.D.E.	STORM DRAINAGE EASEMENT
P.S.S.E.	PUBLIC SANITARY SEWER EASEMENT
P.S.D.E.	PUBLIC STORM DRAINAGE EASEMENT
W.L.E.	WATER LINE EASEMENT
P.W.L.E.	PUBLIC WATER LINE EASEMENT

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

EXISTING CONDITIONS AND DEMOLITION PLAN

PRELIMINARY

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0	2020-07	LAND USE SUBMITTAL	JAB	KLS

REVISIONS

SHEET P200-B

JOB NO. 2838-001

2020-09 LAND USE SUBMITTAL - COMPLETENESS

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HOOD ST

HOOD ST.

40.00'

TL 600

TL 700

TL 500

PART OF TL 900

MARKET OF CHOICE

Slopes Table				
Type	Minimum Slope	Maximum Slope	Area (sf)	Color
IV	0.00%	10.00%	42,850	
III	10.00%	25.00%	1,950	
II	25.00%	35.00%	1,960	
I	35.00%	-	5,420	

SCALE: 1 INCH = 20 FEET

20' 0 10' 20' 40'

JOB NO. 2838-001

SHEET P201-B

NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
REVISIONS				
1	2020-09	COMPLETENESS	JAB	KLS
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PRELIMINARY

WEST LINN REDEVELOPMENT

WEST LINN OREGON

SITE ANALYSIS

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC

DEVELOPER: GRAMOR DEVELOPMENT, INC.

CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.

ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.

LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

JOB NO. 2838-001

SHEET P300-B

REVISIONS				
1	2020-09	COMPLETENESS	JAB	KLS
0	2020-07	LAND USE SUBMITTAL	JAB	KLS
NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:

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PRELIMINARY

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY OVERALL SITE PLAN

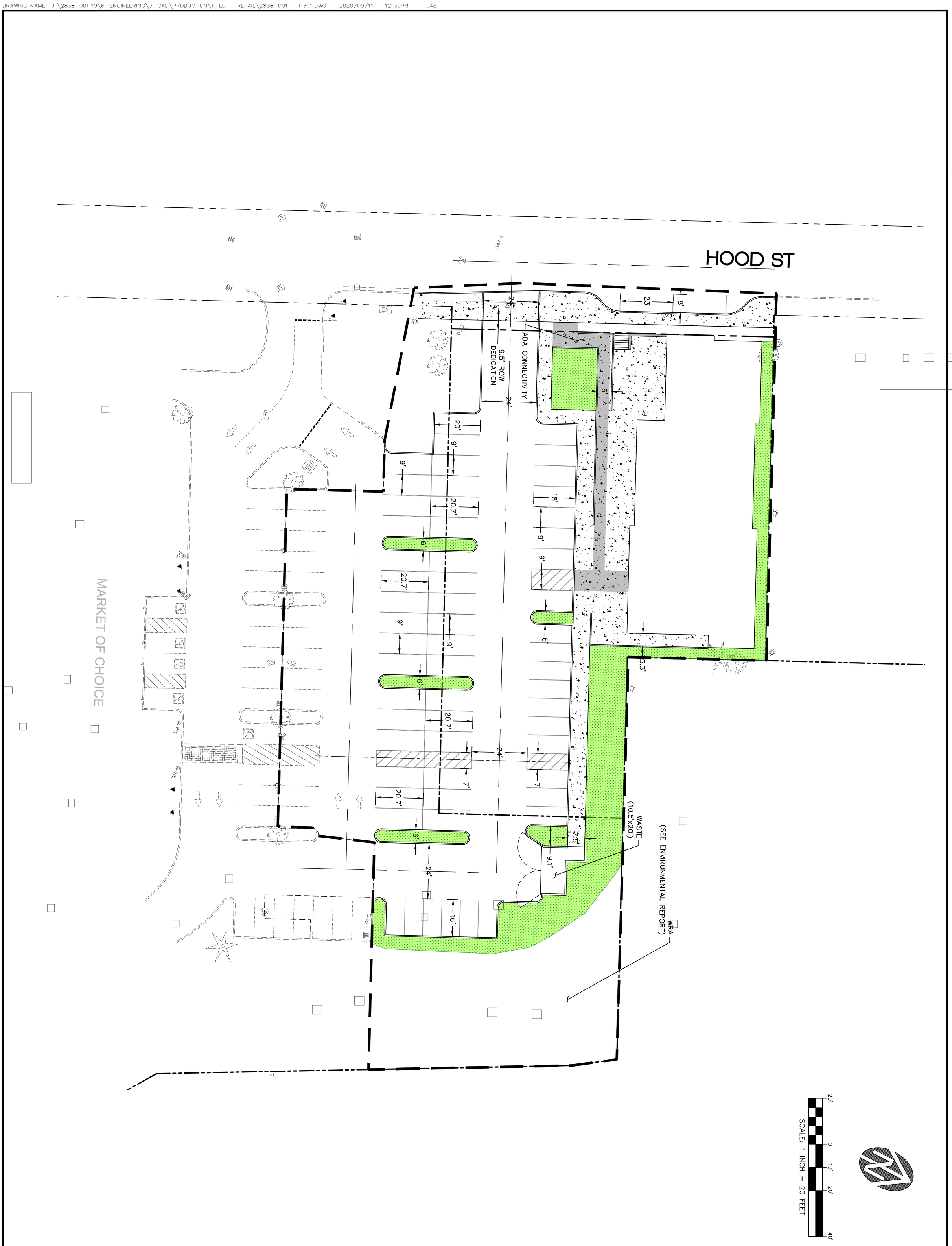
OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC

DEVELOPER: GRAMOR DEVELOPMENT, INC.

CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.

ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.

LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT



JOB NO. 2838-001	SHEET P301-B	REVISIONS				
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		0	2020-07	LAND USE SUBMITTAL	JAB	KLS
		NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:

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PRELIMINARY

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY SITE PLAN

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC

DEVELOPER: GRAMOR DEVELOPMENT, INC.

CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.

ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.

LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

20' 0 10' 20' 40'

SCALE: 1 INCH = 20 FEET

LEGEND

- EXISTING CONTOUR – 1' INTERVAL
- EXISTING CONTOUR – 5' INTERVAL
- PROPOSED CONTOUR – 1' INTERVAL
- PROPOSED CONTOUR – 5' INTERVAL
- PROJECT BOUNDARY LINE
- EXISTING RIGHT–OF–WAY
- ADJCENT PROPERTY LOT LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED CURB
- PROPOSED SIDEWALK
- PROPOSED RETAINING WALL
- SEDIMENT FENCE
- INLET PROTECTION
- CONSTRUCTION ENTRANCE
- HARDSCAPE FLOW DIRECTION

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

GRADING AND EROSION CONTROL

PRELIMINARY

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0	2020-07	LAND USE SUBMITTAL	JAB	KLS

SHEET

P400-B

JOB NO.
2838–001

2020–09 LAND USE SUBMITTAL – COMPLETENESS

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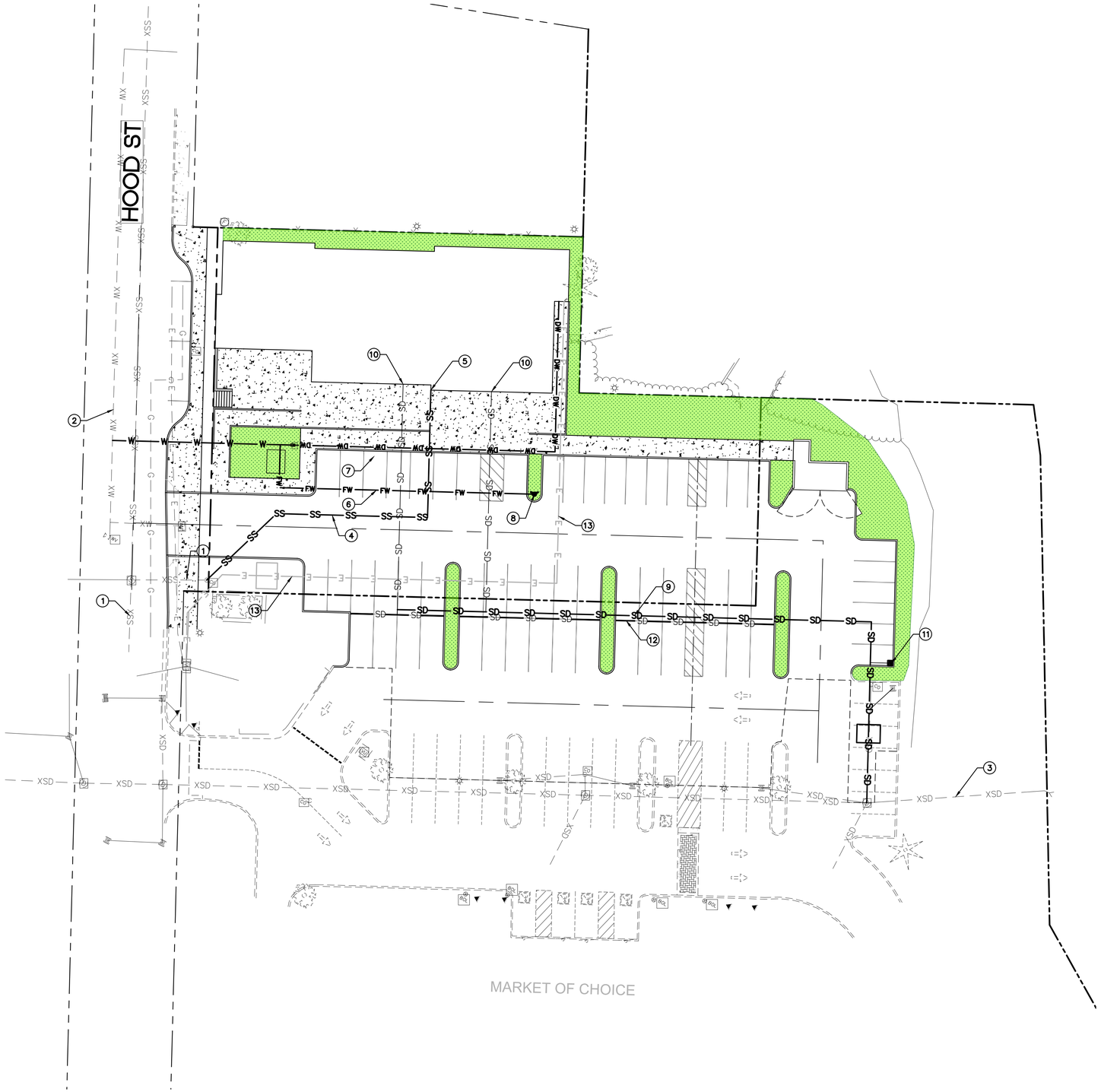

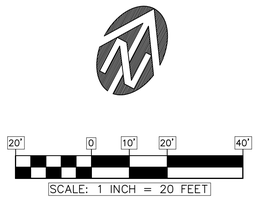

KEYNOTES

1. EXISTING SANITARY MAIN
2. EXISTING WATER MAIN
3. EXISTING STORM DRAIN MAIN
4. PROPOSED SANITARY SEWER MAIN
5. PROPOSED SANITARY SEWER CONNECTION
6. PROPOSED WATER LINE – FIRE
7. PROPOSED WATER LINE – DOMESTIC
8. PROPOSED FIRE HYDRANT
9. PROPOSED STORM DRAIN MAIN
10. PROPOSED ROOF DRAIN CONNECTION
11. PROPOSED CATCH BASIN
12. PROPOSED STORM TRENCH DRAIN
13. PROPOSED POWER

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY COMPOSITE UTILITY PLAN

PRELIMINARY

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NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
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0	2020-07	LAND USE SUBMITTAL	JAB	KLS

REVISIONS

SHEET
P500-B

JOB NO.
2838-001

2020-09 LAND USE SUBMITTAL – COMPLETENESS

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\PRODUCTION\1. LU – RETAIL\2838-001 – P500.DWG 2020/09/11 – 12:40PM – JAB

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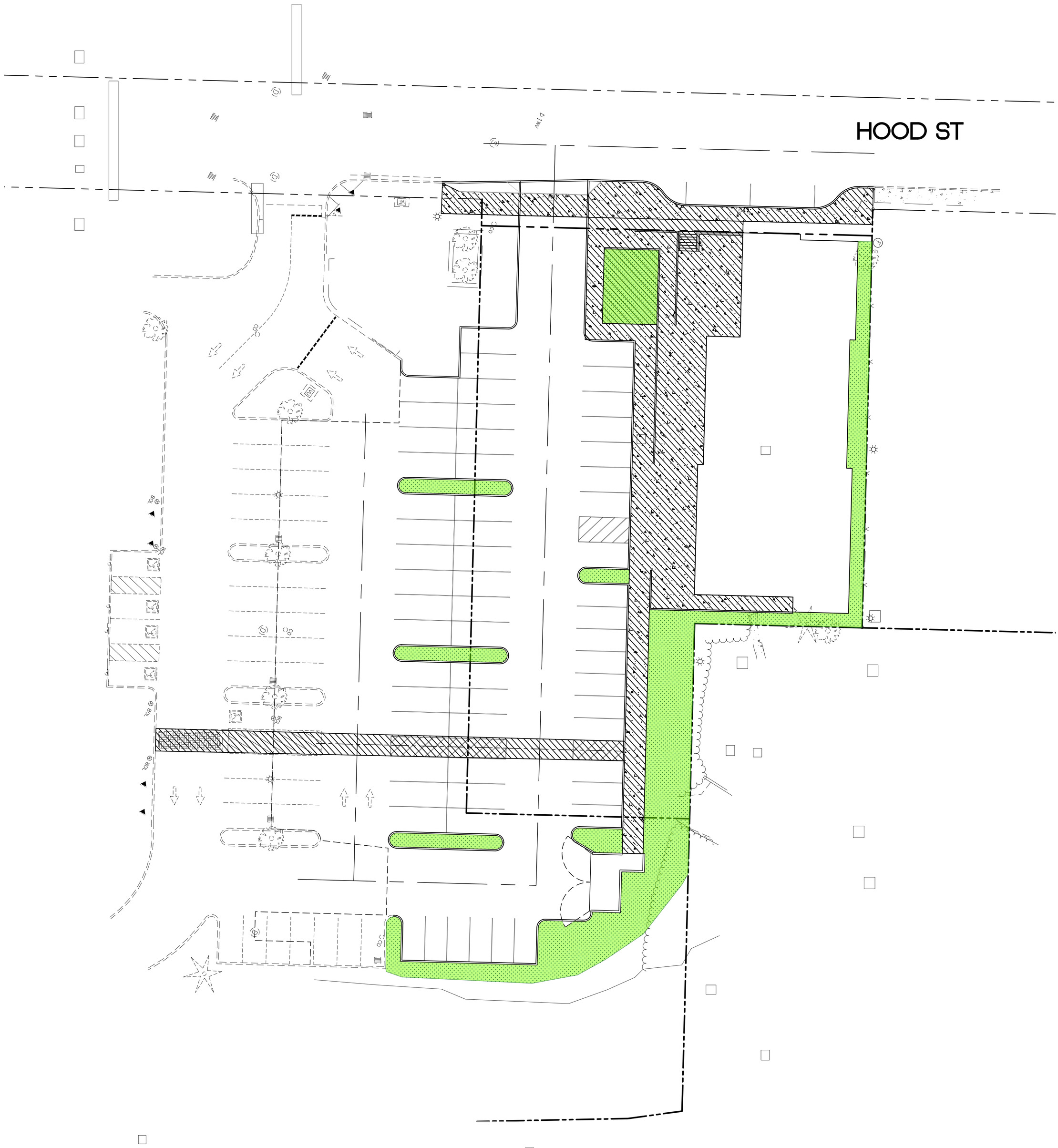

JOB NO. 2838-001

SHEET P600-B

NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
		REVISIONS		
1	2020-09	COMPLETENESS	JAB	KLS
0	2020-07	LAND USE SUBMITTAL	JAB	KLS

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PRELIMINARY

WEST LINN REDEVELOPMENT

WEST LINN OREGON

PRELIMINARY CONNECTIVITY PLAN

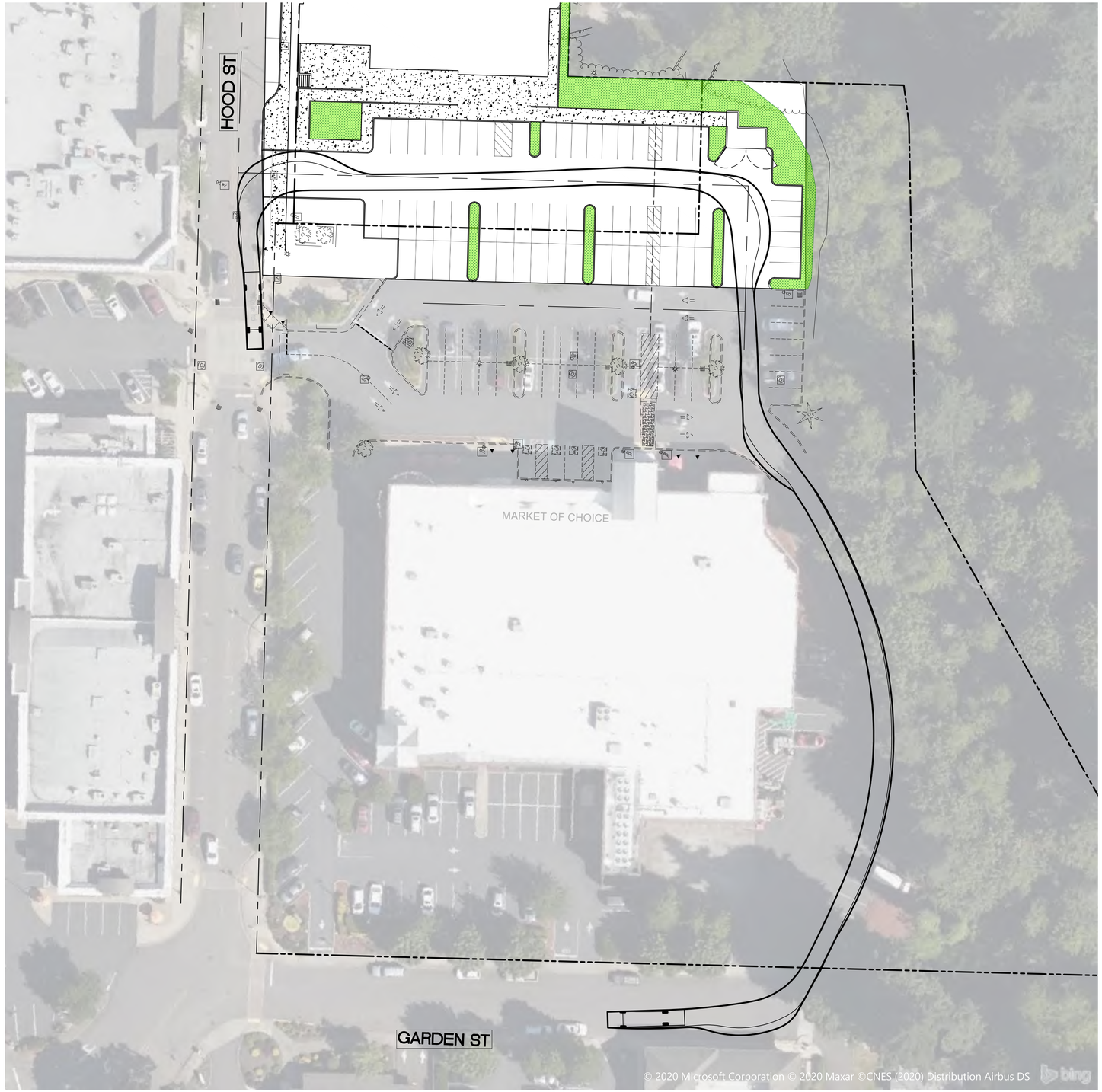
OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC

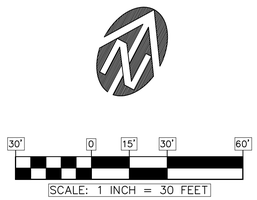
DEVELOPER: GRAMOR DEVELOPMENT, INC.

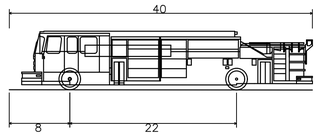
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.

ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.

LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT







Pumper Fire Truck	
Overall Length	40.000ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°

OWNER: WEST LINN SHOPPING CENTER ASSOCIATES LLC
DEVELOPER: GRAMOR DEVELOPMENT, INC.
CIVIL DESIGNER: WESTLAKE CONSULTANTS, INC.
ARCHITECT: TILAND SCHMIDT ARCHITECTS P.C.
LANDSCAPE: CHRISTOPHER FRESHLEY LANDSCAPE ARCHITECT

WEST LINN REDEVELOPMENT

WEST LINN OREGON

FIRE ACCESS

PRELIMINARY

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NO.	DATE	DESCRIPTION	DRAFT BY:	CHECK BY:
1	2020-09	COMPLETENESS	JAB	KLS
0	2020-07	LAND USE SUBMITTAL	JAB	KLS

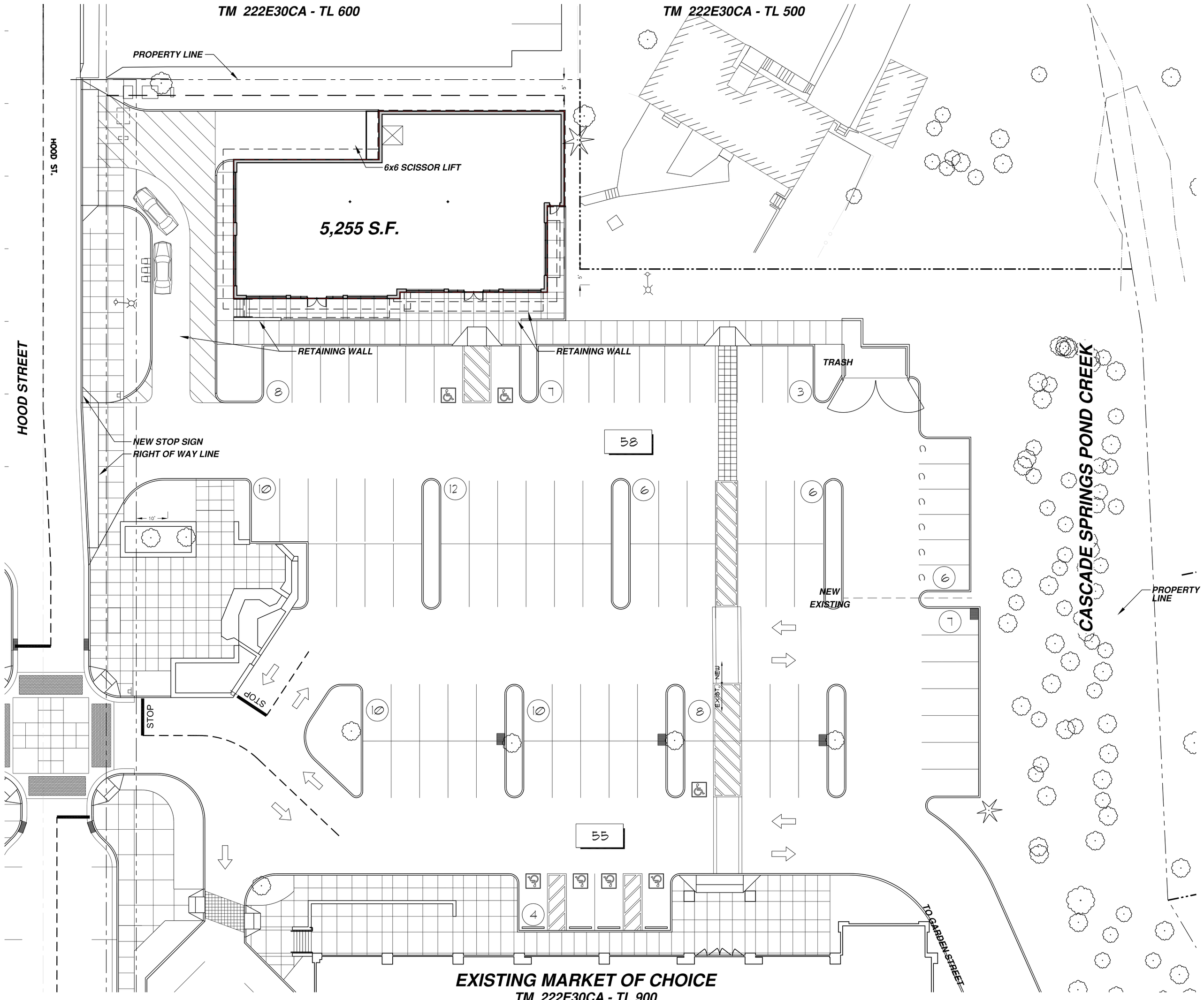
REVISIONS

SHEET
P601-B

JOB NO.
2838-001

2020-09 LAND USE SUBMITTAL - COMPLETENESS

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\PRODUCTION\1. LU - RETAIL\2838-001 - P601.DWG 2020/09/11 - 12:41PM - JAB



1 **SITE PLAN**
1/16" = 1'-0"

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S. HOOD AVE.
SUITE 200
PORTLAND, OR 97239
(503) 220-8517
FAX (503) 220-8518

WEST LINN REDEVELOPMENT

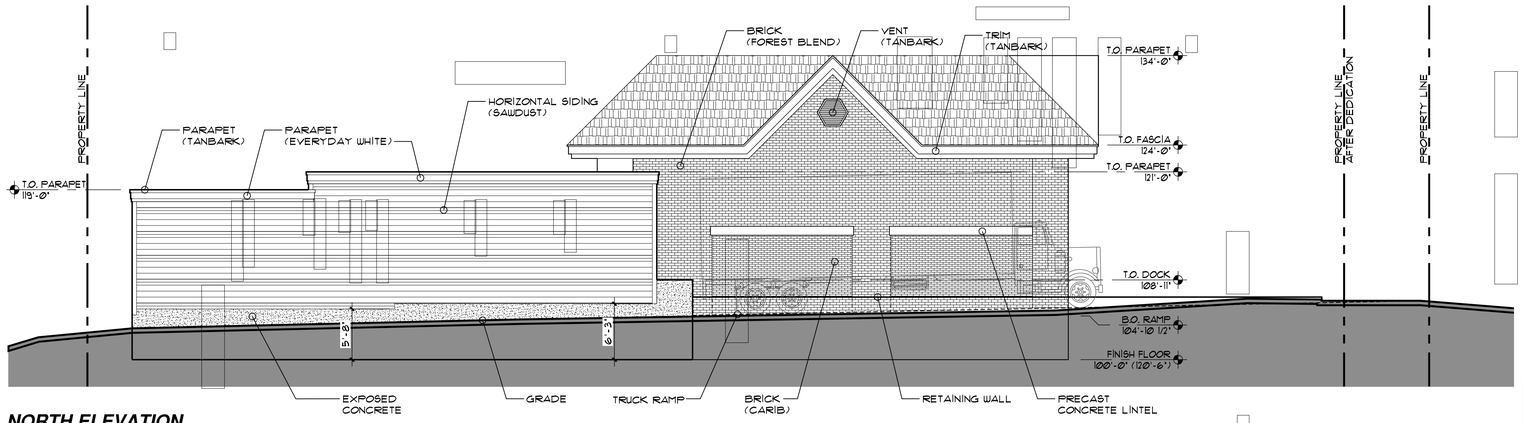
5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185
DATE :
JULY 30, 2020
DRAWN BY :
KDM
CHECKED BY :
FMS
REVISIONS

17185 A&P Site 20 - Post Office.dwg

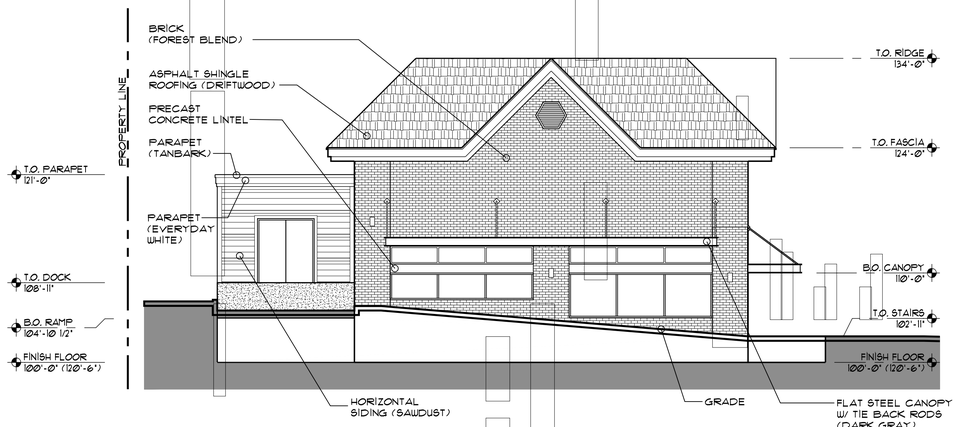
OPTION A

A / 1.1



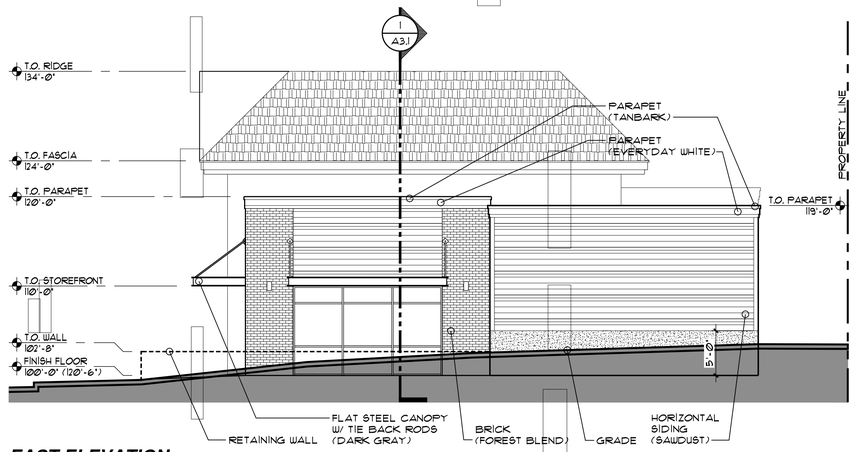
1 NORTH ELEVATION

1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



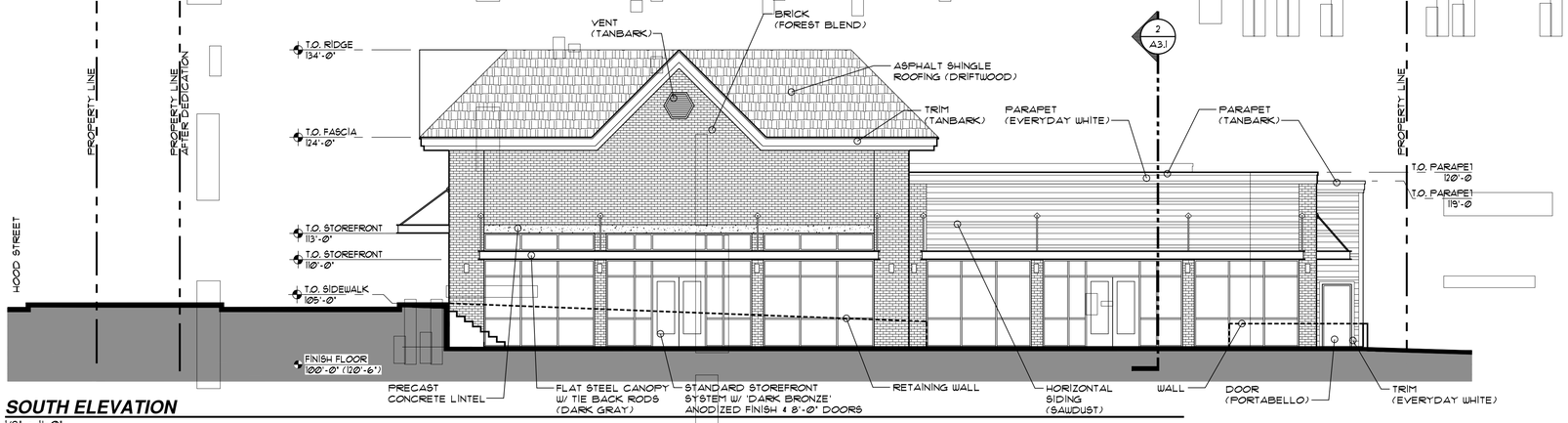
2 WEST ELEVATION

1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



3 EAST ELEVATION

1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



4 SOUTH ELEVATION

1/8" = 1'-0"
0 4' 8' 16'
1" = 8'

OPTION A

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S. HOOD AVE.
SUITE 200
PORTLAND, OR 97239
(503) 220-8517
FAX (503) 220-8518

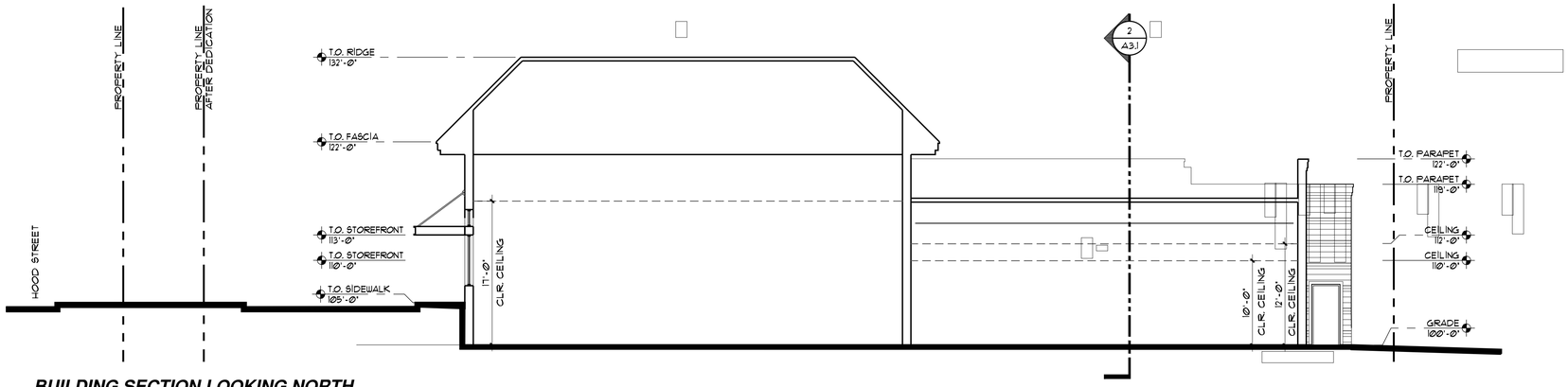
WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185
DATE :
JULY 30, 2020
DRAWN BY :
REG
CHECKED BY :
FMS
REVISIONS

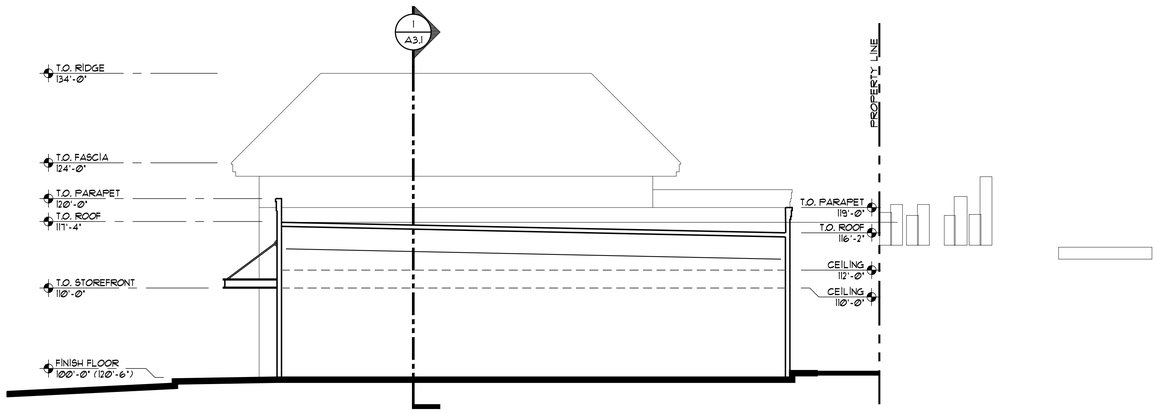
17185 A3.0 Elevations 11x17.pat Office.edu

A / 3.0



1 BUILDING SECTION LOOKING NORTH

1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



2 BUILDING SECTION LOOKING WEST

1/8" = 1'-0"
0 4' 8' 16'
1" = 8'

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S. HOOD AVE.
SUITE 200
PORTLAND, OR 97239
(503) 220-8517
FAX (503) 220-8518

WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068

WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
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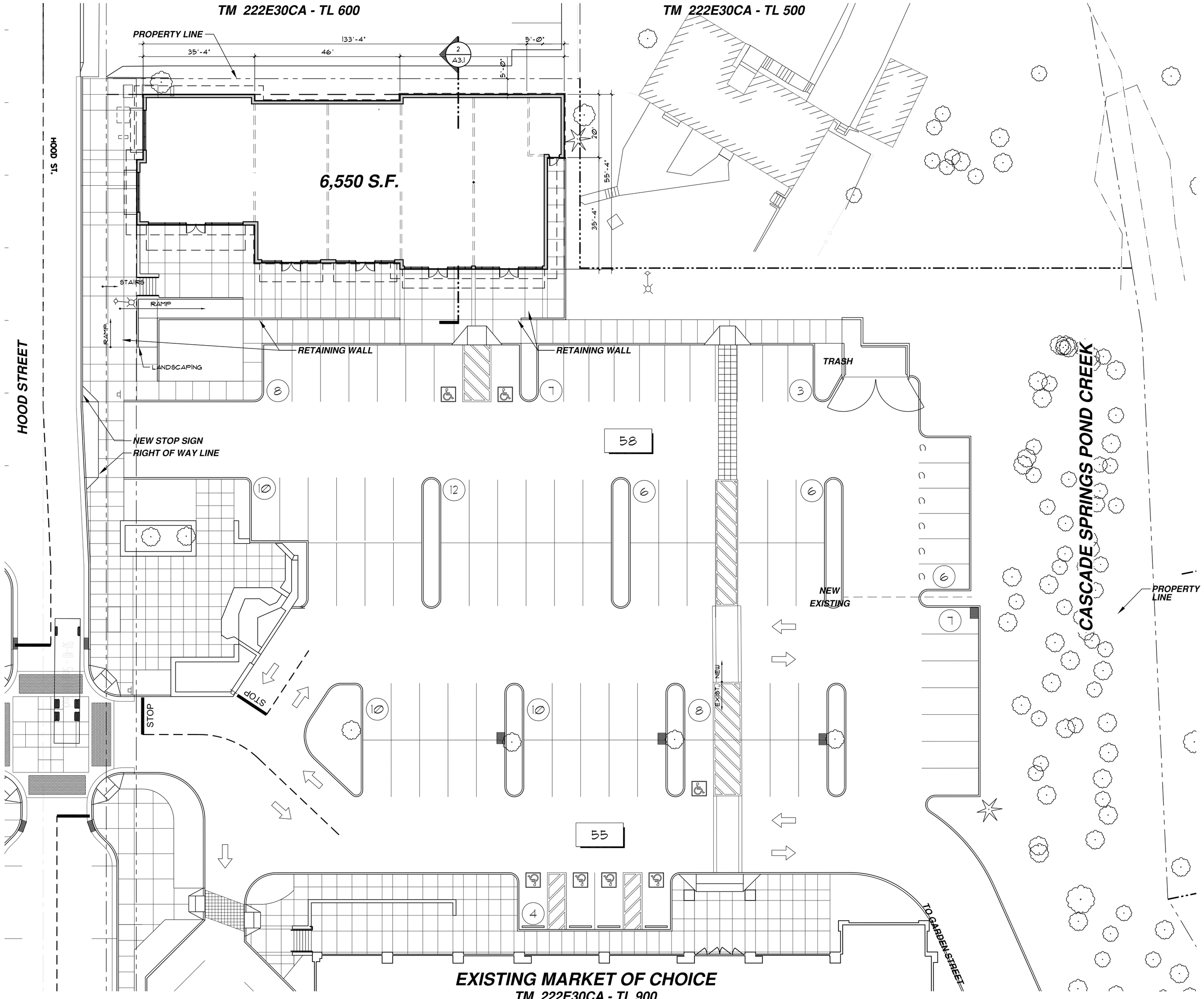
REG
CHECKED BY :
FMS

REVISIONS

17185 A3D Elevations 11x17Post Office.dwg

A
3.1



1 **SITE PLAN**
1/16" = 1'-0"

OPTION B

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S. HOOD AVE.
SUITE 200
PORTLAND, OR 97239
(503) 220-8517
FAX (503) 220-8518

WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185
DATE :
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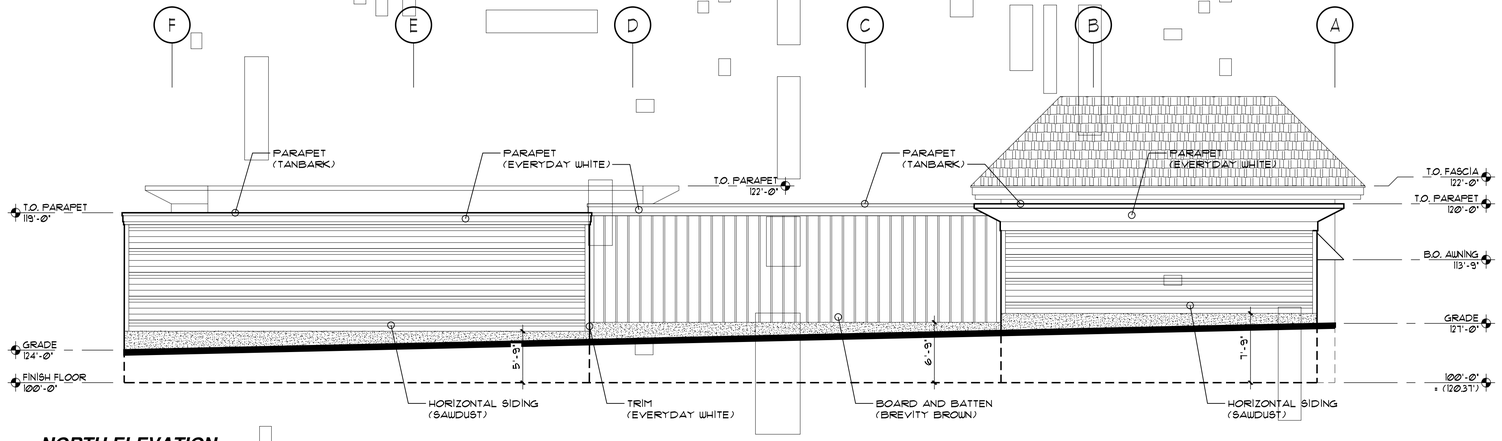
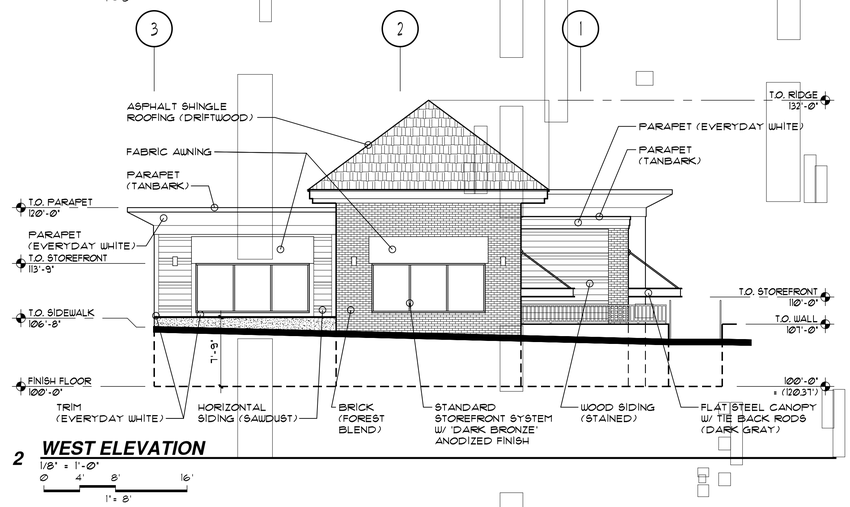
KDM
CHECKED BY :
FMS
REVISIONS

17185 A1@ Site 20 - Retail.dwg

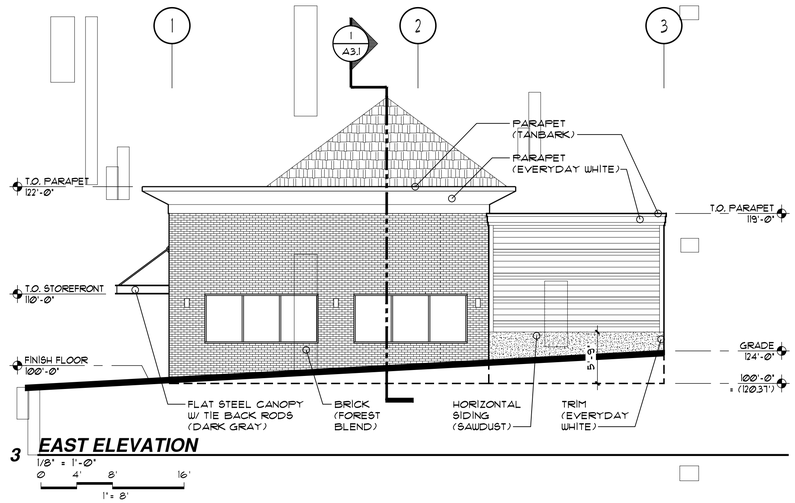
A / 1.1



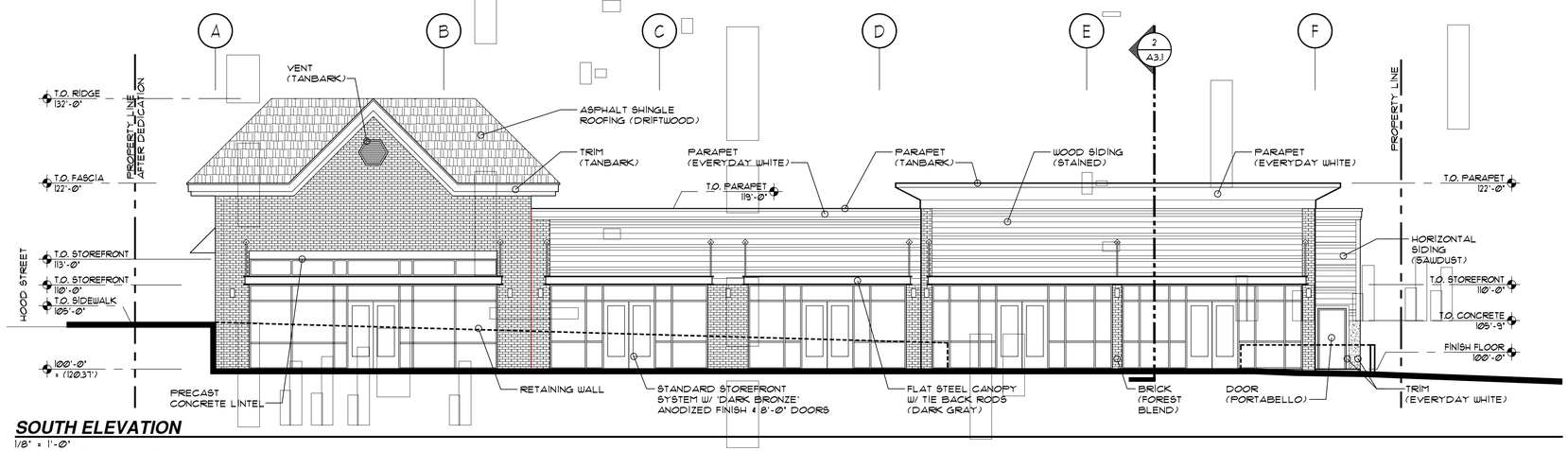
1 NORTH ELEVATION
1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



2 WEST ELEVATION
1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



3 EAST ELEVATION
1/8" = 1'-0"
0 4' 8' 16'
1" = 8'



4 SOUTH ELEVATION
1/8" = 1'-0"
0 4' 8' 16'
1" = 8'

OPTION B

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S. HOOD AVE.
SUITE 200
PORTLAND, OR 97239
(503) 220-8511
FAX (503) 220-8518

WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068

WEST LINN SHOPPING CENTER ASSOCIATES, LLC

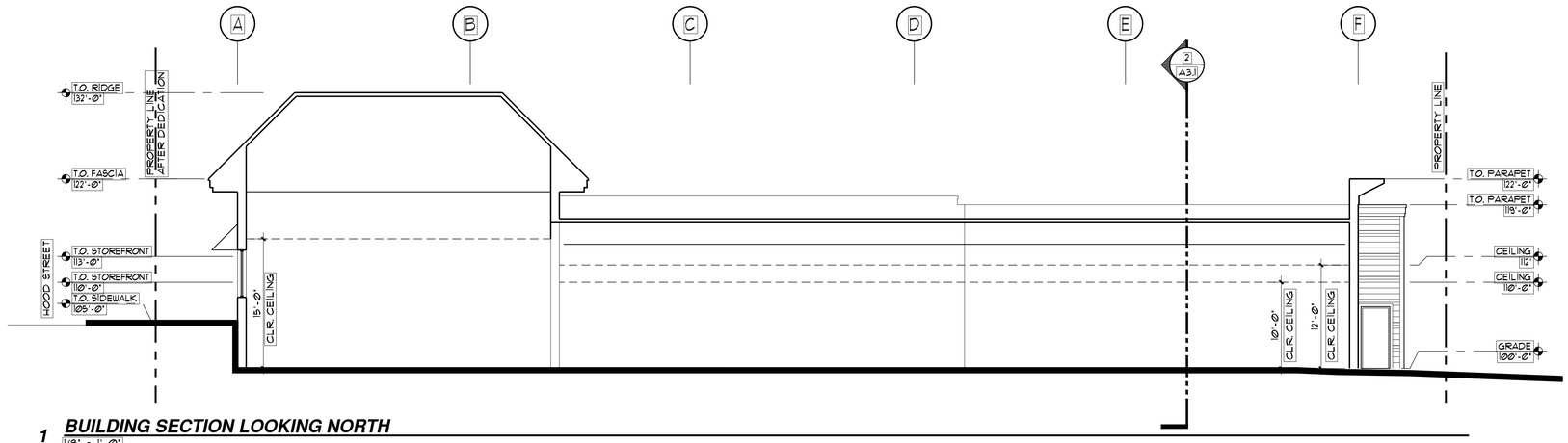
PROJECT NO.
17185

DATE :
JULY 30, 2020
DRAWN BY :
REG
CHECKED BY :
FMS

REVISIONS

17185 A30 Elevations 19's-Retailing

A
3.0

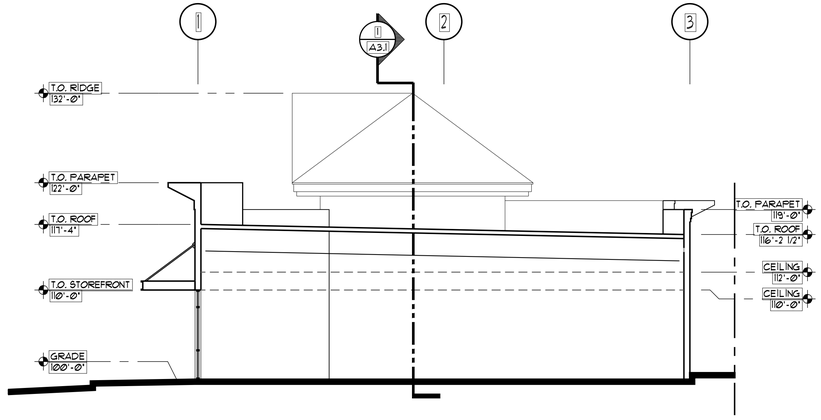


1 BUILDING SECTION LOOKING NORTH

1/8" = 1'-0"

0 4' 8' 16'

1"=8'



2 BUILDING SECTION LOOKING WEST

1/8" = 1'-0"

0 4' 8' 16'

1"=8'

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S. HOOD AVE.
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WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185

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REG
CHECKED BY :
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REVISIONS

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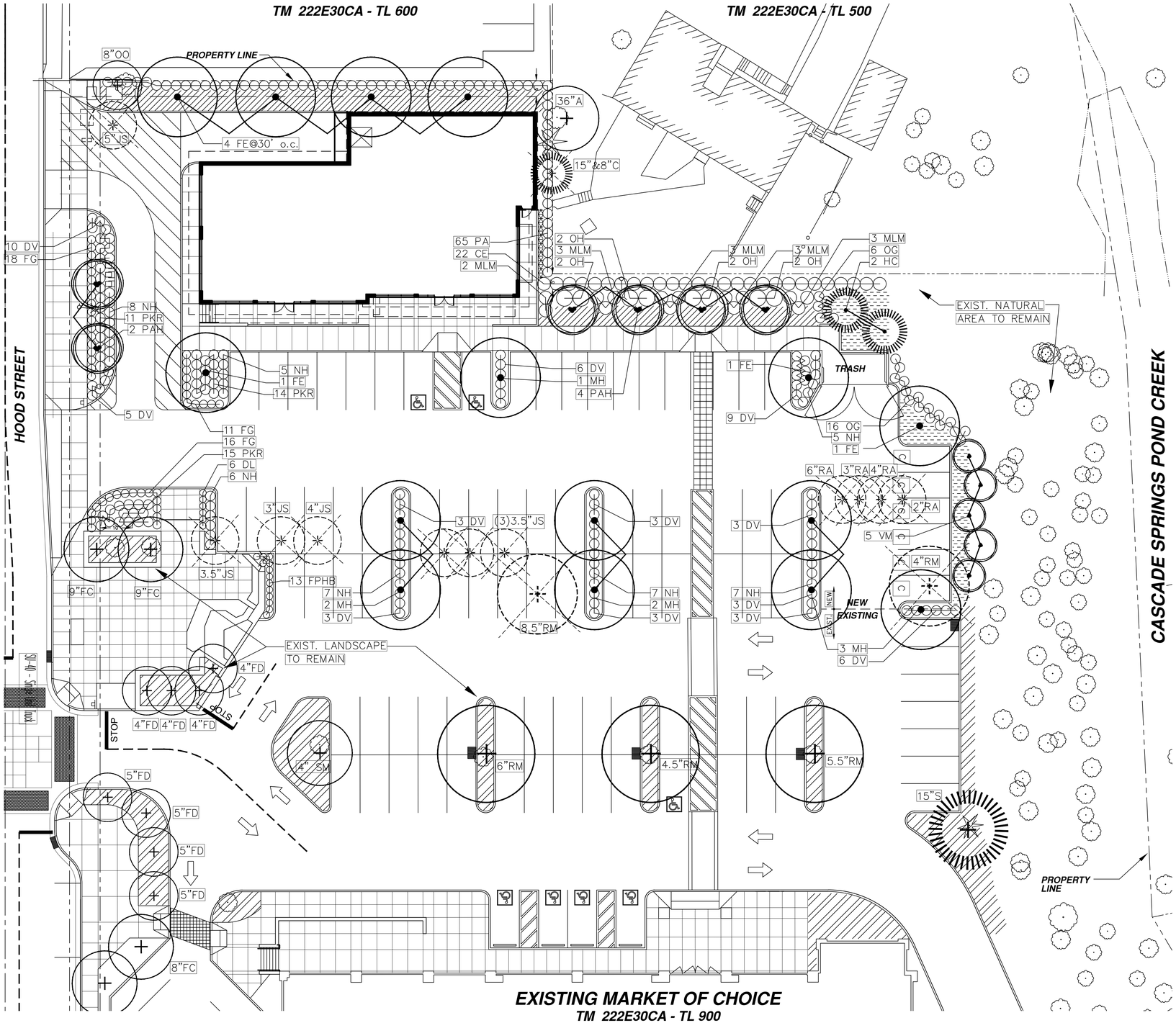
3.1



1 **LANDSCAPE PLAN**
1/16" = 1'-0"

LANDSCAPE LEGEND

SYMBOL	COMMON NAME / BOTANICAL NAME	SIZE/COND.	SPACING
TREES			
FE	Frontier Elm Ulmus 'Frontier'	2" Cal.	as shown
HC	Hogan Cedar Thuja plicata 'Hogan'	6'–7'	15' o.c.
PAH	Palasade American Hornbeam Carpinus caroliania 'CCSQU'	2" Cal.	20' o.c.
MH	Magnifica Hackberry Celtis 'Magnifica'	2" Cal.	as shown
VM	Vine Maple Acer circinatum	6'–7' 4 stem min.	10' o.c.
SHRUBS			
CE	Compact Escallonia Escallonia 'Compakta'	5 Gal.	4' o.c.
DL	Daylily Hemerocallis x 'Stella de Oro'	1 Gal.	2' o.c.
DV	David Viburnum Virburnum davidii	3 Gal.	3' o.c.
FG	Fountain Grass Pennisetum alopecuroides 'Hamelin'	1 Gal.	2.5' o.c.
FPHB	Fire Power Heavenly Bamboo Nandina domestica 'Fire Power'	2 Gal.	2' o.c.
MLM	Morning Light Miscanthus Miscanthus sinensis 'Morning Light'	2 Gal.	4' o.c.
NH	Nordic Holly Ilex glabra 'Chamzin'	24"–30"	3' o.c.
OG	Oregon Grape Mahonia aquifolium	3 Gal.	3' o.c.
OH	Oakleaf Hydrangea Hydrangea quercifolia 'Snow Queen'	5 Gal.	5' o.c.
PA	Pyramidal Arborvitae Thuja occidentalis 'Smaragd'	6'–7'	3' o.c.
PKR	Pink Knockout Rose Rosa Radcon PPAF	2 Gal.	3' o.c.
GROUNDCOVER			
	Big Blue Lily Turf Liriope muscari 'Big Blue'	4" pot	12" o.c.
	Creeping Mahonia Mahonia repens	1 Gal.	12" o.c.
	Bearberry Cotoneaster Cotoneaster dammeri	1 Gal.	24" o.c.

LANDSCAPE SYMBOLS LEGEND

- Existing Landscape To Remain
- 10"L — Existing Deciduous Tree to Remain, Caliper DBH and Tree Variety
- 10"L — Existing Deciduous Tree to be Removed, Caliper DBH and Tree Variety
- 10" — Existing Conifer Tree to be Removed, Caliper DBH and Tree Variety
- 10" — Existing Conifer Tree to Remain, Caliper DBH and Tree Variety
- Existing Tree Varieties: A–Apple, C–Leyand Cypress, JS–Japanese Snowbell, FC– Flowering Cherry, FD–Flowering Dogwood, OO–Oregon Oak, RA– Red Alder, RM–Red Maple, S–Sequoia, SM– Southern Magnolia

NOTES

1. Installation must fully comply with all City of West Linn landscape code requirements and any conditions of approval.
2. Irrigation will be provided by a fully automatic underground system, plans will be submitted at Building Permit.

OPTION A

NORTH

REGISTERED 74 CHRISTOPHER J. FRESHLEY LANDSCAPE ARCHITECT OREGON

TILAND / SCHMIDT
ARCHITECTS, P.C.
3611 S.W. HOOD AVE.
SUITE 200
PORTLAND, OR 97239
(503) 220-8517
FAX (503) 220-8518

WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185

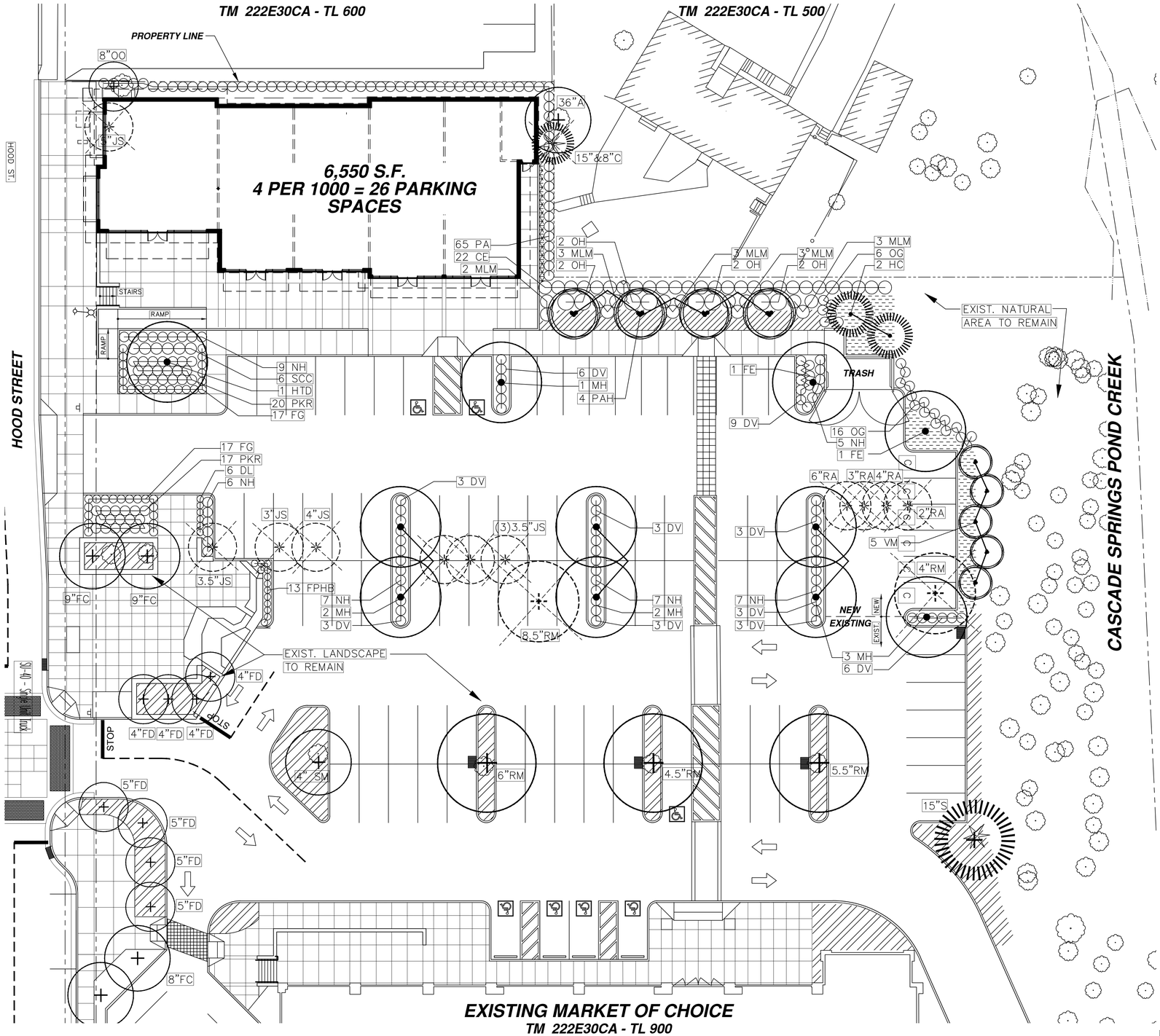
DATE :
JULY 21, 2020
DRAWN BY :
CF
CHECKED BY :
CF

REVISIONS

POST OFFICE LANDSCAPE PLAN 7.20.20.

L 1

CHRISTOPHER FRESHLEY
LANDSCAPE ARCHITECT
3944 S.W. 36TH PLACE * PORTLAND, OREGON 97221 * 503/222-9881



LANDSCAPE PLAN

1/16"=1'-0"

LANDSCAPE LEGEND

SYMBOL	COMMON NAME / BOTANICAL NAME	SIZE/COND.	SPACING
TREES			
FE	Frontier Elm Ulmus 'Frontier'	2" Cal.	as shown
HC	Hogan Cedar Thuja plicata 'Hogan'	6'-7'	15' o.c.
HTD	Heart Throb Dogwood Cornus kousa 'Schmred'	3" Cal.	as shown
PAH	Palasade American Hornbeam Carpinus caroliania 'CCSQU'	2" Cal.	20' o.c.
MH	Magnifica Hackberry Celtis 'Magnifica'	2" Cal.	as shown
VM	Vine Maple Acer circinatum	6'-7' 4 stem min.	10' o.c.
SHRUBS			
CE	Compact Escallonia Escallonia 'Compakta'	5 Gal.	4' o.c.
DL	Daylily Hemerocallis x 'Stella de Oro'	1 Gal.	2' o.c.
DV	David Viburnum Virburnum davidii	3 Gal.	3' o.c.
FG	Fountain Grass Pennisetum alopecuroides 'Hamelin'	1 Gal.	2.5' o.c.
FPHB	Fire Power Heavenly Bamboo Nandina domestica 'Fire Power'	2 Gal.	2' o.c.
MLM	Morning Light Miscanthus Miscanthus sinensis 'Morning Light'	2 Gal.	4' o.c.
NH	Nordic Holly Ilex glabra 'Chamzin'	24"-30"	3' o.c.
OG	Oregon Grape Mahonia aquifolium	3 Gal.	3' o.c.
OH	Oakleaf Hydrangea Hydrangea quercifolia 'Snow Queen'	5 Gal.	5' o.c.
PA	Pyramidal Arborvitae Thuja occidentalis 'Smaragd'	6'-7'	3' o.c.
PKR	Pink Knockout Rose Rosa Radcon PPAF	2 Gal.	3' o.c.
SCC	Sixteen Candles Clethra Clethra alnifolia 'Sixteen Candles'	5 Gal.	3.5' o.c.
GROUNDCOVER			
	Big Blue Lily Turf Liriope muscari 'Big Blue'	4" pot	12" o.c.
	Creeping Mahonia Mahonia repens	1 Gal.	12" o.c.
	Bearberry Cotoneaster Cotoneaster dammeri	1 Gal.	24" o.c.

LANDSCAPE SYMBOLS LEGEND

- Existing Landscape To Remain
- 10"L — Existing Deciduous Tree to Remain, Caliper DBH and Tree Variety
- 10"L — Existing Deciduous Tree to be Removed, Caliper DBH and Tree Variety
- 10"L — Existing Conifer Tree to be Removed, Caliper DBH and Tree Variety
- 10"L — Existing Conifer Tree to Remain, Caliper DBH and Tree Variety

Existing Tree Varieties: A-Apple, C-Leyand Cypress, JS-Japanese Snowbell, FC- Flowering Cherry, FD-Flowering Dogwood, OO-Oregon Oak, RA- Red Alder, RM-Red Maple, S-Sequoia, SM- Southern Magnolia

NOTES

1. Installation must fully comply with all City of West Linn landscape code requirements and any conditions of approval.
2. Irrigation will be provided by a fully automatic underground system, plans will be submitted at Building Permit.

OPTION B

NORTH

REGISTERED 74 CHRISTOPHER J. FRESHLEY LANDSCAPE ARCHITECT OREGON

TILAND / SCHMIDT ARCHITECTS, P.C.
3611 S.W. HOOD AVE. SUITE 200
PORTLAND, OR 97239
(503) 220-8517
FAX (503) 220-8518

WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO. 17185
DATE : JULY 21, 2020
DRAWN BY : CF
CF
CHECKED BY : CF

REVISIONS

RETAIL LANDSCAPE PLAN 7.20.20.dwg

CHRISTOPHER FRESHLEY
LANDSCAPE ARCHITECT
3944 S.W. 30TH PLACE * PORTLAND, OREGON 97221 * 503/222-9681
I:\P-Mstr\- PHOTOSHOP\WLSVLANDSCAPEARCHITECT4.PSD

L 2

(E)Fixture Schedule

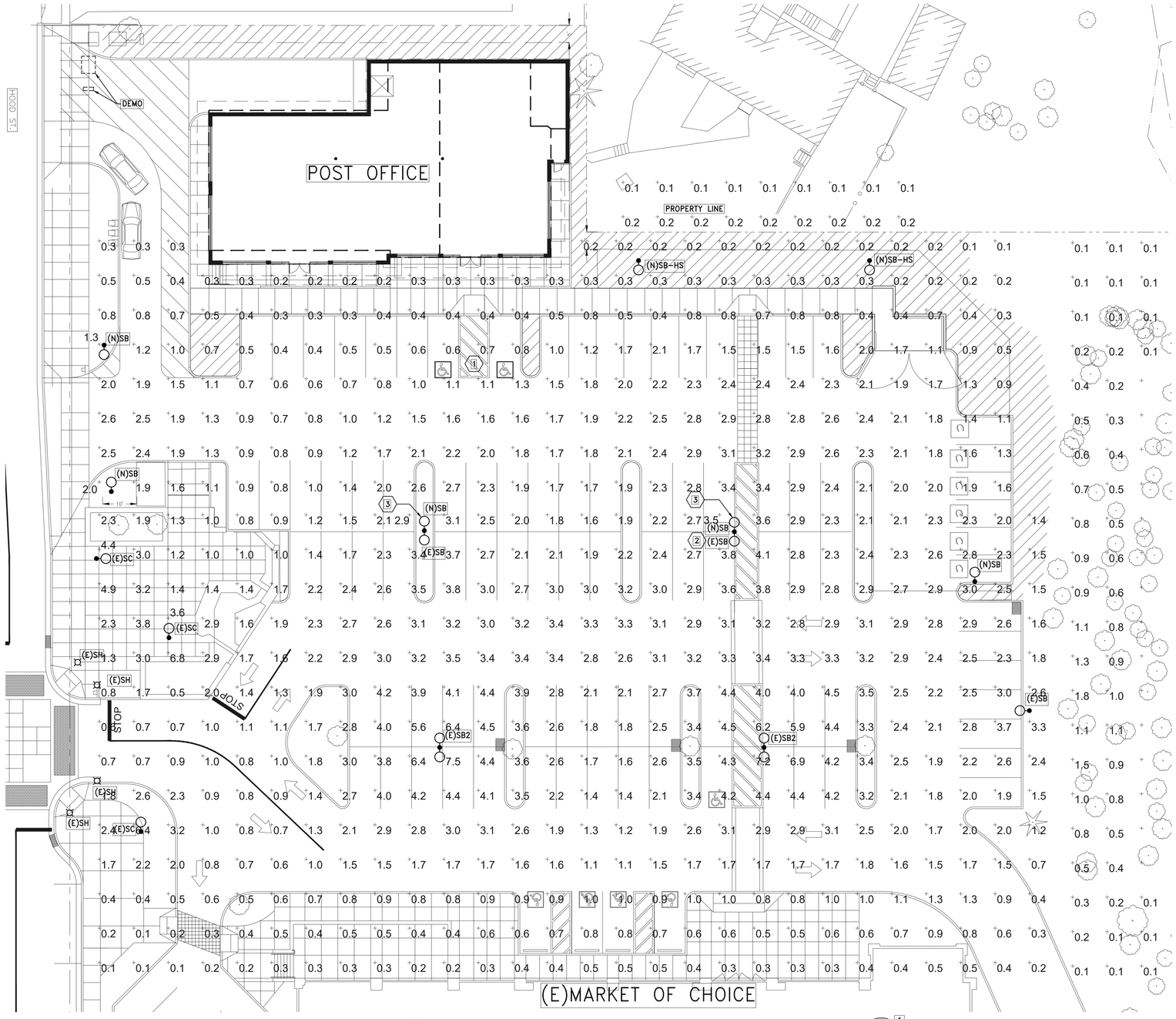
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	(E)SB	3	ARCHITECTURAL AREA LIGHTING	1H250H3		250MH	1	Prm4-h3.ies	20500	0.72	295
	(E)SB2	2	ARCHITECTURAL AREA LIGHTING	2H250H5		250MH	1	Prm4-h5.ies	20500	0.72	922
	(E)SC	3	ARCHITECTURAL AREA LIGHTING	2H70H5		70MH	1	Prm4-h5.ies	5800	0.72	210
	(E)SH	4	ARCHITECTURAL AREA LIGHTING			70MH	1		5800	0.72	210

(N)Fixture Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	(N)SB	5	ARCHITECTURAL AREA LIGHTING	PRMD-T4-48LED-4K-700-LDL	PROMENADE LUMINAIRE: CAST ALUMINUM HOUSING. LIGHTLY DIFFUSED DROP LENS. LED ARRAY CONSISTING OF LEDS, OPTICS, AND HEATSINKS	48 219B DIODES. 4000K	1	PRMD-T4-48LED-4K-700-LDL.IES	6558	.9	111.7
	(N)SB-HS	2	ARCHITECTURAL AREA LIGHTING	PRMD-T4-48LED-4K-700-HSS	PROMENADE LUMINAIRE: CAST ALUMINUM HOUSING. CLEAR DROP LENS. LED ARRAY CONSISTING OF LEDS, OPTICS, AND HEATSINKS. HOUSESIDE SHIELD.	48 219B DIODES. 4000K	1	PRMD-T4-48LED-4K-700-HSS.IES	5383	.9	110.5

GENERAL NOTES:

1. ALL NEW LIGHT FIXTURES TO BE MOUNTED AT 25'



1 E2 SITE PLAN – PHOTOMETRIC – POST OFFICE

SCALE: 1/16"=1'-0"

0 8' 16' 32'

KEYED NOTES:

1. LIGHTING FROM NEW BUILDING CANOPY TO ADD LIGHTING TO ADA PARKING SPACES. LIGHT CONTRIBUTION TO ADA PARKING SPOTS NOT INCLUDED IN THIS CALCULATION.
2. (E) LIGHT POLE MAY NEED MINOR RELOCATION. CONFIRM IN FIELD.
3. ADD NEW FIXTURE 'SB' TO EXISTING POLE. POLE ARM TO MATCH EXISTING '(E)SB'. NEW FIXTURE MUST EXACTLY MATCH EXISTING. IF NEW FIXTURE TO MATCH EXISTING CANNOT BE ACQUIRED BOTH FIXTURE MUST BE REPLACE TO MATCH.

TILAND / SCHMIDT
ARCHITECTS, P.C.
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SUITE 200
PORTLAND, OR 97239
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WEST LINN POST OFFICE REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185

DATE :
JULY 30, 2020

DRAWN BY :
IB

CHECKED BY :
SL

REVISIONS

6915 SW MACADAM AVE.
SUITE 200
PORTLAND, OREGON 97219
PHONE: 503.892.1188
FAX: 503.892.1190
CONTACT...STEVE LOCKHART
engineering@mke-inc.com

MKE & ASSOCIATES, INC.
CONSULTING ENGINEERS
MECHANICAL AND ELECTRICAL SYSTEMS

E 2.0

PLOTTED: IAN SWIFT 7/27/2020 3:22 PM
X:\DWG\TS\3242\3242-E2D

Promenade™ Series LED– PRMD

TYPE SB

FEATURES

- Reliable, uniform, glare free illumination
- Types II, III, IV, V and custom distributions[1]
- 3000K, 4000K, 5000K CCT
- 0-10V dimming ready
- Integral surge suppression
- LifeShield™ thermal protection
- 13 standard powder coat finishes
- Upgrade Kits

SPECIFICATIONS

- Diameter: 19" / 480mm
- Height: 39" / 990mm
- Weight: 34 lbs / 15.4 kg
- EPA: 1.19
- IP Rating: 66

3000K and warmer CCTs with FTG or NL only

ORDERING INFORMATION

MODEL	1	2	3	4	5	6	7
PRMD	T4	4K	700	LDL			
	Light Engine	CCT	Drive Current	Finish	Options	Controls	Mounting

1. LIGHT ENGINE

T2-48LED	*Type II*
T3-48LED	*Type III*
T4-48LED	*Type IV*
T5-48LED	*Type V*

2. COLOR TEMPERATURE

3K	*3000K CCT, 70CRI*
4K	*4000K CCT, 70CRI*
5K	*5000K CCT, 70CRI*

Additional CCT's and 560mm monochromatic amber available by request [1]

3. DRIVE CURRENT

700	*700mA, 112 watts*
450	*450mA, 72 watts*

4. FINISH

Standard Color

WH	*Arctic White*
BL	*Black*
BLT	*Matte Black*
DB	*Dark Bronze*
DGN	*Dark Green*
TT	*Titanium*
WDB	*Weathered Bronze*
MDB	*Bronze Metallic*
VBU	*Verde Blue*
CRT	*Corten*
MAL	*Matte Aluminum*
MG	*Medium Grey*
AGN	*Antique Green*
LG	*Light Grey*

Premium Color

SHK	*Shamrock*
SPP	*Salt and Pepper*
SFM	*Seafoam*
WCP	*Weathered Copper*
RAL	*RAL 4 digit Color*
CUSTOM	*Custom Color*

5. OPTIONS

Shielding

VSR	*30"/762mm diameter visor*
HSS	*House Side shield for Type 4, not for use with FTG*

Lens May choose one

LDL	*Lightly diffused drop lens*
FTG	*Flat glass lens in place of standard acrylic drop lens, not for use with HSS*
NL	*No standard acrylic drop lens, optical bezel finish to match housing*

6. CONTROLS May choose one

PCA-C	*photocell adapter, requires mounting that slips over a 4"/100mm DIA. pole*
EPA-C	*Egress adapter, requires mounting that slips over a 4"/100mm DIA. pole*
SCP	*Sensor Control Programmable*

SCP (Sensor Control Programmable) pole accessory is available to provide occupancy detection for outdoor applications meeting California Title 24. For complete spec sheet and ordering information, visit *www.aal.net/products/sensor_control_programmable/*

7. MOUNTING (Choose one)

POLE MOUNT

Bolts to a 4"/100mm DIA. or 5"/125mm DIA. pole

TRA2M TRA2L TRA5D TRA6D SLA8D SLA22D SLA3 *(4"/100mm DIA. poles only)*

Slips over a 4"/100mm DIA. pole or tenon

TRA4	TRA4-2	TRA7	
TRA7-2	TRA8	TRA8-2	TRA9
TRA9-2	SLA4	SLA4-2	SLA9
SLA9-2	SLA10	SLA10-2	SLA16
SLA16-2	SLA18	SLA18-2	

Slips over a 4"/100mm DIA. Or 5"/125mm DIA. pole or tenon

SLA7	SLA7-2	SLA17	SLA17-2

WALL MOUNT

WMA2M	WMA2L	WMA35D	
WMA36D	WMA37	WMA38	WMA39
WMA4	WMA6	WMA8	WMA9D
WMA10	WMA11	WMA12	WMA16
WMA17	WMA18	WMA22D	

OTHER MOUNTING

MAT	*Cast adapter to side mount to a 2 3/8" 61mm DIA.mast arm*
PMS	*Pendant mount with 48"1220 stem, canopy and swivel*
PMC	*Pendant mount with 48"/1220mm of brass chain in fixture finish*

[1] *Consult factory*

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JOB
TYPE
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Promenade™ Series LED– PRMD

TYPE SB-HS

FEATURES

- Reliable, uniform, glare free illumination
- Types II, III, IV, V and custom distributions[1]
- 3000K, 4000K, 5000K CCT
- 0-10V dimming ready
- Integral surge suppression
- LifeShield™ thermal protection
- 13 standard powder coat finishes
- Upgrade Kits

SPECIFICATIONS

- Diameter: 19" / 480mm
- Height: 39" / 990mm
- Weight: 34 lbs / 15.4 kg
- EPA: 1.19
- IP Rating: 66

3000K and warmer CCTs with FTG or NL only

ORDERING INFORMATION

MODEL	1	2	3	4	5	6	7
PRMD	T4	4K	700	HSS			
	Light Engine	CCT	Drive Current	Finish	Options	Controls	Mounting

1. LIGHT ENGINE

T2-48LED	*Type II*
T3-48LED	*Type III*
T4-48LED	*Type IV*
T5-48LED	*Type V*

2. COLOR TEMPERATURE

3K	*3000K CCT, 70CRI*
4K	*4000K CCT, 70CRI*
5K	*5000K CCT, 70CRI*

Additional CCT's and 560mm monochromatic amber available by request [1]

3. DRIVE CURRENT

700	*700mA, 112 watts*
450	*450mA, 72 watts*

4. FINISH

Standard Color

WH	*Arctic White*
BL	*Black*
BLT	*Matte Black*
DB	*Dark Bronze*
DGN	*Dark Green*
TT	*Titanium*
WDB	*Weathered Bronze*
MDB	*Bronze Metallic*
VBU	*Verde Blue*
CRT	*Corten*
MAL	*Matte Aluminum*
MG	*Medium Grey*
AGN	*Antique Green*
LG	*Light Grey*

Premium Color

SHK	*Shamrock*
SPP	*Salt and Pepper*
SFM	*Seafoam*
WCP	*Weathered Copper*
RAL	*RAL 4 digit Color*
CUSTOM	*Custom Color*

5. OPTIONS

Shielding

VSR	*30"/762mm diameter visor*
HSS	*House Side shield for Type 4, not for use with FTG*

Lens May choose one

LDL	*Lightly diffused drop lens*
FTG	*Flat glass lens in place of standard acrylic drop lens, not for use with HSS*
NL	*No standard acrylic drop lens, optical bezel finish to match housing*

6. CONTROLS May choose one

PCA-C	*photocell adapter, requires mounting that slips over a 4"/100mm DIA. pole*
EPA-C	*Egress adapter, requires mounting that slips over a 4"/100mm DIA. pole*
SCP	*Sensor Control Programmable*

SCP (Sensor Control Programmable) pole accessory is available to provide occupancy detection for outdoor applications meeting California Title 24. For complete spec sheet and ordering information, visit *www.aal.net/products/sensor_control_programmable/*

7. MOUNTING (Choose one)

POLE MOUNT

Bolts to a 4"/100mm DIA. or 5"/125mm DIA. pole

TRA2M TRA2L TRA5D TRA6D SLA8D SLA22D SLA3 *(4"/100mm DIA. poles only)*

Slips over a 4"/100mm DIA. pole or tenon

TRA4	TRA4-2	TRA7	
TRA7-2	TRA8	TRA8-2	TRA9
TRA9-2	SLA4	SLA4-2	SLA9
SLA9-2	SLA10	SLA10-2	SLA16
SLA16-2	SLA18	SLA18-2	

Slips over a 4"/100mm DIA. Or 5"/125mm DIA. pole or tenon

SLA7	SLA7-2	SLA17	SLA17-2

WALL MOUNT

WMA2M	WMA2L	WMA35D	
WMA36D	WMA37	WMA38	WMA39
WMA4	WMA6	WMA8	WMA9D
WMA10	WMA11	WMA12	WMA16
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OTHER MOUNTING

MAT	*Cast adapter to side mount to a 2 3/8" 61mm DIA.mast arm*
PMS	*Pendant mount with 48"1220 stem, canopy and swivel*
PMC	*Pendant mount with 48"/1220mm of brass chain in fixture finish*

[1] *Consult factory*

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WEST LINN REDEVELOPMENT

5665 HOOD STREET
WEST LINN, OREGON 97068
WEST LINN SHOPPING CENTER ASSOCIATES, LLC

PROJECT NO.
17185
DATE :
JULY 30, 2020
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engineering@mke-inc.com
MKE & ASSOCIATES, INC.
CONSULTING ENGINEERS
MECHANICAL AND ELECTRICAL SYSTEMS

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(E)Fixture Schedule

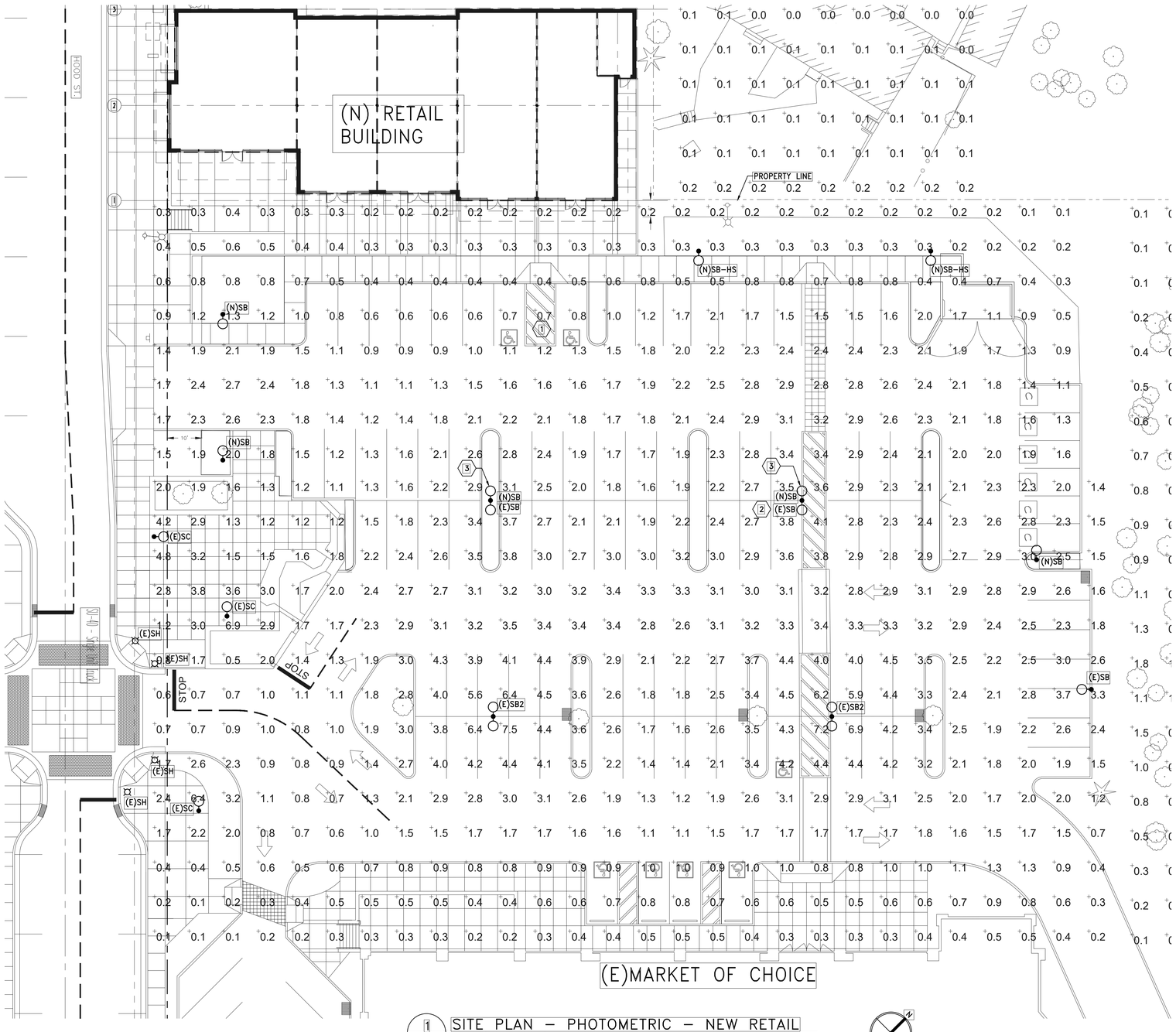
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	(E)SB	3	ARCHITECTURAL AREA LIGHTING	1H250H3		250MH	1	Prm4-h3.ies	20500	0.72	295
	(E)SB2	2	ARCHITECTURAL AREA LIGHTING	2H250H5		250MH	1	Prm4-h5.ies	20500	0.72	922
	(E)SC	3	ARCHITECTURAL AREA LIGHTING	2H70H5		70MH	1	Prm4-h5.ies	5800	0.72	210
	(E)SH	4	ARCHITECTURAL AREA LIGHTING			70MH	1		5800	0.72	210

(N)Fixture Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	(N)SB	5	ARCHITECTURAL AREA LIGHTING	PRMD-T4-48LED-4K-700-LDL	PROMENADE LUMINAIRE: CAST ALUMINUM HOUSING. LIGHTLY DIFFUSED DROP LENS. LED ARRAY CONSISTING OF LEDS, OPTICS, AND HEATSINKS	48 219B DIODES. 4000K	1	PRMD-T4-48LED-4K-700-LDL.IES	6558	.9	111.7
	(N)SB-HS	2	ARCHITECTURAL AREA LIGHTING	PRMD-T4-48LED-4K-700-HSS	PROMENADE LUMINAIRE: CAST ALUMINUM HOUSING. CLEAR DROP LENS. LED ARRAY CONSISTING OF LEDS, OPTICS, AND HEATSINKS. HOUSESIDE SHIELD.	48 219B DIODES. 4000K	1	PRMD-T4-48LED-4K-700-HSS.IES	5383	.9	110.5

GENERAL NOTES:

1. ALL NEW LIGHT FIXTURES TO BE MOUNTED AT 25'



1 E1 SITE PLAN – PHOTOMETRIC – NEW RETAIL
SCALE: 1/16"=1'-0"

KEYED NOTES:

1. LIGHTING FROM NEW BUILDING CANOPY TO ADD LIGHTING TO ADA PARKING SPACES. LIGHT CONTRIBUTION TO ADA PARKING SPOTS NOT INCLUDED IN THIS CALCULATION.
2. (E) LIGHT POLE MAY NEED MINOR RELOCATION. CONFIRM IN FIELD.
3. ADD NEW FIXTURE 'SB' TO EXISTING POLE. POLE ARM TO MATCH EXISTING '(E)SB'. NEW FIXTURE MUST EXACTLY MATCH EXISTING. IF NEW FIXTURE TO MATCH EXISTING CANNOT BE ACQUIRED BOTH FIXTURE MUST BE REPLACE TO MATCH.

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MECHANICAL AND ELECTRICAL SYSTEMS

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Promenade™ Series LED– PRMD

TYPE SB

FEATURES

- Reliable, uniform, glare free illumination
- Types II, III, IV, V and custom distributions[1]
- 3000K, 4000K, 5000K CCT
- 0-10V dimming ready
- Integral surge suppression
- LifeShield™ thermal protection
- 13 standard powder coat finishes
- Upgrade Kits

SPECIFICATIONS

- Diameter: 19" / 480mm
- Height: 39" / 990mm
- Weight: 34 lbs / 15.4 kg
- EPA: 1.19
- IP Rating: 66

3000K and warmer CCTs with FTG or NL only

ORDERING INFORMATION

MODEL	1	2	3	4	5	6	7
PRMD	T4	4K	700	LDL			
	Light Engine	CCT	Drive Current	Finish	Options	Controls	Mounting

1. LIGHT ENGINE

T2-48LED	*Type II*
T3-48LED	*Type III*
T4-48LED	*Type IV*
T5-48LED	*Type V*

2. COLOR TEMPERATURE

3K	*3000K CCT, 70CRI*
4K	*4000K CCT, 70CRI*
5K	*5000K CCT, 70CRI*

Additional CCT's and 560mm monochromatic amber available by request [1]

3. DRIVE CURRENT

700	*700mA, 112 watts*
450	*450mA, 72 watts*

4. FINISH

Standard Color

WH	*Arctic White*
BL	*Black*
BLT	*Matte Black*
DB	*Dark Bronze*
DGN	*Dark Green*
TT	*Titanium*
WDB	*Weathered Bronze*
MDB	*Bronze Metallic*
VBU	*Verde Blue*
CRT	*Corten*
MAL	*Matte Aluminum*
MG	*Medium Grey*
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Premium Color

SHK	*Shamrock*
SPP	*Salt and Pepper*
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RAL	*RAL 4 digit Color*
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Slips over a 4"/100mm DIA. pole or tenon

TRA4	TRA4-2	TRA7	
TRA7-2	TRA8	TRA8-2	TRA9
TRA9-2	SLA4	SLA4-2	SLA9
SLA9-2	SLA10	SLA10-2	SLA16
SLA16-2	SLA18	SLA18-2	

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TRA7-2	TRA8	TRA8-2	TRA9
TRA9-2	SLA4	SLA4-2	SLA9
SLA9-2	SLA10	SLA10-2	SLA16
SLA16-2	SLA18	SLA18-2	

Slips over a 4"/100mm DIA. Or 5"/125mm DIA. pole or tenon

SLA7	SLA7-2	SLA17	SLA17-2

WALL MOUNT

WMA2M	WMA2L	WMA35D	
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WMA10	WMA11	WMA12	WMA16
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WEST LINN REDEVELOPMENT

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WEST LINN SHOPPING CENTER ASSOCIATES, LLC

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WEST LINN REDEVELOPMENT
WEST LINN, OREGON
COLORS & MATERIALS
OPTION A - POST OFFICE

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BRICK & CONCRETE:

BRICK -
FOREST BLEND
MUTUAL MATERIALS

BRICK -
CARIB
MUTUAL MATERIALS

CONCRETE LINTEL/
RETAINING WALL

SIDING :

HORIZONTAL SIDING -
ARTISAN SHIPLAP
(SAWDUST)

PRECAST CONCRETE -
MASONRY WALL CAP

TRIM
(EVERYDAY WHITE)

GROUT -
UP TO 5% DAVIS COLOR
TBD

GRAMOR DEVELOPMENT

MB 1
JULY 30, 2020

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WEST LINN, OREGON
COLORS & MATERIALS
OPTION A - POST OFFICE

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PAINT COLORS :

SHERWIN WILLIAMS
SW #6158
'SAWDUST'
- HORIZONTAL SIDING

SHERWIN WILLIAMS
SW #6077
'EVERYDAY WHITE'
- PARAPET AND TRIM

SHERWIN WILLIAMS
SW #6102
'PORTABELLO'
- EXTERIOR DOOR

WEST LINN REDEVELOPMENT
WEST LINN, OREGON
COLORS & MATERIALS
OPTION A - POST OFFICE

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ROOF AND MISCELLANEOUS MATERIAL COLORS :

STEEL CANOPY & TIEBACK RODS :
SHERWIN WILLIAMS
SW #6258
'TRICORN BLACK'

CAP FLASHING/
PARAPET CAP :
SHERWIN WILLIAMS
SW #6061
'TANBARK'

ASPHALT SHINGLE ROOF :
TRUDEFINATION
DURATION
'DRIFTWOOD'

STOREFRONT :
DARK BRONZE

NOTE :
COLORS SHOWN ON MATERIAL BOARDS WILL DIFFER FROM THOSE SUPPLIED BY MANUFACTURER

GRAMOR DEVELOPMENT

MB 3
JULY 30, 2020

WEST LINN REDEVELOPMENT
WEST LINN, OREGON
COLORS & MATERIALS
OPTION B - RETAIL

TILAND / SCHMIDT
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FAX (503) 220-8518

BRICK & CONCRETE:

BRICK -
FOREST BLEND
MUTUAL MATERIALS

CONCRETE LINTEL/
RETAINING WALL

PRECAST CONCRETE -
MASONRY WALL CAP

SIDING :

HORIZONTAL SIDING -
ARTISAN SHIPLAP
(SAWDUST)

BOARD & BATTEN SIDING
(BREVITY BROWN)

TRIM
(EVERYDAY WHITE)

GROUT -
UP TO 5% DAVIS COLOR
TBD

GRAMOR DEVELOPMENT

MB 1
JULY 30, 2020

WEST LINN REDEVELOPMENT
WEST LINN, OREGON
COLORS & MATERIALS
OPTION B - RETAIL

TILAND / SCHMIDT
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PAINT COLORS :

SHERWIN WILLIAMS
SW #6158
'SAWDUST'
- HORIZONTAL SIDING

SHERWIN WILLIAMS
SW #6077
'EVERYDAY WHITE'
- PARAPET AND TRIM

SHERWIN WILLIAMS
SW #6068
'BREVITY BROWN'
- BOARD AND BATTEN

SHERWIN WILLIAMS
SW #6102
'PORTABELLO'
- EXTERIOR DOOR

GRAMOR DEVELOPMENT

MB 2
JULY 30, 2020

WEST LINN REDEVELOPMENT
WEST LINN, OREGON
COLORS & MATERIALS
OPTION B - RETAIL

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SW #6061
'TANBARK'

ASPHALT SHINGLE ROOF :
TRUDEFINATION
DURATION
'DRIFTWOOD'

STOREFRONT :
DARK BRONZE

AWNING -
SHERWIN WILLIAMS
SW #6468
'HUNT CLUB'

NOTE :
COLORS SHOWN ON MATERIAL BOARDS WILL DIFFER FROM THOSE SUPPLIED BY MANUFACTURER

GRAMOR DEVELOPMENT

MB 3
JULY 30, 2020

HOOD STREET DEVELOPMENT PRELIMINARY STORMWATER NARRATIVE

West Linn, Oregon

For:
West Linn Shopping Center Associates LLC.
19767 SW 72nd Ave Suite 100
Tualatin, Oregon 97229

Prepared By:
Westlake Consultants Inc.
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224
Phone: (503) 684-0652
Fax: (503) 624-0157

July 2020
Revised October 2020

WCI #2838-001

WESTLAKE CONSULTANTS
Planning | Engineering | Surveying

Table of Contents

Introduction: 2
Analysis Purpose: 3
Stormwater Management Calculations: 4
- Pre-Developed
- Post-Developed

Water Quality Calculations: 5
Detention Calculations: 6
Conveyance: 6
Downstream: 7
Computer Modeling: 7
Summary: 7
Appendix: 8
- Appendix A: Basin Map – Existing Site
- Appendix B: Basin Map – Proposed Site
- Appendix C: HydroCAD Analysis – Water Quality
- Appendix D: Water Quality Vault Detail
- Appendix E: HydroCAD Analysis – Conveyance
- Appendix F: Basin Map – Photographs
- Appendix G: HydroCAD Analysis – Culvert
- Appendix H: NRCS Soils Report
- Appendix I: Geotechnical Report

Preface:

This stormwater report is preliminary, and a final report will be submitted with the building permit application that complies with all city standards.

Introduction:

This proposed general commercial development (Redevelopment) is in West Linn, Oregon along Hood Street. It is located on two separate tax lots under same ownership (22E30CA TL 700 & 900). The site size is a total area of 1.01 acres. The existing site is currently developed with a post office, supporting parking lot (asphalt and compacted gravel), and drive aisles. The site topography slopes generally from west to east towards the bank of an unnamed stream along the property line.

For the existing Post Office storm system, west of the building drains towards Hood Street, east of the building drains to catch basins, but is unknown where the pipes drain to.

Adjacent to the south of the Post Office is the Market of Choice (MoC) parking lot. The existing storm system has catch basins that collect the parking lot area as well as passes through, via pipe, the Hood Street storm runoff. The discharge for the site is it into the creek along the east property line.

The Redevelopment has 2 site options:
Option A, known as the “Post Office Option”, will redevelop the site with a new Post Office Building with supporting parking lot, drive aisles, drive through lane, loading ramp, and storm system.
Option B, known as the “Retail Option”, will redevelop the site with a new Retail Building with supporting parking lot, drive aisles, and storm system.
Both Option A and B will also include removing and replacing the northmost portion of the Market of Choice parking lot while maintaining the existing storm system.

For the purposes of this preliminary stormwater report it will assume that both Options’ proposed impervious surface, conveyance system, and disturbed area are identical. This assumption will be refined during final engineering.

Stormwater will be collected by roof drains, area drains, and slotted trench drains and conveyed through a pipe network to a water quality treatment vault. Stormwater then leaves the site via an existing pipe outfall discharging to the unnamed stream and continues to flow to the Willamette River.

Analysis Purpose:

The purpose of this Preliminary Stormwater Report is to demonstrate that the Redevelopment complies with the requirements set forth in "City of West Linn Public Works Design Standards 2010", more specifically the Section Two Storm Drain Requirements. This includes the following:

1. Water quality treatment
    a. Treat the water quality storm as defined by the City of Portland (which West Linn has deferred to) of a Type 1A storm with 0.83" runoff in a 24-hour period
2. Detention sizing
    a. This project is exempt from detention due to discharging to a system that has adequate capacity to convey the 25-year storm event to the Willamette River.
3. Stormwater conveyance
    a. Convey the 10-year storm (Deferred to Final Engineering)

Stormwater Management Calculations:

Pre-Developed

Redevelopment

Site Area =	34,290 sf
Impervious Area =	29,360 sf
Pervious Area =	4,930 sf

MoC Impact

Site Area =	9,900 sf
Impervious Area =	8,820 sf
Pervious Area =	1,080 sf

Post-Developed

Redevelopment

Site Area =	34,290 sf
Impervious Area =	28,570 sf
Pervious Area =	5,720 sf

MoC Impact

Site Area =	9,900 sf
Impervious Area =	9,600 sf
Pervious Area =	300 sf

See **Appendix A:** Basin Map – Existing Site and **Appendix B:** Basin Map – Proposed Site.

Water Quality Calculations:

The water quality storm event to be treated is defined by the City of Portland (which West Linn has deferred to) as a Type 1A storm with 0.83" runoff in a 24-hour period.In an effort to utilize above ground water quality treatment methods, Westlake analyzed three potential alternatives: swales, a treatment basin, and a planter. The existing conditions on the site and the adjacent property to the south combined with the design requirements applicable to the proposed site development result in limited surface area available for functional water quality treatment meeting City engineering standards.

Under both Option "A" and Option "B" site design requirements, factors combined for the site include maximum building setbacks from Hood Street in zoning code, minimum driveway access spacing limiting site access locations onto Hood Street, minimum parking drive aisle and stall dimensions, parking lot landscaping requirements, maximum parking lot access and stall grades, pedestrian connectivity into the and through the site, the WRA and existing drainageway topography located on the eastern portion of the site. Planter boxes were therefore evaluated.

Using the presumptive approach, Westlake estimated that the redevelopment area would require 875 sf of planter boxes to meet treatment requirements. Planters could either be placed in the proposed parking islands or lengthwise between the two rows of parking stalls. These options were ruled out as the cumulative parking island area will not provide adequate area for the water treatment function. Additionally, in this position, the planters' could only capture a fraction of the site's runoff. Alternatively, if planter boxes were placed between parking rows (along the car bumpers) it would disrupt pedestrian and cart traffic through this area, presenting safety concerns. Pedestrians leaving Market of Choice with their carts would need to walk around the planters, entering the flow of traffic to return to their vehicles. Consequently, Westlake has determined that an above-ground water quality treatment facility is not suitable for the Hood St shopping center site with the various constraints presented in the footprint.

A Contech Stormfilter Vault will be used to meet water quality treatment criteria. Each 18" Stormfilter cartridge has the capacity to treat 15 gpm or 0.033 cfs of stormwater.

The impervious area of the Redevelopment is about 28,570 sf. This will generate 0.11 cfs of runoff. The required number of cartridges to treat this flow is 4.

It is acknowledged that the removal and replacement impact in the very north side of the Market of Choice parking lot may trigger a requirement for treatment of the impacted area. It would be impractical to retrofit the MoC stormwater system; thus, this project proposes to address that by oversizing the Contech Stormfilter Vault to "overtreat" the flow from the Redevelopment.

The impervious area of the impact area in the MoC is about 9,300 sf. This would generate 0.04 cfs of runoff. The required number of cartridges to treat this flow would be 2.

As per above, these additional cartridges will be added to the Stormfilter Vault for the Redevelopment bringing the total cartridges to be installed to 6.

See **Appendix C:** HydroCAD Analysis – Water Quality and **Appendix D:** Water Quality Vault Detail

Detention Calculations:

This project is exempt from detention due to discharging to a system that has adequate capacity to convey the 25-year storm event to the Willamette River. See "Downstream" section below for supporting calculations.

Conveyance:

Conveyance will be designed to convey the 10-year storm. Calculations deferred to Final Engineering.

See **Appendix E:** HydroCAD Analysis – Conveyance (Deferred to Final Engineering).

Downstream:

A downstream analysis was performed until the flow from our site entered the Willamette River; the River is about 2000' downstream. Prior to reaching the river there is an existing 32" culvert located about 1500' downstream.

The contributing basin flowing to the culvert is 55 acres and is mixed Commercial and Residential; the resulting flow is 32.7 cfs during a 25-year storm. The 32" culvert has a design flow capacity of 39.2 cfs. This existing infrastructure has been found to be sufficient.

In addition to the culvert calculations, a visual inspection was performed of the downstream system from the project to the point it reaches the Willamette River. The visual investigation did not identify any additional observable downstream impacts to existing storm structures.

See **Appendix F:** Basin Map – Culvert and **Appendix G:** HydroCAD Analysis – Culvert.

Computer Modeling:

The analysis of the stormwater conditions was completed using HydroCAD 10. This program uses site conditions, such as soil types, storm characteristics, and impervious areas, to determine runoff rates and volumes for a site for different storm events. A Type-1A storm event was modeled with a 0.83" Water Quality, 10 (deferred), and 25-year storm events.

The United States Department of Agriculture Natural Resources Conservation Service (NRCS) websoil survey was utilized to determine the hydrological soil group for the project site. The site falls within hydrological soils group C.

See **Appendix H:** NRCS Soils Report.

Summary:

The Redevelopment has been shown to meet the City of West Linn's stormwater standards. A Stormfilter Vault treat the water quality storm event, conveyance deferred to final engineering, and the downstream system has the capacity to convey the 25-year design storm.

Appendix:

Appendix A: Basin Map – Existing Site

Appendix B: Basin Map – Proposed Site

Appendix C: HydroCAD Analysis – Water Quality

Appendix D: Water Quality Vault Detail

Appendix E: HydroCAD Analysis – Conveyance

Appendix F: Basin Map – Culvert

Appendix G: HydroCAD Analysis – Culvert

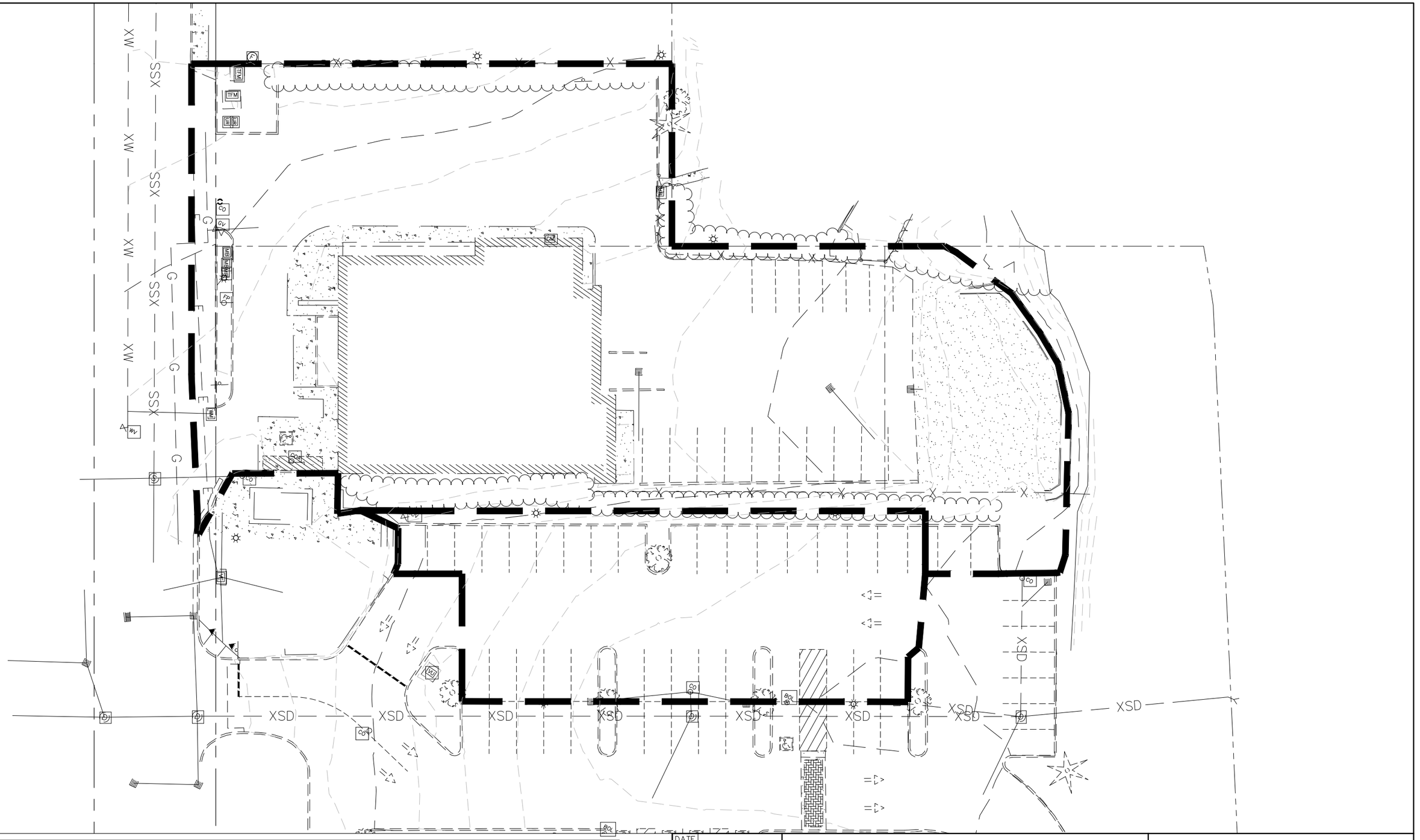
Appendix H: NRCS Soils Report

Appendix I: Geotechnical Report

APPENDIX A

BASIN MAP

EXISTING SITE



REDEVELOPMENT		MARKET OF CHOICE IMPACT	
SITE AREA =	34,290 SF	SITE AREA =	9,900 SF
IMPERVIOUS AREA =	29,360 SF	IMPERVIOUS AREA =	8,820 SF
PERVIOUS AREA =	4,930 SF	PERVIOUS AREA =	1,080 SF

DATE	2020-06-22
REVISION	0
DRAWN BY	JAB
CHECKED BY	
JOB NO.	2838-001

HOOD STREET REDEVELOPMENT

WEST LINN, OREGON

BASIN MAP
EXISTING

WESTLAKE CONSULTANTS

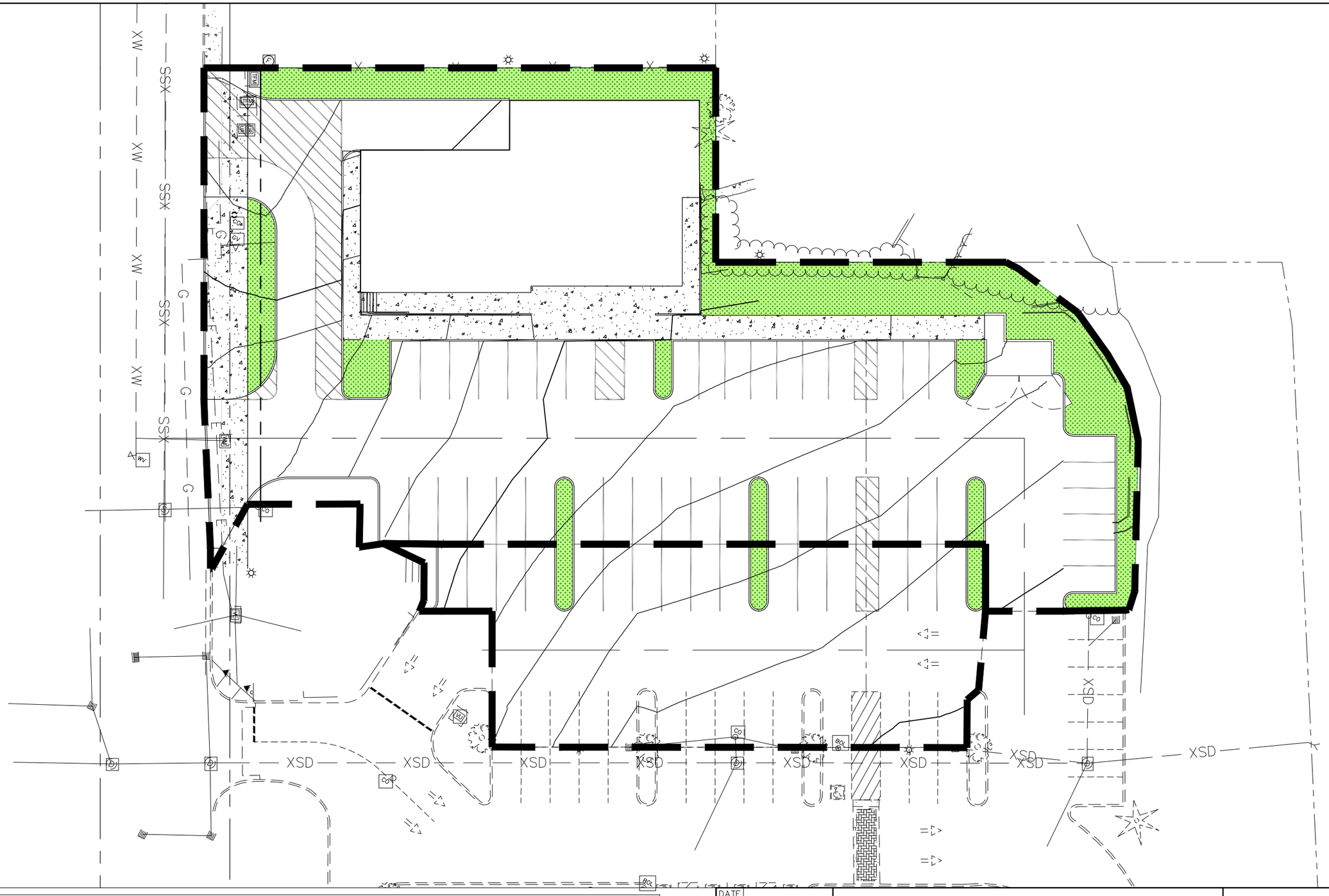
Planning | Engineering | Surveying

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\4. REPORTS (CALCS)\2020-06-XX PRELIMINARY STORM REPORT\ACAD\BASIN MAP - EXISTING.DWG 2020/06/19 - 06:57PM - JAB

APPENDIX B

BASIN MAP

PROPOSED SITE



REDEVELOPMENT		MARKET OF CHOICE IMPACT	
SITE AREA =	34,290 SF	SITE AREA =	9,900 SF
IMPERVIOUS AREA =	28,570 SF	IMPERVIOUS AREA =	9,600 SF
PERVIOUS AREA =	5,720 SF	PERVIOUS AREA =	300 SF

DATE	2020-06-22
REVISION	0
DRAWN BY	JAB
CHECKED BY	
JOB NO.	2838-001

HOOD STREET REDEVELOPMENT

WEST LINN, OREGON

BASIN MAP
PROPOSED

WESTLAKE CONSULTANTS

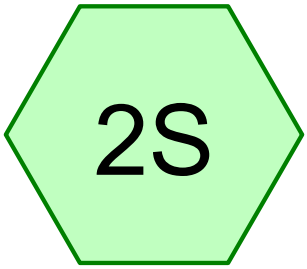
Planning | Engineering | Surveying

DRAWING NAME: J:\2838-001\19\6. ENGINEERING\4. REPORTS (CALCS)\2020-06-XX PRELIMINARY STORM REPORT\ACAD\BASIN MAP - PROPOSED.DWG 2020/06/19 - 06:56PM JAB

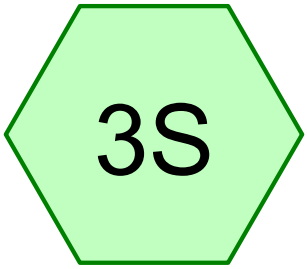
APPENDIX C

HYDROCAD ANALYSIS

WATER QUALITY



REDEVELOPMENT



MARKET OF CHOICE

Subcat Reach Pond Link

Routing Diagram for 2838-001 WATER QUALITY
Prepared by WESTLAKE CONSULTANTS, INC., Printed 2020-06-19
HydroCAD® 10.00-25 s/n 09621 © 2019 HydroCAD Software Solutions LLC

Time span=0.00-24.00 hrs, dt=0.02 hrs, 1201 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 2S: REDEVELOPMENT Runoff Area=34,290 sf 83.32% Impervious Runoff Depth>0.52"
Tc=5.0 min CN=61/98 Runoff=0.11 cfs 0.034 af

Subcatchment 3S: MARKET OF CHOICE Runoff Area=9,900 sf 96.97% Impervious Runoff Depth>0.61"
Tc=5.0 min CN=61/98 Runoff=0.04 cfs 0.011 af

Total Runoff Area = 1.014 ac Runoff Volume = 0.046 af Average Runoff Depth = 0.54"
13.62% Pervious = 0.138 ac 86.38% Impervious = 0.876 ac

Summary for Subcatchment 2S: REDEVELOPMENT

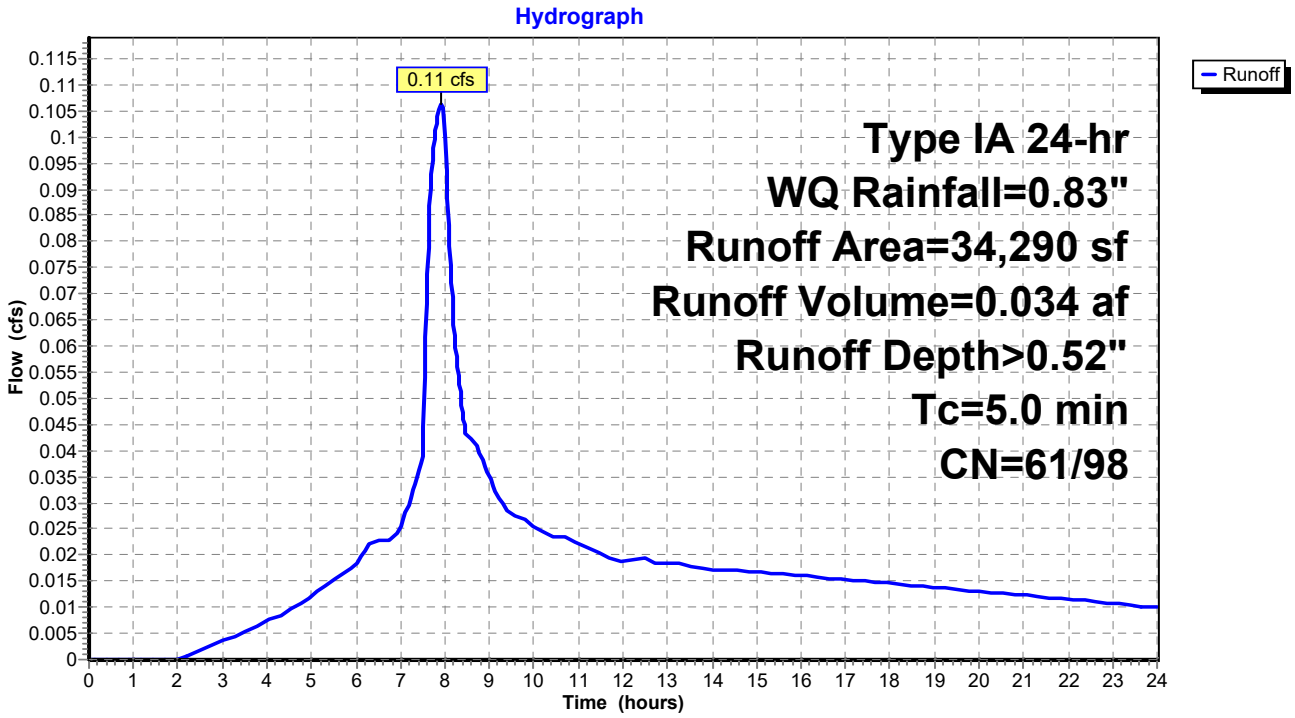
Runoff = 0.11 cfs @ 7.91 hrs, Volume= 0.034 af, Depth> 0.52"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.02 hrs
Type IA 24-hr WQ Rainfall=0.83"

	Area (sf)	CN	Description
*	28,570	98	Paved Parking & Roofs, HSG C
	5,720	61	>75% Grass cover, Good, HSG B
	34,290	92	Weighted Average
	5,720	61	16.68% Pervious Area
	28,570	98	83.32% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry,**

Subcatchment 2S: REDEVELOPMENT



Summary for Subcatchment 3S: MARKET OF CHOICE

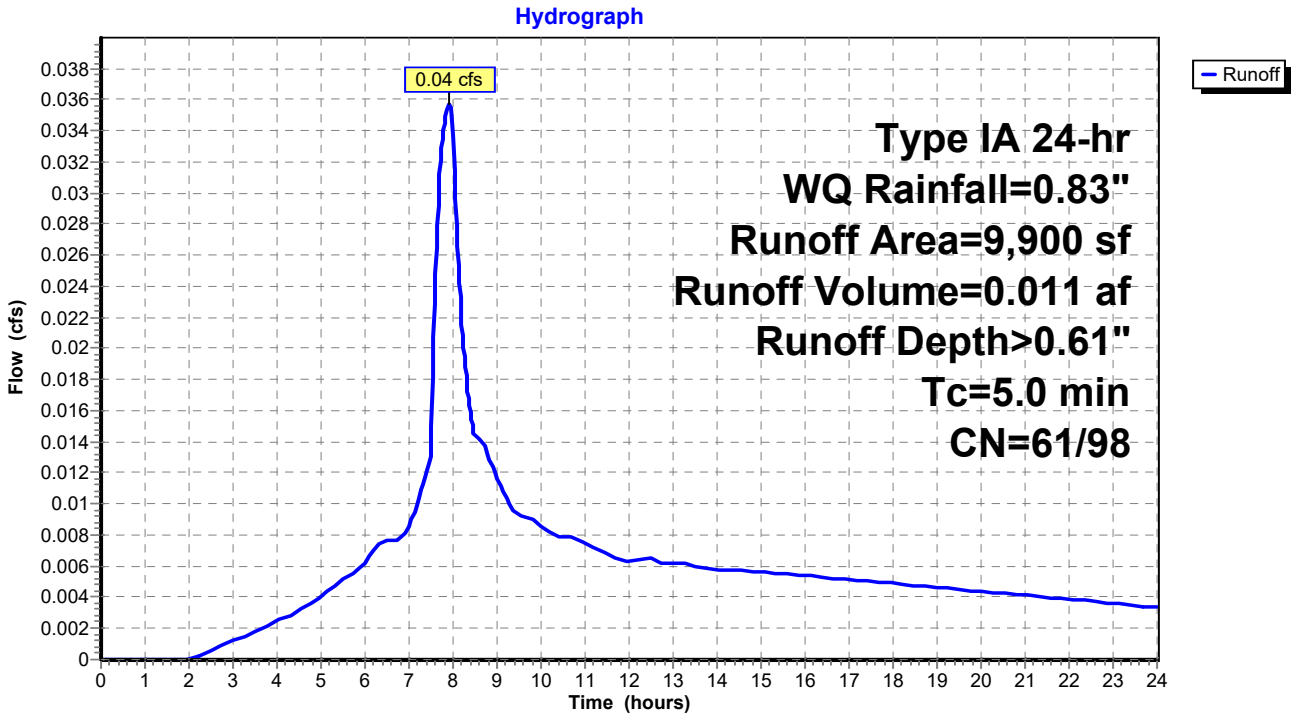
Runoff = 0.04 cfs @ 7.91 hrs, Volume= 0.011 af, Depth> 0.61"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.02 hrs
Type IA 24-hr WQ Rainfall=0.83"

Area (sf)	CN	Description
9,600	98	Paved parking, HSG C
300	61	>75% Grass cover, Good, HSG B
9,900	97	Weighted Average
300	61	3.03% Pervious Area
9,600	98	96.97% Impervious Area

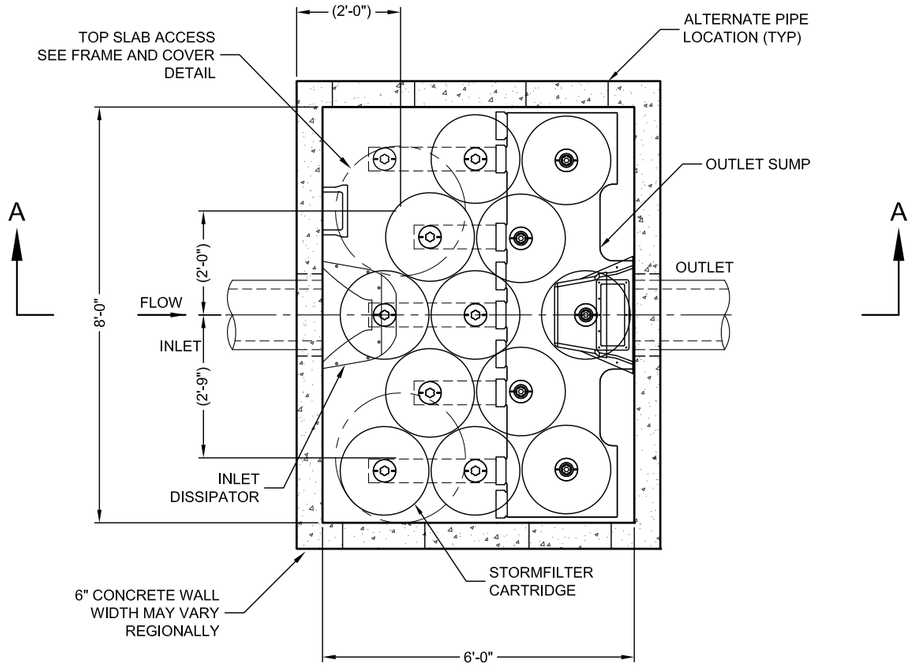
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry,**

Subcatchment 3S: MARKET OF CHOICE



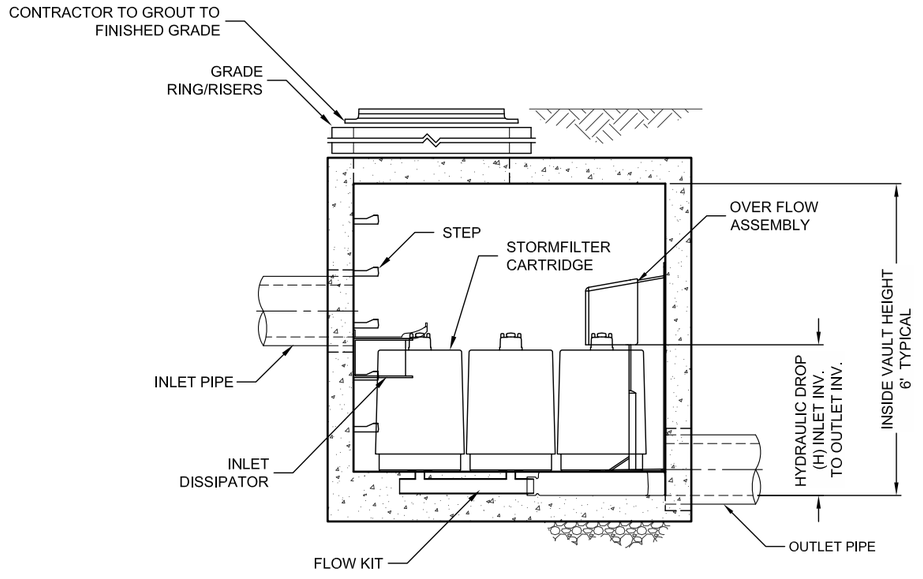
APPENDIX D

WATER QUALITY VAULT DETAIL



SECTION B-B

VAULT STYLE: OUTLET SUMP (NIB)



SECTION A-A

The Stormwater Management StormFilter®

THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING U.S. PATENTS: 5,322,629; 5,504,379; 5,707,527; 5,985,157; 6,027,639; 6,045,046; RELATED FOREIGN PATENTS, OR OTHER PATENTS PENDING.

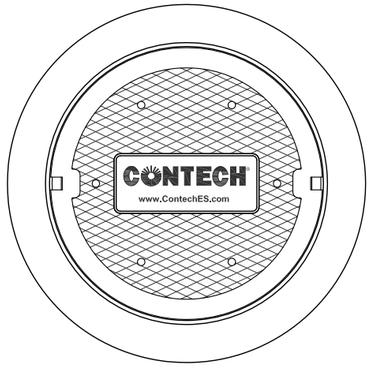
STORMFILTER DESIGN NOTES

STORMFILTER TREATMENT CAPACITY IS A FUNCTION OF THE CARTRIDGE SELECTION AND THE NUMBER OF CARTRIDGES. THE STANDARD VAULT STYLE IS SHOWN WITH THE MAXIMUM NUMBER OF CARTRIDGES (12). VAULT STYLE OPTIONS INCLUDE OUTLET BAY (7). STORMFILTER 8X6 PEAK HYDRAULIC CAPACITY IS 1.8 CFS. IF THE SITE CONDITIONS EXCEED 1.8 CFS AN UPSTREAM BYPASS STRUCTURE IS REQUIRED

CARTRIDGE SELECTION

CARTRIDGE HEIGHT	27"			18"			LOW DROP		
RECOMMENDED HYDRAULIC DROP (H)	3.05'			2.3'			1.8'		
SPECIFIC FLOW RATE (gpm/sf)	2 gpm/sf	1.67* gpm/sf	1 gpm/sf	2 gpm/sf	1.67* gpm/sf	1 gpm/sf	2 gpm/sf	1.67* gpm/sf	1 gpm/sf
CARTRIDGE FLOW RATE (gpm)	22.5	18.79	11.25	15	12.53	7.5	10	8.35	5

* 1.67 gpm/sf SPECIFIC FLOW RATE IS APPROVED WITH PHOSPHOSORB ® (PSORB) MEDIA ONLY



FRAME AND COVER

(DIAMETER VARIES)
N.T.S.

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID	*
WATER QUALITY FLOW RATE (cfs)	*
PEAK FLOW RATE (cfs)	*
RETURN PERIOD OF PEAK FLOW (yrs)	*
CARTRIDGE HEIGHT (27", 18", LOW DROP(LD))	*
NUMBER OF CARTRIDGES REQUIRED	*
CARTRIDGE FLOW RATE	*
MEDIA TYPE (PERLITE, ZPG, PSORB)	*

PIPE DATA:	I.E.	MATERIAL	DIAMETER
INLET PIPE #1	*	*	*
INLET PIPE #2	*	*	*
OUTLET PIPE	*	*	*

UPSTREAM RIM ELEVATION	*
DOWNSTREAM RIM ELEVATION	*

ANTI-FLOTATION BALLAST	WIDTH	HEIGHT
	*	*

NOTES/SPECIAL REQUIREMENTS:

* PER ENGINEER OF RECORD

GENERAL NOTES

1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. DIMENSIONS MARKED WITH ( ) ARE REFERENCE DIMENSIONS. ACTUAL DIMENSIONS MAY VARY.
3. FOR SITE SPECIFIC DRAWINGS WITH DETAILED VAULT DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.ContechES.com
4. STORMFILTER WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
5. STRUCTURE SHALL MEET AASHTO HS20 LOAD RATING, ASSUMING EARTH COVER OF 0' - 5' AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 AND BE CAST WITH THE CONTECH LOGO.
6. FILTER CARTRIDGES SHALL BE MEDIA-FILLED, PASSIVE, SIPHON ACTUATED, RADIAL FLOW, AND SELF CLEANING. RADIAL MEDIA DEPTH SHALL BE 7-INCHES. FILTER MEDIA CONTACT TIME SHALL BE AT LEAST 38 SECONDS.
7. SPECIFIC FLOW RATE IS EQUAL TO THE FILTER TREATMENT CAPACITY (gpm) DIVIDED BY THE FILTER CONTACT SURFACE AREA (sq ft).
8. STORMFILTER STRUCTURE SHALL BE PRECAST CONFORMING TO ASTM C-857 AND AASHTO LOAD FACTOR DESIGN METHOD.

INSTALLATION NOTES

A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STORMFILTER VAULT (LIFTING CLUTCHES PROVIDED).
C. CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL VAULT SECTIONS AND ASSEMBLE VAULT.
D. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES. MATCH OUTLET PIPE INVERT WITH OUTLET BAY FLOOR.
E. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.

CONTECH ENGINEERED SOLUTIONS LLC
www.ContechES.com
9025 Centre Pointe Dr., Suite 400, West Chester, OH 45069
800-338-1122 513-645-7000 513-645-7993 FAX

SF806
STORMFILTER
STANDARD DETAIL

I:\COMMON\CAD\TREATMENT\10 STORMFILTER\40 STANDARD DRAWINGS\SF VAULT\DWG\SF0806-DTL.DWG 7/8/2016 3:02 PM

APPENDIX E

HYDROCAD ANALYSIS

CONVEYANCE

(DEFERRED TO FINAL ENGINEERING)

APPENDIX F

BASIN MAP

PHOTOGRAPHS

CULVERT BASIN AREA = 55 ACRES
APPROXIMATE SITE SIZE = 1 ACRE

DISTANCE FROM SITE TO CULVERT = 1500'
DISTANCE FROM SITE TO WILLAMETTE RIVER = 2000'

CULVERT SPECS:
DIAMETER = 32"
LENGTH = 52'
IE IN = 44.20
IE OUT = 43.65
SLOPE = 0.0106 FT/FT

DATE	2020-06-22
REVISION	0
DRAWN BY	JAB
CHECKED BY	
JOB NO.	2838-001

HOOD STREET REDEVELOPMENT

WEST LINN, OREGON

BASIN MAP
CULVERT

WESTLAKE CONSULTANTS
Planning | Engineering | Surveying

DRAWING NAME: J:\2838-001\19\6. ENGINEERING\4. REPORTS (CALCS)\2020-06-XX PRELIMINARY STORM REPORT\ACAD\BASIN MAP - CULVERT.DWG 2020/06/19 - 06:57PM - JAB

Figure 1. Cascade Springs Pond Creek looking upstream from the River St. culvert inlet.

Figure 2. Cascade Pond Creek looking downstream at the River St. culvert inlet (30" diam).

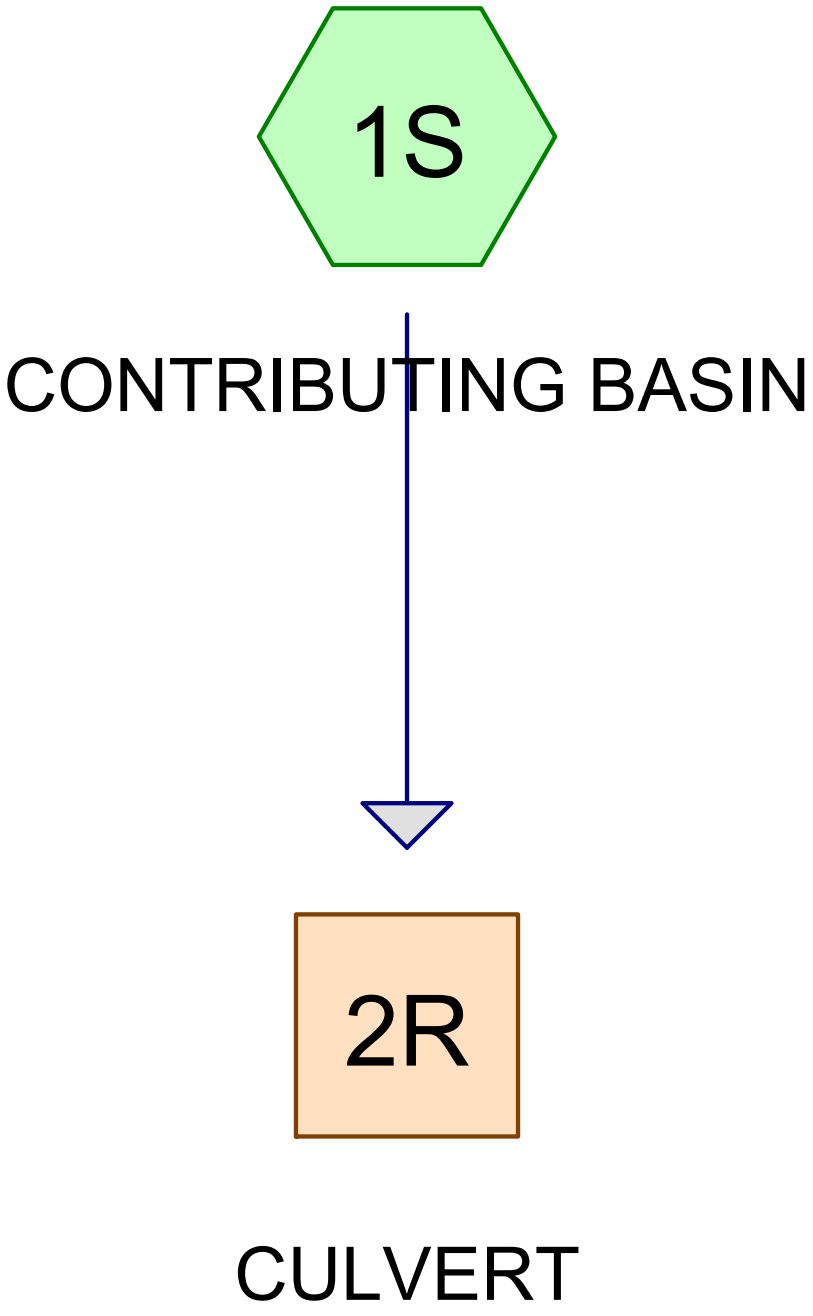
Figure 3. Cascade Springs Pond Creek looking upstream at the projected barrel of the River St. culvert outlet (30" diam).

Figure 4. Pipe down existing embankment from site into the Cascade Springs Pond Creek.

APPENDIX G

HYDROCAD ANALYSIS

CULVERT



Subcat Reach Pond Link

Routing Diagram for 2838-001 CULVERT
Prepared by WESTLAKE CONSULTANTS, INC., Printed 2020-06-19
HydroCAD® 10.00-25 s/n 09621 © 2019 HydroCAD Software Solutions LLC

Time span=0.00-24.00 hrs, dt=0.02 hrs, 1201 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: CONTRIBUTING BASIN Runoff Area=55.000 ac 85.00% Impervious Runoff Depth>3.28"
Tc=30.0 min CN=71/98 Runoff=32.71 cfs 15.026 af

Reach 2R: CULVERT Avg. Flow Depth=1.75' Max Vel=8.93 fps Inflow=32.71 cfs 15.026 af
30.0" Round Pipe n=0.014 L=52.0' S=0.0106 '/' Capacity=39.17 cfs Outflow=32.72 cfs 15.025 af

Total Runoff Area = 55.000 ac Runoff Volume = 15.026 af Average Runoff Depth = 3.28"
15.00% Pervious = 8.250 ac 85.00% Impervious = 46.750 ac

Summary for Subcatchment 1S: CONTRIBUTING BASIN

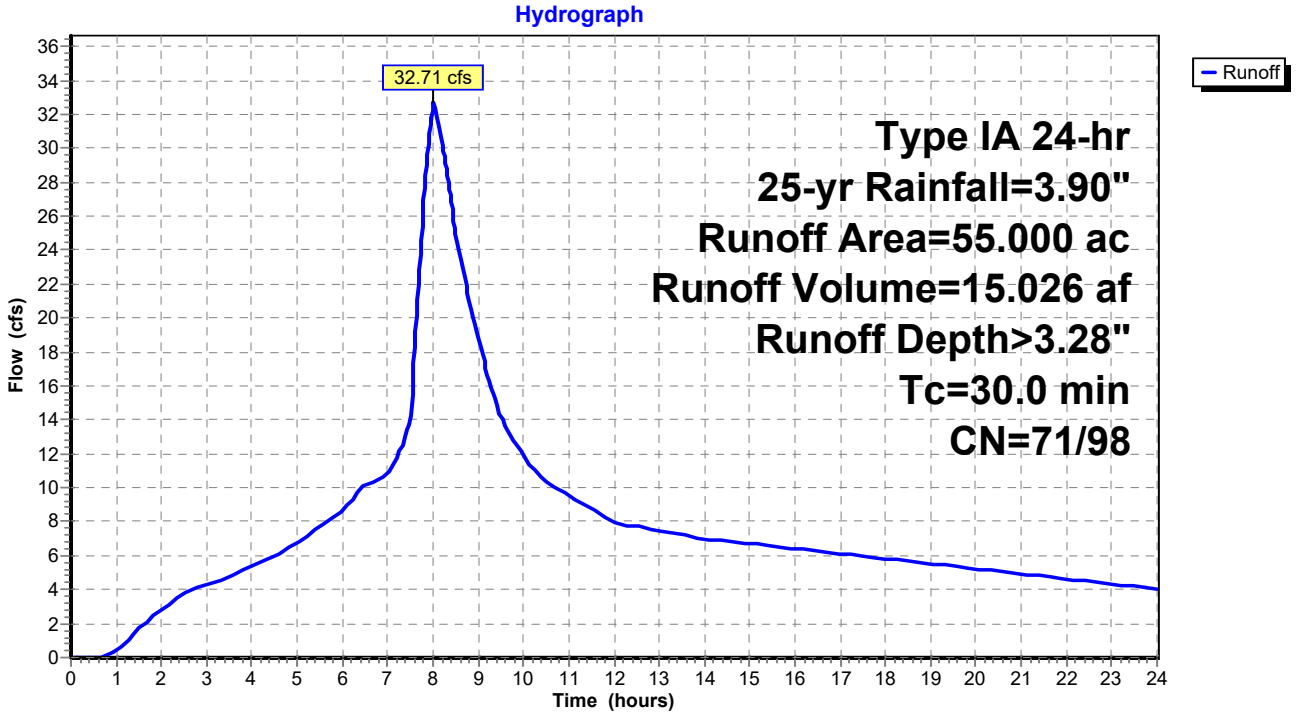
Runoff = 32.71 cfs @ 8.02 hrs, Volume= 15.026 af, Depth> 3.28"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.02 hrs
Type IA 24-hr 25-yr Rainfall=3.90"

Area (ac)	CN	Description
55.000	94	Urban commercial, 85% imp, HSG C
8.250	71	15.00% Pervious Area
46.750	98	85.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.0					**Direct Entry,**

Subcatchment 1S: CONTRIBUTING BASIN



Summary for Reach 2R: CULVERT

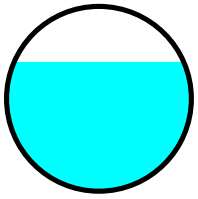
[52] Hint: Inlet/Outlet conditions not evaluated
[90] Warning: Qout>Qin may require smaller dt or Finer Routing

Inflow Area = 55.000 ac, 85.00% Impervious, Inflow Depth > 3.28" for 25-yr event
Inflow = 32.71 cfs @ 8.02 hrs, Volume= 15.026 af
Outflow = 32.72 cfs @ 8.02 hrs, Volume= 15.025 af, Atten= 0%, Lag= 0.1 min

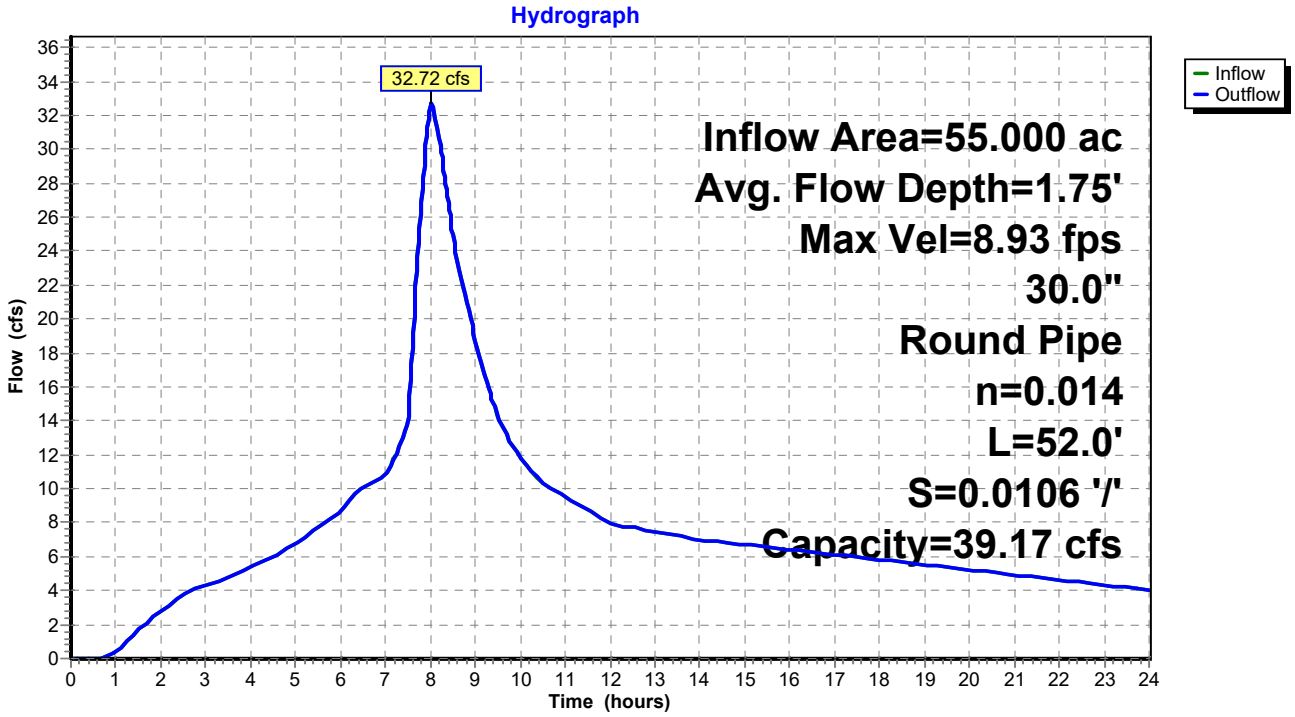
Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.02 hrs
Max. Velocity= 8.93 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 5.92 fps, Avg. Travel Time= 0.1 min

Peak Storage= 190 cf @ 8.02 hrs
Average Depth at Peak Storage= 1.75'
Bank-Full Depth= 2.50' Flow Area= 4.9 sf, Capacity= 39.17 cfs

30.0" Round Pipe
n= 0.014 Concrete pipe, finished
Length= 52.0' Slope= 0.0106 '/'
Inlet Invert= 44.20', Outlet Invert= 43.65'

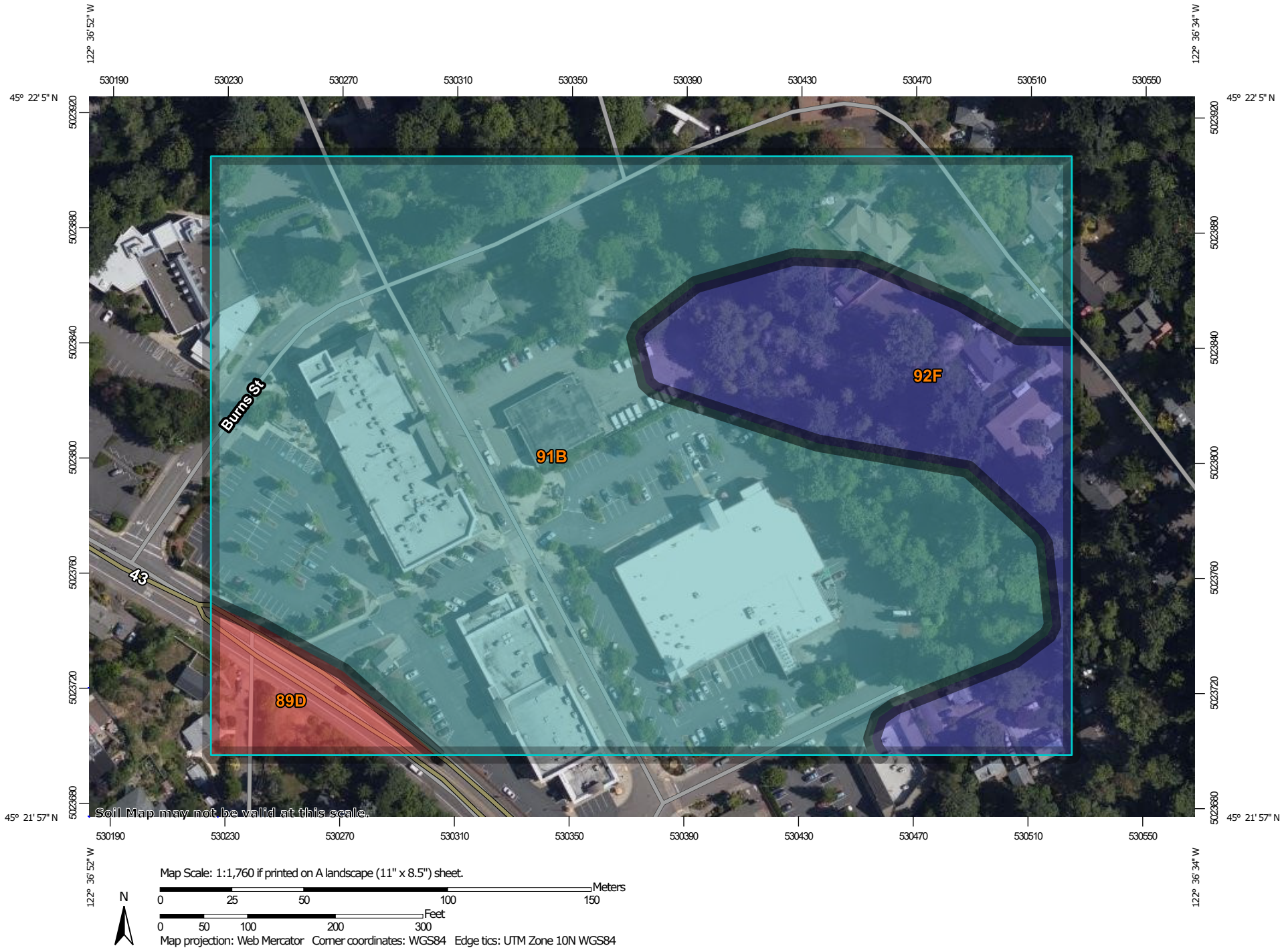


Reach 2R: CULVERT



APPENDIX H

NRCS SOILS REPORT



Map Scale: 1:1,760 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 25 50 100 150

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines

- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points

- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon
Survey Area Data: Version 15, Sep 10, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 13, 2019—Jul 25, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
89D	Witzel very stony silt loam, 3 to 40 percent slopes	D	0.6	3.8%
91B	Woodburn silt loam, 3 to 8 percent slopes	C	12.3	79.1%
92F	Xerochrepts and Haploxerolls, very steep	B	2.6	17.1%
Totals for Area of Interest			**15.5**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

APPENDIX I

GEOTECHNICAL REPORT

October 14, 2019

Matt Grady
Gramor Development
19767 SW 72nd Avenue, Suite 100
Tualatin, Oregon 97062

Via email: Matt@gramor.com

Regarding: Geotechnical Engineering Services
Proposed Parking Lot
5665 Hood Street
West Linn, Oregon 97068
PBS Project 73454.000

Dear Mr. Grady:

PBS Engineering and Environmental Inc. (PBS) understands future site development includes relocating the existing post office and paving the existing, gravel-surface lot behind the post office. We understand site grading is currently being developed but currently includes predominantly cuts of up to about 1 foot over most of the gravel-surface area and up to 2 feet of fill at the northeastern corner. This area will be surfaced with asphalt concrete pavement and surrounded with a concrete curb that directs surface water away from the slope.

SURFACE CONDITOINS

The gravel-surface area is currently being used as a parking lot for personal vehicles and abuts the existing slope along the eastern edge of the site. Site topography slopes generally down to the northeast at slopes of about 1.25H:1V (horizontal to vertical) and flatter, toward a small creek. The existing slope is heavily vegetated with ivy and several trees.

SUBSURFACE CONDITIONS

PBS explored subsurface conditions at the site by completing one boring to a depth of 41.5 feet below the existing ground surface (bgs) in the gravel parking area, near the crest of the slope. Subsurface conditions consisted of gravelly clay and well-graded gravel fill from the ground surface to approximately 5 feet bgs, underlain by lean clay with variable amounts of sand and gravel to approximately 13 feet bgs, underlain by silty sand to the 41.5-foot depth explored. Groundwater was not directly measured due to the use of mud rotary drilling techniques, but samples were generally wet below a depth of approximately 20 feet.

SLOPE STABILITY ANALYSES

Slope stability is influenced by various factors including: (1) the geometry of the soil mass and subsurface materials, (2) the weight of soils overlying the failure surface, (3) the shear strength of soils and/or rock along the failure surface, and (4) the hydrostatic pressure (groundwater levels) along the failure surface. The stability of a slope is expressed in terms of factor of safety (FS), which is defined as the ratio of resisting forces to driving forces. At equilibrium, the FS is equal to 1.0 and the driving forces are balanced by the resisting forces. Failure occurs when the driving forces exceed the resisting forces, i.e., FS less than 1.0. An increase in the FS above 1.0, whether by increasing the resisting forces and/or decreasing the driving forces, reflects a corresponding increase in the

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stability of the mass. The actual FS may differ from the calculated FS due to uncertainty in soil strengths, subsurface geometry, failure surface location and orientation, groundwater levels, and other factors that are not completely known or understood. We have used information developed from our field explorations, laboratory testing, and our experience with similar earth materials to develop the stability analysis model. Our analyses and recommendations are based upon the assumption that subsurface conditions everywhere within the landslide mass are not significantly different from those encountered by the field explorations.

Slope stability analyses were performed to model the existing conditions and proposed site grading to determine if the proposed development will adversely impact stability of site slopes. The analyses were completed using the computer software SLIDE 6.0 by Rocscience, incorporating Bishop's simplified method of slices and Spencer's method.

CONCLUSION

Based on the results of our explorations and analyses, our current opinion is that the proposed site grading will not adversely impact the stability of site slopes.

Please feel free to contact me at 503.539.5028 or ryan.white@pbsusa.com with any questions or comments.

Sincerely,

Ryan White, PE, GE
Geotechnical Engineering Group Manager

Attachment A: Field Explorations
Table A-1. Terminology Used to Describe Soil
Table A-2. Key to Test Pit and Boring Log Symbols
Figure A1. Log for Boring B-1

Attachment B: Laboratory Testing
Figure B1. Atterberg Limits Test Results
Figure B2. Summary of Laboratory Data

RW:rg

Attachment A
Field Explorations

Table A-1
Terminology Used to Describe Soil
1 of 2

Soil Descriptions

Soils exist in mixtures with varying proportions of components. The predominant soil, i.e., greater than 50 percent based on total dry weight, is the primary soil type and is capitalized in our log descriptions (SAND, GRAVEL, SILT, or CLAY). Smaller percentages of other constituents in the soil mixture are indicated by use of modifier words in general accordance with the ASTM D2488-06 Visual-Manual Procedure. "General Accordance" means that certain local and common descriptive practices may have been followed. In accordance with ASTM D2488-06, group symbols (such as GP or CH) are applied on the portion of soil passing the 3-inch (75mm) sieve based on visual examination. The following describes the use of soil names and modifying terms used to describe fine- and coarse-grained soils.

Fine-Grained Soils (50% or greater fines passing 0.075 mm, No. 200 sieve)
The primary soil type, i.e., SILT or CLAY is designated through visual-manual procedures to evaluate soil toughness, dilatency, dry strength, and plasticity. The following outlines the terminology used to describe fine-grained soils, and varies from ASTM D2488 terminology in the use of some common terms.

Primary soil NAME, Symbols, and Adjectives			Plasticity Description	Plasticity Index (PI)
SILT (ML & MH)	**CLAY (CL & CH)**	**ORGANIC SOIL (OL & OH)**		
SILT		Organic SILT	Non-plastic	0 – 3
SILT		Organic SILT	Low plasticity	4 – 10
SILT/Elastic SILT	Lean CLAY	Organic SILT/ Organic CLAY	Medium Plasticity	10 – 20
Elastic SILT	Lean/Fat CLAY	Organic CLAY	High Plasticity	20 – 40
Elastic SILT	Fat CLAY	Organic CLAY	Very Plastic	>40

Modifying terms describing secondary constituents, estimated to 5 percent increments, are applied as follows:

Description	% Composition	
With Sand	% Sand ≥ % Gravel	15% to 25% plus No. 200
With Gravel	% Sand < % Gravel	
Sandy	% Sand ≥ % Gravel	≤30% to 50% plus No. 200
Gravelly	% Sand < % Gravel	

Borderline Symbols, for example CH/MH, are used when soils are not distinctly in one category or when variable soil units contain more than one soil type. **Dual Symbols,** for example CL-ML, are used when two symbols are required in accordance with ASTM D2488.

Soil Consistency terms are applied to fine-grained, plastic soils (i.e., PI ≥ 7). Descriptive terms are based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84, as follows. SILT soils with low to non-plastic behavior (i.e., PI < 7) may be classified using relative density.

Consistency Term	SPT N-value	Unconfined Compressive Strength	
		tsf	kPa
Very soft	Less than 2	Less than 0.25	Less than 24
Soft	2 – 4	0.25 – 0.5	24 – 48
Medium stiff	5 – 8	0.5 – 1.0	48 – 96
Stiff	9 – 15	1.0 – 2.0	96 – 192
Very stiff	16 – 30	2.0 – 4.0	192 – 383
Hard	Over 30	Over 4.0	Over 383

Soil Descriptions

Coarse - Grained Soils (less than 50% fines)

Coarse-grained soil descriptions, i.e., SAND or GRAVEL, are based on the portion of materials passing a 3-inch (75mm) sieve. Coarse-grained soil group symbols are applied in accordance with ASTM D2488-06 based on the degree of grading, or distribution of grain sizes of the soil. For example, well-graded sand containing a wide range of grain sizes is designated SW; poorly graded gravel, GP, contains high percentages of only certain grain sizes. Terms applied to grain sizes follow.

Material NAME	Particle Diameter	
	Inches	Millimeters
SAND (SW or SP)	0.003 – 0.19	0.075 – 4.8
GRAVEL (GW or GP)	0.19 – 3	4.8 – 75
Additional Constituents:		
Cobble	3 – 12	75 – 300
Boulder	12 – 120	300 – 3050

The primary soil type is capitalized, and the fines content in the soil are described as indicated by the following examples. Percentages are based on estimating amounts of fines, sand, and gravel to the nearest 5 percent. Other soil mixtures will have similar descriptive names.

Example: Coarse-Grained Soil Descriptions with Fines

>5% to < 15% fines (Dual Symbols)	≥15% to < 50% fines
Well graded GRAVEL with silt: GW-GM	Silty GRAVEL: GM
Poorly graded SAND with clay: SP-SC	Silty SAND: SM

Additional descriptive terminology applied to coarse-grained soils follow.

Example: Coarse-Grained Soil Descriptions with Other Coarse-Grained Constituents

Coarse-Grained Soil Containing Secondary Constituents	
With sand or with gravel	≥ 15% sand or gravel
With cobbles; with boulders	Any amount of cobbles or boulders.

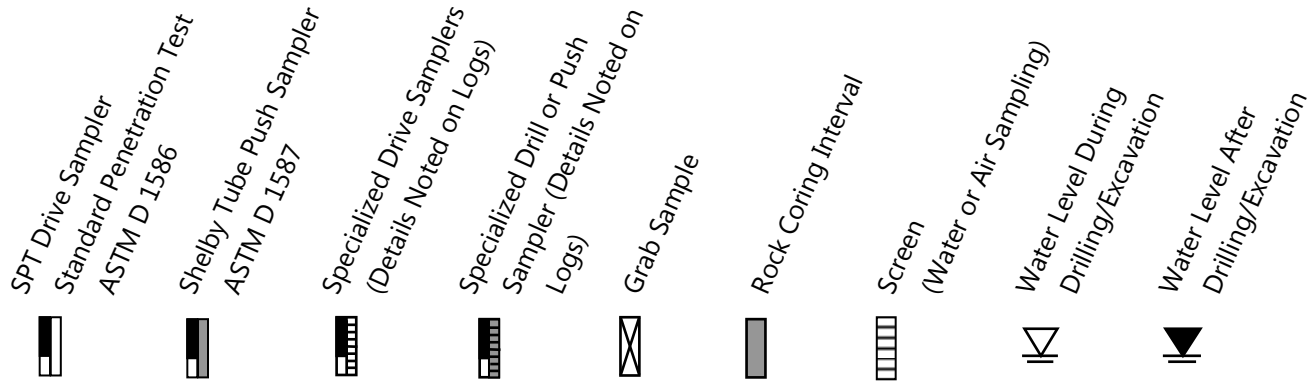
Cobble and boulder deposits may include a description of the matrix soils, as defined above.

Relative Density terms are applied to granular, non-plastic soils based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84.

Relative Density Term	SPT N-value
Very loose	0 – 4
Loose	5 – 10
Medium dense	11 – 30
Dense	31 – 50
Very dense	> 50

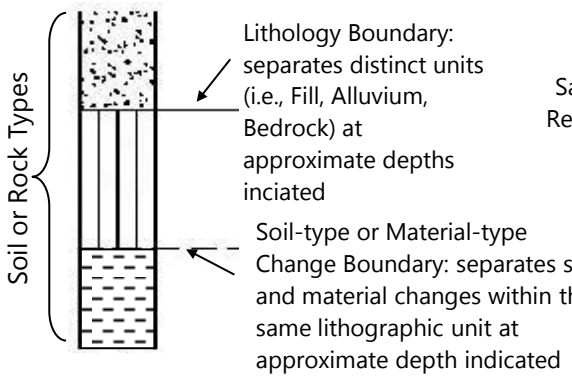
Table A-2
Key To Test Pit and Boring Log Symbols

SAMPLING DESCRIPTIONS

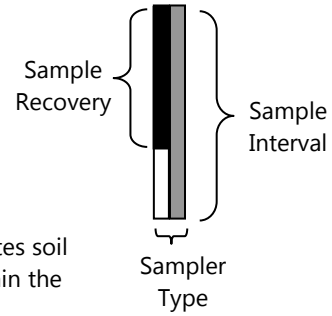


LOG GRAPHICS

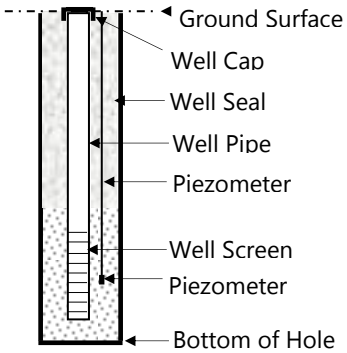
Soil and Rock



Sampling Symbols



Instrumentation Detail



Geotechnical Testing Acronym Explanations

PP	Pocket Penetrometer	HYD	Hydrometer Gradation
TOR	Torvane	SIEV	Sieve Gradation
DCP	Dynamic Cone Penetrometer	DS	Direct Shear
ATT	Atterberg Limits	DD	Dry Density
PL	Plasticity Limit	CBR	California Bearing Ratio
LL	Liquid Limit	RES	Resilient Modulus
PI	Plasticity Index	VS	Vane Shear
P200	Percent Passing US Standard No. 200 Sieve	bgs	Below ground surface
OC	Organic Content	MSL	Mean Sea Level
CON	Consolidation	HCL	Hydrochloric Acid
UC	Unconfined Compressive Strength		

PBS	HOOD STREET PARKING LOT WEST LINN, OREGON	**BORING B-1**
	PBS PROJECT NUMBER: 73454.000	APPROX. BORING B-1 LOCATION: 45.36735; -122.61217

DEPTH FEET	MATERIAL DESCRIPTION	DEPTH	TESTING	SAMPLE TYPE / SAMPLE ID	INSTALLATION AND COMMENTS
	NOTE: Lines representing the interface between soil/rock units of differing description are approximate only, inferred where between samples, and may indicate gradual transition.			▲ UNCORRECTED N-VALUE ◇ DYNAMIC CONE PENETROMETER ● MOISTURE CONTENT % RQD% / CORE REC% (0, 50, 100)	Surface Conditions: Gravel
0.0	Very stiff, red-brown, gravelly lean CLAY (CL); low to medium plasticity; fine to coarse, angular gravel; moist **FILL**	0.0		S-1	
2.0					
4.0	Medium dense, olive gray, well-graded GRAVEL (GW); fine to coarse, rounded to angular gravel; moist	4.0			
6.0	Very stiff, olive brown, lean CLAY (CL) with sand and trace gravel; medium plasticity; fine sand; coarse, subrounded gravel; moist	5.5		S-2	
8.0				S-3	
10.0	Stiff, red-brown, sandy lean CLAY (CL); medium plasticity; fine sand; moist becomes medium stiff, olive brown	8.5	ATT	S-4	LL = 42 PL = 24 PI = 18
12.0				S-5	No recovery
14.0	Medium stiff, olive brown, lean CLAY (CL); medium plasticity; trace, fine, rounded gravel; moist Medium dense, olive brown, silty SAND (SM); low plasticity; fine sand; moist	12.5 13.3		S-6	
16.0					
18.0					
20.0	becomes very loose, interbedded (~2 to 3 inches) silty SAND (SM) to sandy SILT (ML); low plasticity, fine sand; wet		P200	S-7	P200 = 90%
22.0				S-8	
24.0			P200	S-9	P200 = 74%

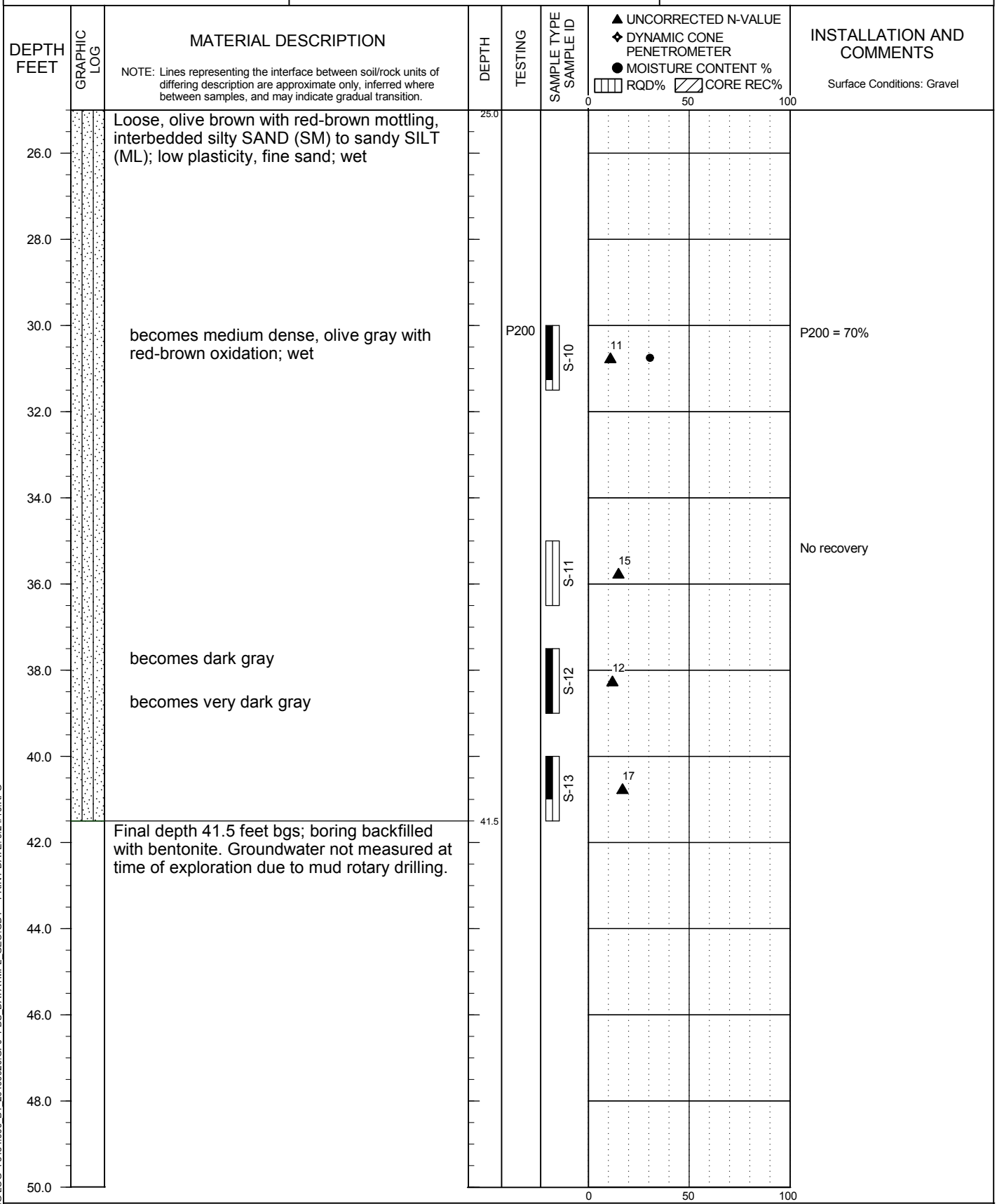
BORING LOG 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/24/19;RPG

DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: S. Cordes

BIT DIAMETER: 4 7/8 inches
HAMMER EFFICIENCY PERCENT: 86.5
LOGGING COMPLETED: 9/17/19

FIGURE A1
Page 1 of 2

PBS	HOOD STREET PARKING LOT WEST LINN, OREGON	**BORING B-1** (continued)
	PBS PROJECT NUMBER: 73454.000	APPROX. BORING B-1 LOCATION: 45.36735; -122.61217



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LOGGING COMPLETED: 9/17/19

FIGURE A1
Page 2 of 2

BORING LOG 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/24/19:RPG

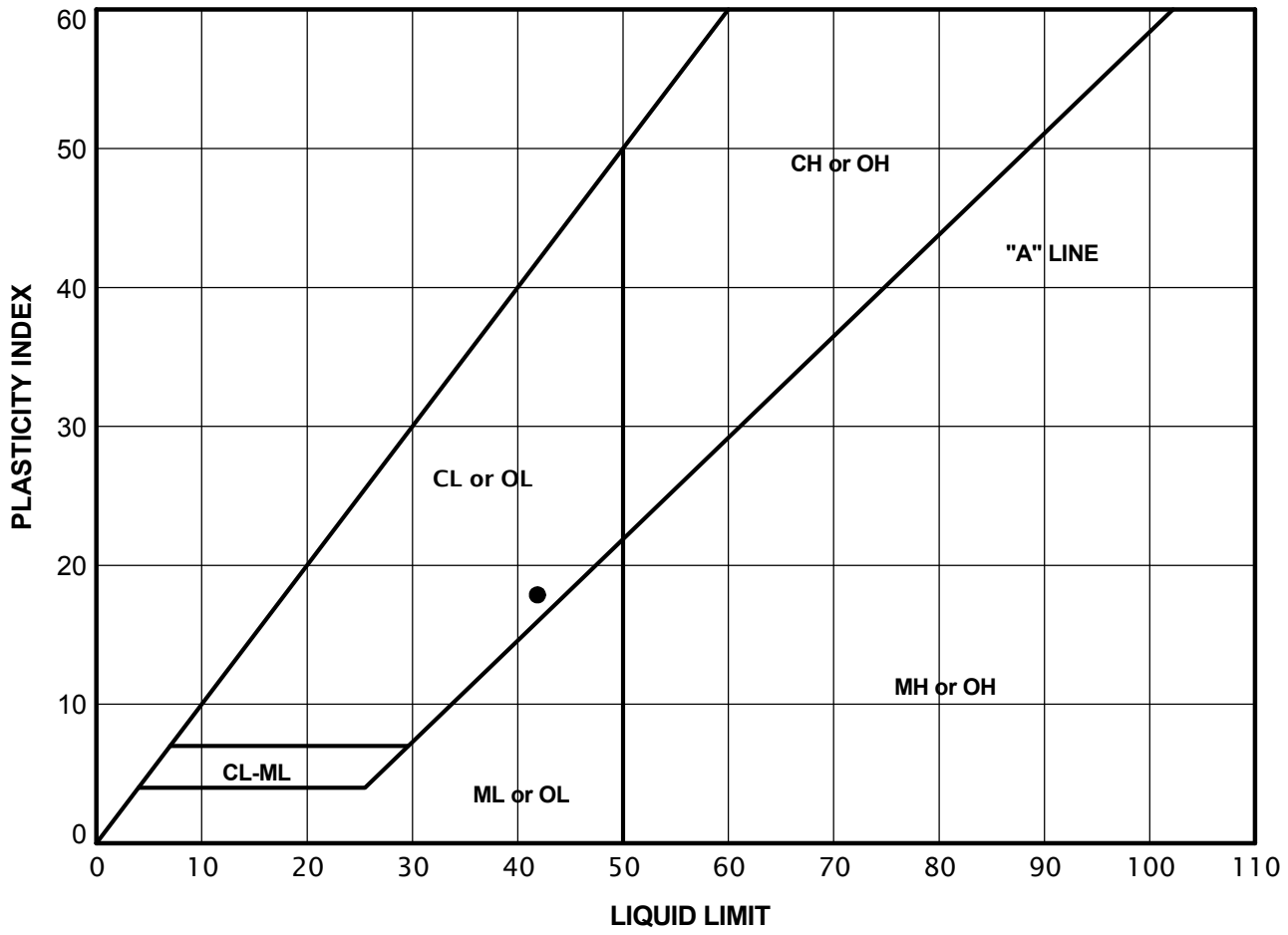
Attachment B
Laboratory Testing

ATTERBERG LIMITS TEST RESULTS

HOOD STREET PARKING LOT
WEST LINN, OREGON

PBS PROJECT NUMBER:
73454.000

TEST METHOD: ASTM D4318



KEY	EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	NATURAL MOISTURE CONTENT (PERCENT)	PERCENT PASSING NO. 40 SIEVE (PERCENT)	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX
●	B-1	S-4	10.0	35.1	NA	42	24	18

FIGURE B1

_ATTERBERG LIMITS 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/23/19:RPG

SUMMARY OF LABORATORY DATA

HOOD STREET PARKING LOT
WEST LINN, OREGON

PBS PROJECT NUMBER:
73454.000

SAMPLE INFORMATION				MOISTURE CONTENT (PERCENT)	DRY DENSITY (PCF)	SIEVE			ATTERBERG LIMITS		
EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	ELEVATION (FEET)			GRAVEL (PERCENT)	SAND (PERCENT)	P200 (PERCENT)	LIQUID LIMIT (PERCENT)	PLASTIC LIMIT (PERCENT)	PLASTICITY INDEX (PERCENT)
B-1	S-4	10		35.1					42	24	18
B-1	S-7	20		40.7				90			
B-1	S-9	23.5		35.1				74			
B-1	S-10	30		30.5				70			

FIGURE B2
Page 1 of 1

__LAB SUMMARY 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/23/19.RPG

October 14, 2019

Matt Grady
Gramor Development
19767 SW 72nd Avenue, Suite 100
Tualatin, Oregon 97062

Via email: Matt@gramor.com

Regarding: Geotechnical Engineering Services
Proposed Parking Lot
5665 Hood Street
West Linn, Oregon 97068
PBS Project 73454.000

Dear Mr. Grady:

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SURFACE CONDITOINS

The gravel-surface area is currently being used as a parking lot for personal vehicles and abuts the existing slope along the eastern edge of the site. Site topography slopes generally down to the northeast at slopes of about 1.25H:1V (horizontal to vertical) and flatter, toward a small creek. The existing slope is heavily vegetated with ivy and several trees.

SUBSURFACE CONDITIONS

PBS explored subsurface conditions at the site by completing one boring to a depth of 41.5 feet below the existing ground surface (bgs) in the gravel parking area, near the crest of the slope. Subsurface conditions consisted of gravelly clay and well-graded gravel fill from the ground surface to approximately 5 feet bgs, underlain by lean clay with variable amounts of sand and gravel to approximately 13 feet bgs, underlain by silty sand to the 41.5-foot depth explored. Groundwater was not directly measured due to the use of mud rotary drilling techniques, but samples were generally wet below a depth of approximately 20 feet.

SLOPE STABILITY ANALYSES

Slope stability is influenced by various factors including: (1) the geometry of the soil mass and subsurface materials, (2) the weight of soils overlying the failure surface, (3) the shear strength of soils and/or rock along the failure surface, and (4) the hydrostatic pressure (groundwater levels) along the failure surface. The stability of a slope is expressed in terms of factor of safety (FS), which is defined as the ratio of resisting forces to driving forces. At equilibrium, the FS is equal to 1.0 and the driving forces are balanced by the resisting forces. Failure occurs when the driving forces exceed the resisting forces, i.e., FS less than 1.0. An increase in the FS above 1.0, whether by increasing the resisting forces and/or decreasing the driving forces, reflects a corresponding increase in the

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stability of the mass. The actual FS may differ from the calculated FS due to uncertainty in soil strengths, subsurface geometry, failure surface location and orientation, groundwater levels, and other factors that are not completely known or understood. We have used information developed from our field explorations, laboratory testing, and our experience with similar earth materials to develop the stability analysis model. Our analyses and recommendations are based upon the assumption that subsurface conditions everywhere within the landslide mass are not significantly different from those encountered by the field explorations.

Slope stability analyses were performed to model the existing conditions and proposed site grading to determine if the proposed development will adversely impact stability of site slopes. The analyses were completed using the computer software SLIDE 6.0 by Rocscience, incorporating Bishop's simplified method of slices and Spencer's method.

CONCLUSION

Based on the results of our explorations and analyses, our current opinion is that the proposed site grading will not adversely impact the stability of site slopes.

Please feel free to contact me at 503.539.5028 or ryan.white@pbsusa.com with any questions or comments.

Sincerely,

Ryan White, PE, GE
Geotechnical Engineering Group Manager

Attachment A: Field Explorations
Table A-1. Terminology Used to Describe Soil
Table A-2. Key to Test Pit and Boring Log Symbols
Figure A1. Log for Boring B-1

Attachment B: Laboratory Testing
Figure B1. Atterberg Limits Test Results
Figure B2. Summary of Laboratory Data

RW:rg

Attachment A
Field Explorations

Table A-1
Terminology Used to Describe Soil
1 of 2

Soil Descriptions

Soils exist in mixtures with varying proportions of components. The predominant soil, i.e., greater than 50 percent based on total dry weight, is the primary soil type and is capitalized in our log descriptions (SAND, GRAVEL, SILT, or CLAY). Smaller percentages of other constituents in the soil mixture are indicated by use of modifier words in general accordance with the ASTM D2488-06 Visual-Manual Procedure. "General Accordance" means that certain local and common descriptive practices may have been followed. In accordance with ASTM D2488-06, group symbols (such as GP or CH) are applied on the portion of soil passing the 3-inch (75mm) sieve based on visual examination. The following describes the use of soil names and modifying terms used to describe fine- and coarse-grained soils.

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SILT		Organic SILT	Low plasticity	4 – 10
SILT/Elastic SILT	Lean CLAY	Organic SILT/ Organic CLAY	Medium Plasticity	10 – 20
Elastic SILT	Lean/Fat CLAY	Organic CLAY	High Plasticity	20 – 40
Elastic SILT	Fat CLAY	Organic CLAY	Very Plastic	>40

Modifying terms describing secondary constituents, estimated to 5 percent increments, are applied as follows:

Description	% Composition	
With Sand	% Sand ≥ % Gravel	15% to 25% plus No. 200
With Gravel	% Sand < % Gravel	
Sandy	% Sand ≥ % Gravel	≤30% to 50% plus No. 200
Gravelly	% Sand < % Gravel	

Borderline Symbols, for example CH/MH, are used when soils are not distinctly in one category or when variable soil units contain more than one soil type. **Dual Symbols,** for example CL-ML, are used when two symbols are required in accordance with ASTM D2488.

Soil Consistency terms are applied to fine-grained, plastic soils (i.e., PI ≥ 7). Descriptive terms are based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84, as follows. SILT soils with low to non-plastic behavior (i.e., PI < 7) may be classified using relative density.

Consistency Term	SPT N-value	Unconfined Compressive Strength	
		tsf	kPa
Very soft	Less than 2	Less than 0.25	Less than 24
Soft	2 – 4	0.25 – 0.5	24 – 48
Medium stiff	5 – 8	0.5 – 1.0	48 – 96
Stiff	9 – 15	1.0 – 2.0	96 – 192
Very stiff	16 – 30	2.0 – 4.0	192 – 383
Hard	Over 30	Over 4.0	Over 383

Soil Descriptions

Coarse - Grained Soils (less than 50% fines)

Coarse-grained soil descriptions, i.e., SAND or GRAVEL, are based on the portion of materials passing a 3-inch (75mm) sieve. Coarse-grained soil group symbols are applied in accordance with ASTM D2488-06 based on the degree of grading, or distribution of grain sizes of the soil. For example, well-graded sand containing a wide range of grain sizes is designated SW; poorly graded gravel, GP, contains high percentages of only certain grain sizes. Terms applied to grain sizes follow.

Material NAME	Particle Diameter	
	Inches	Millimeters
SAND (SW or SP)	0.003 – 0.19	0.075 – 4.8
GRAVEL (GW or GP)	0.19 – 3	4.8 – 75
Additional Constituents:		
Cobble	3 – 12	75 – 300
Boulder	12 – 120	300 – 3050

The primary soil type is capitalized, and the fines content in the soil are described as indicated by the following examples. Percentages are based on estimating amounts of fines, sand, and gravel to the nearest 5 percent. Other soil mixtures will have similar descriptive names.

Example: Coarse-Grained Soil Descriptions with Fines

>5% to < 15% fines (Dual Symbols)	≥15% to < 50% fines
Well graded GRAVEL with silt: GW-GM	Silty GRAVEL: GM
Poorly graded SAND with clay: SP-SC	Silty SAND: SM

Additional descriptive terminology applied to coarse-grained soils follow.

Example: Coarse-Grained Soil Descriptions with Other Coarse-Grained Constituents

Coarse-Grained Soil Containing Secondary Constituents	
With sand or with gravel	≥ 15% sand or gravel
With cobbles; with boulders	Any amount of cobbles or boulders.

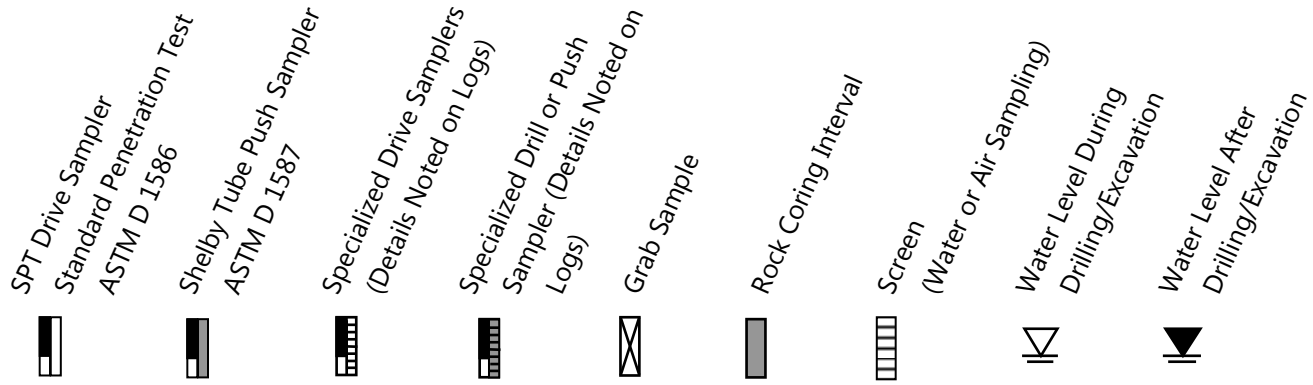
Cobble and boulder deposits may include a description of the matrix soils, as defined above.

Relative Density terms are applied to granular, non-plastic soils based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84.

Relative Density Term	SPT N-value
Very loose	0 – 4
Loose	5 – 10
Medium dense	11 – 30
Dense	31 – 50
Very dense	> 50

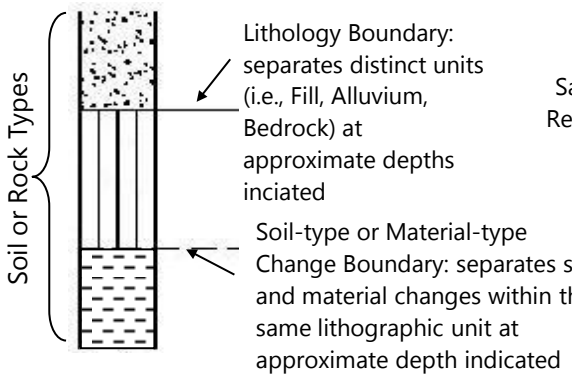
Table A-2
Key To Test Pit and Boring Log Symbols

SAMPLING DESCRIPTIONS

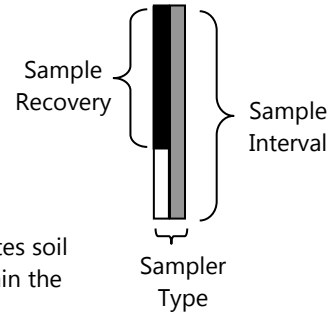


LOG GRAPHICS

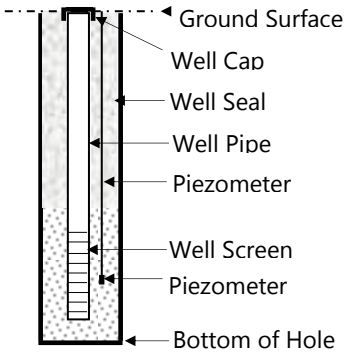
Soil and Rock



Sampling Symbols



Instrumentation Detail



Geotechnical Testing Acronym Explanations

PP	Pocket Penetrometer	HYD	Hydrometer Gradation
TOR	Torvane	SIEV	Sieve Gradation
DCP	Dynamic Cone Penetrometer	DS	Direct Shear
ATT	Atterberg Limits	DD	Dry Density
PL	Plasticity Limit	CBR	California Bearing Ratio
LL	Liquid Limit	RES	Resilient Modulus
PI	Plasticity Index	VS	Vane Shear
P200	Percent Passing US Standard No. 200 Sieve	bgs	Below ground surface
OC	Organic Content	MSL	Mean Sea Level
CON	Consolidation	HCL	Hydrochloric Acid
UC	Unconfined Compressive Strength		

PBS	HOOD STREET PARKING LOT WEST LINN, OREGON	**BORING B-1**
	PBS PROJECT NUMBER: 73454.000	APPROX. BORING B-1 LOCATION: 45.36735; -122.61217

DEPTH FEET	MATERIAL DESCRIPTION	DEPTH	TESTING	SAMPLE TYPE / SAMPLE ID	UNCORRECTED N-VALUE / DYNAMIC CONE PENETROMETER / MOISTURE CONTENT % / RQD% / CORE REC%	INSTALLATION AND COMMENTS
0.0	Very stiff, red-brown, gravelly lean CLAY (CL); low to medium plasticity; fine to coarse, angular gravel; moist **FILL**	0.0		S-1	17	Surface Conditions: Gravel
4.0	Medium dense, olive gray, well-graded GRAVEL (GW); fine to coarse, rounded to angular gravel; moist	4.0				
6.0	Very stiff, olive brown, lean CLAY (CL) with sand and trace gravel; medium plasticity; fine sand; coarse, subrounded gravel; moist	5.5		S-2	17	
8.0				S-3	11	
10.0	Stiff, red-brown, sandy lean CLAY (CL); medium plasticity; fine sand; moist becomes medium stiff, olive brown	8.5	ATT	S-4	8	LL = 42 PL = 24 PI = 18
12.0				S-5		No recovery
14.0	Medium stiff, olive brown, lean CLAY (CL); medium plasticity; trace, fine, rounded gravel; moist Medium dense, olive brown, silty SAND (SM); low plasticity; fine sand; moist	12.5 13.3		S-6	11	
16.0						
18.0						
20.0	becomes very loose, interbedded (~2 to 3 inches) silty SAND (SM) to sandy SILT (ML); low plasticity, fine sand; wet		P200	S-7	2	P200 = 90%
22.0				S-8		
24.0			P200	S-9	7	P200 = 74%

NOTE: Lines representing the interface between soil/rock units of differing description are approximate only, inferred where between samples, and may indicate gradual transition.

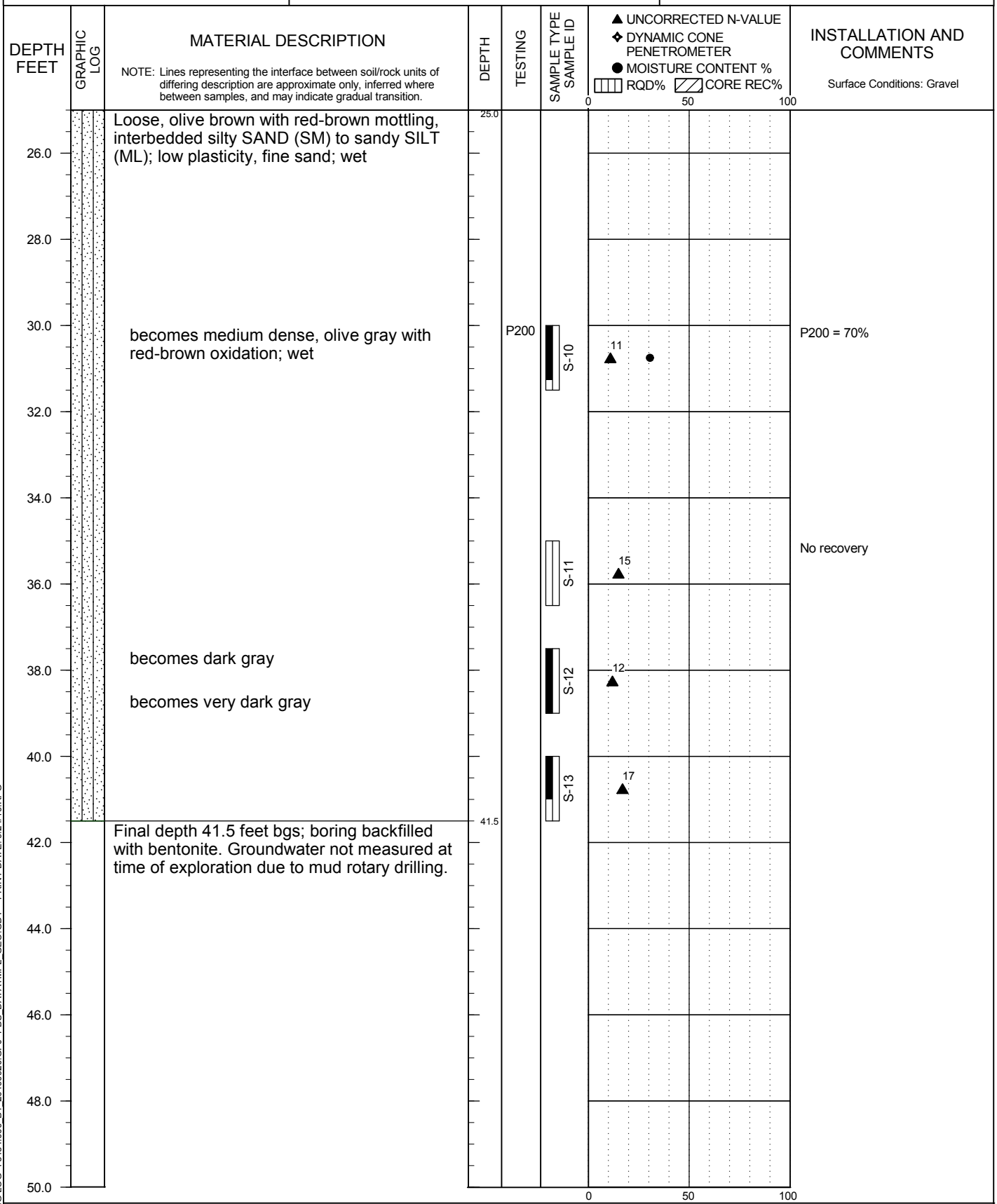
DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: S. Cordes

BIT DIAMETER: 4 7/8 inches
HAMMER EFFICIENCY PERCENT: 86.5
LOGGING COMPLETED: 9/17/19

FIGURE A1
Page 1 of 2

BORING LOG 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/24/19:RPG

PBS	HOOD STREET PARKING LOT WEST LINN, OREGON	**BORING B-1** (continued)
	PBS PROJECT NUMBER: 73454.000	APPROX. BORING B-1 LOCATION: 45.36735; -122.61217



DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: S. Cordes

BIT DIAMETER: 4 7/8 inches
HAMMER EFFICIENCY PERCENT: 86.5
LOGGING COMPLETED: 9/17/19

FIGURE A1
Page 2 of 2

BORING LOG 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/24/19:RPG

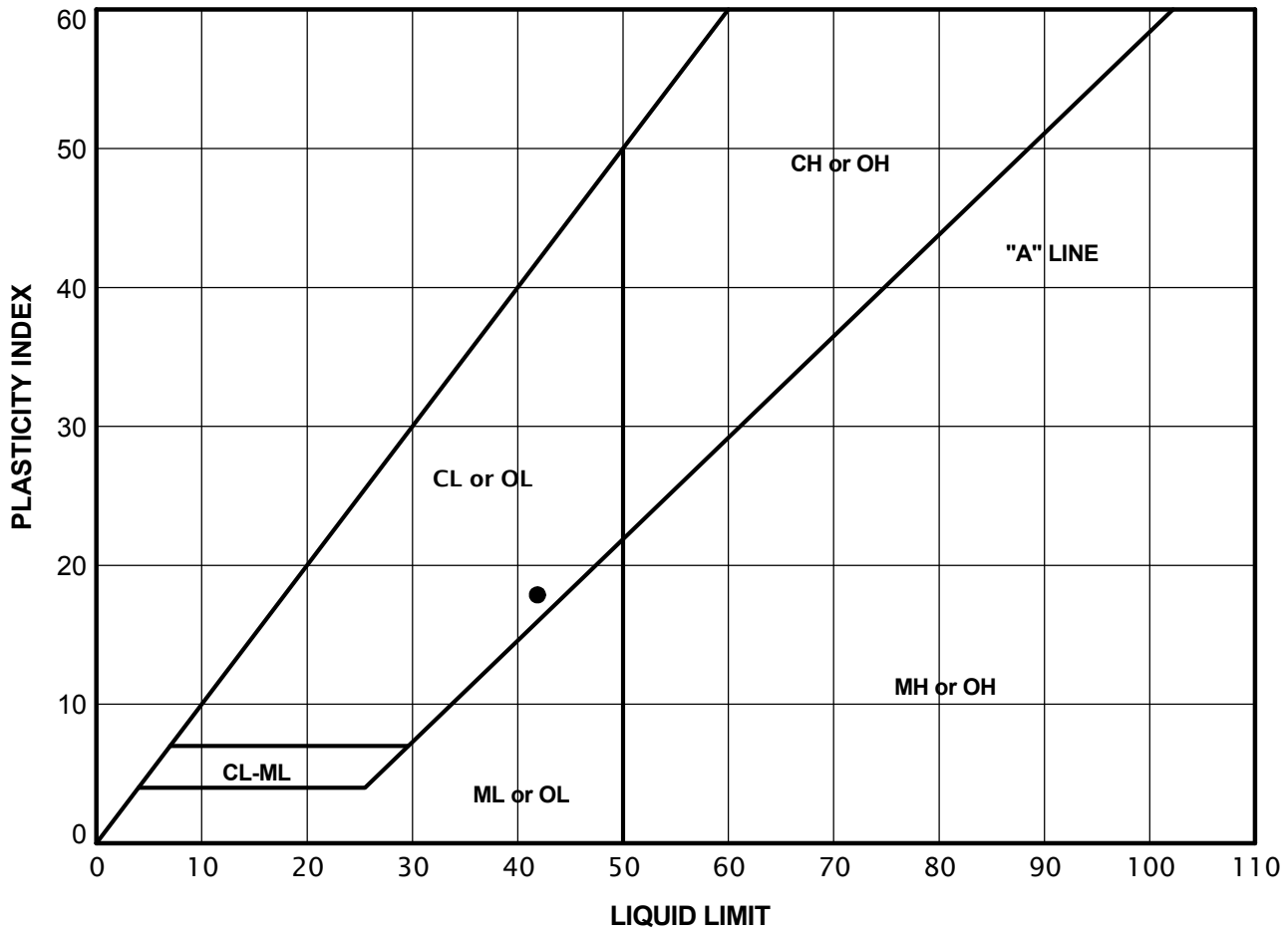
Attachment B
Laboratory Testing

ATTERBERG LIMITS TEST RESULTS

HOOD STREET PARKING LOT
WEST LINN, OREGON

PBS PROJECT NUMBER:
73454.000

TEST METHOD: ASTM D4318



KEY	EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	NATURAL MOISTURE CONTENT (PERCENT)	PERCENT PASSING NO. 40 SIEVE (PERCENT)	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX
●	B-1	S-4	10.0	35.1	NA	42	24	18

FIGURE B1

_ATTERBERG LIMITS 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/23/19:RPG

SUMMARY OF LABORATORY DATA

HOOD STREET PARKING LOT
WEST LINN, OREGON

PBS PROJECT NUMBER:
73454.000

SAMPLE INFORMATION				MOISTURE CONTENT (PERCENT)	DRY DENSITY (PCF)	SIEVE			ATTERBERG LIMITS		
EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	ELEVATION (FEET)			GRAVEL (PERCENT)	SAND (PERCENT)	P200 (PERCENT)	LIQUID LIMIT (PERCENT)	PLASTIC LIMIT (PERCENT)	PLASTICITY INDEX (PERCENT)
B-1	S-4	10		35.1					42	24	18
B-1	S-7	20		40.7				90			
B-1	S-9	23.5		35.1				74			
B-1	S-10	30		30.5				70			

FIGURE B2
Page 1 of 1

__LAB SUMMARY 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/23/19.RPG

SCHOTT & ASSOCIATES
Ecologists & Wetlands Specialists
21018 NE Hwy 99E • P.O. Box 589 • Aurora, OR 97002 • (503) 678-6007 • FAX: (503) 678-6011

NATURAL RESOURCE ASSESSMENT
Within
Water Resource Area

FOR

5665 and 5639 Hood Street
West Linn, Oregon

Prepared for:

Gramor Development
19767 SW 72nd Avenue, Ste 100
Tualatin, OR 97062

Prepared by:

Schott & Associates

Date:

June 2020

Project #: 2696

TABLE OF CONTENTS

Table of Contents 2
INTRODUCTION 1
Site Location 1
Site Description 1
Project Objectives 1
METHODS 2
WRA CONDITIONS 2
Waterway and Wetland 2
Water Resource Area (WRA) 2
Undisturbed WRA Conditions 3
IMPACTS 4
Impacts to Wetlands/Waters 4
Impacts to the WRA 4
32.020 APPLICABILITY 4
32.060 APPROVAL CRITERIA (STANDARD PROCESS) 5
32.070 ALTERNATE REVIEW PROCESS 5
32.080 APPROVAL CRITERIAL (ALTERNATIVE REVIEW PROCESS) 6
Ecological Functions 7
WRA existing conditions 7
WRA enhanced conditions 7
32.060 Approval Criteria (Standard Process) 9
32.090 MITIGATION PLAN 16
32.100 VEGETATION PLAN REQUIREMENTS 19
MITIGATION AND ENHANCEMENT PLAN DESCRIPTION 22
32.110 HARDSHIP PROVISIONS 23
APPENDIX A: FIGURES 24
APPENDIX B: EXISTING CONDITIONS MAP……25
APPENDIX C: DEVELOPMENT/MITIGATION PLANS 25
APPENDIX D: GEOTECH REPORT 27
APPENDIX E: HISTORICAL CONDITIONS 28

INTRODUCTION

Site Location

Schott and Associates, Inc. (S&A) was contracted to conduct a natural resource assessment on properties located at 5665 and 5639 Hood Street in West Linn, Clackamas County, Oregon (T2S, R2E, Sec. 30CA, TL 700, NE corner portion of TL 900) (Figures 1, 2).

Site Description

The project area consists of Tax Lot (TL) 700 and a small portion of TL 900 adjacent to the east property boundary of TL 700. The site area shown on exhibits in this report relate to the WRA aspects of the proposed project and may differ from other project boundary lines represented for this project that relate to planning and engineering or other disciplines. The site area boundaries for this report and subject matter remain accurate.

The properties are located adjacent to and east of Hood Street and south of Burns Street. To the west, south and northwest is commercial development. To the north at the east end of the property and to the east is residential.

The subject property is accessed from Hood Street. A building is located in the southwest part of the property. An asphalt parking lot is located north and east of the building. The far east end of the parking lot transitions to a gravel parking lot. At the east edge of the parking lot is a 2' wide, 6" high concrete block retaining wall. Beyond the parking lot and retaining wall is a forested ravine with a drainage called Cascade Springs Pond Creek, located at the bottom. The vegetation in the ravine consists of an overstory of bigleaf maple (*Acer macrophyllum*). The understory was dominated by English ivy (*Hedera helix*). The parking lot is bordered by fencing to the north and south. Vegetation adjacent to the north end of the parking lot consists of Himalayan blackberry and street trees are present at the south parking lot property boundary.

The Water Resource Area (WRA) Map documents protected water resources at the east property boundary of TL 900 (a stream and locally significant wetlands) bordered by significant riparian corridor (Figure 3). The Local Wetland Inventory (LWI) mapped a drainage with fringe wetlands at the east property boundary.

Project Objectives

The applicant proposes to construct a new single-story commercial building in the northern portion of TL 700 and reconfigure the existing parking lot through the remainder of TL 700 to the south and extending east onto the adjacent portion of TL 900. This parking area will allow for shared parking for businesses on both tax lots.

The wetland and drainage are mapped within the Goal 5 Significant Riparian Corridor. As per 32.120 *the WRA map is … not intended to delineate the exact WRA boundaries or water feature alignment. Amendments to the WRA Maps may be made in accordance with the provisions of Chapters 98 and 99 CDC.*

This report outlines the actual extent of any onsite WRA feature, proposes water resource map amendment, and addresses the approval criteria in CDC Chapter 32.080 Alternate Review Process.

METHODS

A wetland delineation and a natural resource assessment was conducted by S&A on June 5, 2019 for the purposes of identifying onsite wetlands and waterways and natural resource assessment, as per 32.020 Chapter 32 of the CDC. The presence or absence of any onsite undisturbed wetland or waterway within the defined study area was determined based on field verified conditions and documented in this report.

WRA CONDITIONS

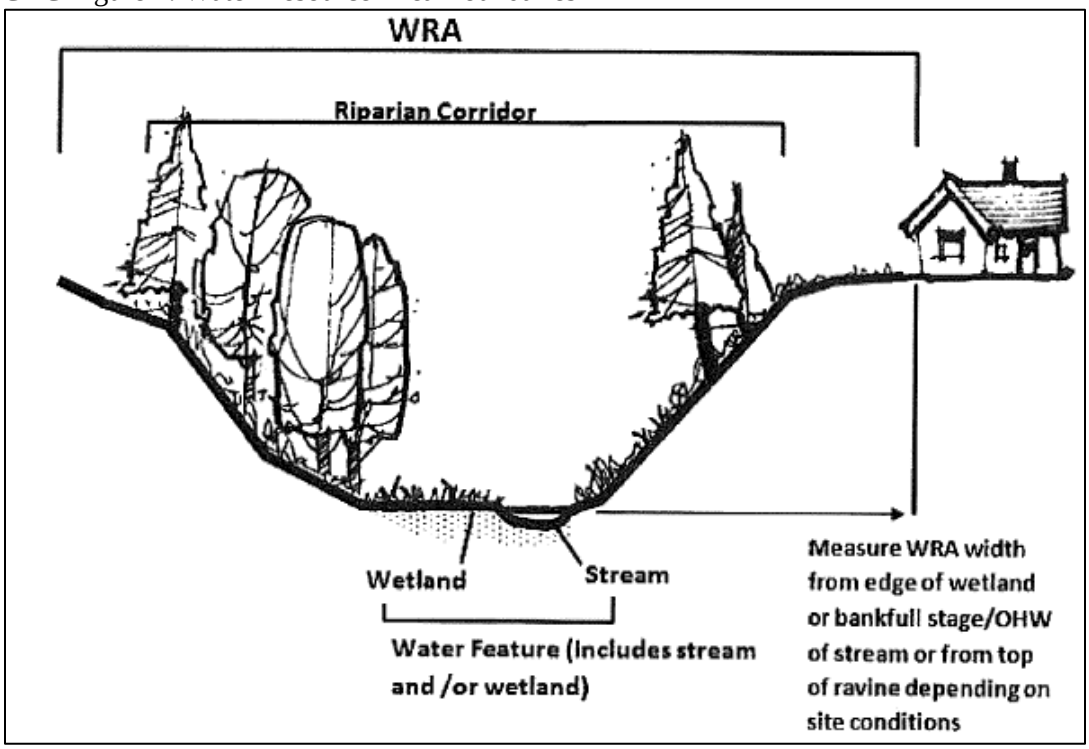
Waterway and Wetland

The majority of TL 700 is currently a paved parking lot with an existing building located in the southwest portion. Adjacent to the east property boundary is the portion of TL 900 that is part of the study area. Within this portion of TL 900 is an existing gravel parking area directly adjacent to the paved parking. This gravel parking area has been in place since 2001 according to Google Earth Aerial. To the east of the gravel parking is a steep slope vegetated with bigleaf maple and English ivy. A waterway with fringe wetland was found at the east property boundary of TL 900 at the bottom of the slope.

Water Resource Area (WRA)

As defined by the West Linn Development Code a water resource area (WRA) is *Any water resource or riparian area identified in the West Linn WRA Map and the adjacent area of varying widths established pursuant to Chapter 32 CDC, in which development activities are restricted in order to protect the functions and values of the associated water resource (see graphic below).*

CDC Figure 1: Water Resource Area Boundaries



A wetland and stream are WRA mapped at the very east end of TL 900 corresponding with the field verified stream location. To the west, included within the mapped WRA, is riparian corridor. The onsite riparian corridor is a steep slope consisting of big leaf maple overstory with an understory almost entirely dominated by English ivy. The WRA mapped riparian corridor extends onto the existing gravel parking lot within TL 900 and a portion of existing paved parking lot at the east end of TL 700.

Undisturbed WRA Conditions

During the delineation site visit an existing gravel parking area and a portion of paved parking lot were found to be located within area that was WRA mapped as riparian corridor. This is defined by CDC as previously developed area (See Appendix E). The remainder of the mapped WRA riparian corridor, extending down the slope, was forested with an overstory of big leaf maple and an understory predominantly of non-native, invasive English ivy.

IMPACTS

Impacts to Wetlands/Waters

There will be no impacts to wetlands or waterways.

Impacts to the WRA

A wetland and stream were WRA mapped at the bottom of a steep slope at the east project area boundary. Riparian corridor was mapped west of the water resource onsite along the entire slope. The mapped riparian corridor extended beyond the top of slope into an existing parking lot. During the site visit the mapped location of the drainage and associated fringe wetlands were confirmed. The riparian corridor boundary appeared to have been mis-mapped.

Per Table 32-2, Required Width of WRA, where the water resource is confined by a ravine with slopes over 25%, the WRA width on each side of the water resource to top of slope is the location where the slope breaks to less than 15% for at least 50', plus an additional 50'. The 50' setback distance may be reduced to 25' if a geotechnical study demonstrates that the slope is stable and not prone to erosion.

After the 25' reduction, the entire WRA setback on the west side of the water resource is in an existing parking lot considered previously disturbed area. The development plan proposes a total of 2,402sf of impact within this mapped WRA that is an existing parking lot (Appendix C). A further reduction to the WRA boundary is proposed. This application proposes reducing the WRA boundary to the edge of the existing impervious parking lot which is already the functional boundary of the WRA. With this proposed reduction the functions of the water resource will still be protected and there will be no impacts to the WRA as modified.

32.020 APPLICABILITY

A. *This chapter applies to all development, activity or uses within WRAs identified on the WRA Map. It also applies to all verified, unmapped WRAs. The WRA Map shall be amended to include the previously unmapped WRAs.*

B. The burden is on the property owner to demonstrate that the requirements of this chapter are met, or are not applicable to the land, development activity, or other proposed use or alteration of land. The Planning Director may make a determination of applicability based on the WRA Map, field visits, and any other relevant maps, site plans and information, as to:

1. The existence of a WRA;

2. The exact location of the WRA; and/or

3. Whether the proposed development, activity or use is within the WRA boundary.

In cases where the location of the WRA is unclear or disputed, the Planning Director may require a survey, delineation, or sworn statement prepared by a natural resource professional/wetland biologist or specialist that no WRA exists on the site. Any required survey, delineation, or statement shall be prepared at the applicant's sole expense. (Ord. 1623 § 1, 2014)

A stream with fringe wetlands is WRA mapped at the east property boundary of tax lot 900. A Riparian Corridor is WRA mapped on each side of the drainage and fringe wetland. A Natural Resource Assessment was conducted by S&A, natural resource specialists, in June of 2019. Findings concluded that there are wetlands and a waterway onsite at the bottom of a ravine at the east property boundary but no riparian corridor. The required WRA width on each side of the water resource to top of slope is the location where the slope breaks to less than 15% for at least 50', plus an additional 50'. This 50' setback can be reduced to 25' with a geotechnical report demonstrating slope stability.

32.060 APPROVAL CRITERIA (STANDARD PROCESS)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

A. *WRA protection/minimizing impacts.*

1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.

2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100, respectively.

Not applicable. The Alternate Review Process shall be addressed. Addressed as required below in Section 32.080(D)

32.070 ALTERNATE REVIEW PROCESS

This section establishes a review and approval process that applicants can use when there is reason to believe that the width of the WRA prescribed under the standard process (CDC 32.060(D)) is larger than necessary to protect the functions of the water resource at a particular site. It allows a qualified professional to determine what water resources and associated functions (see Table 32-4 below) exist at a site and the WRA width that is needed to maintain those functions. (Ord. 1623 § 1, 2014)

There is a water resource onsite, and therefore required WRA. As per Table 32-2, the required width of the WRA on each side of the delineated protected water resource or edge of delineated wetland in a ravine to top of slope is the location where the slope breaks to less than 15% for at least 50 feet, plus an additional 50'or 25' with geotechnical report demonstrating slope stability (Appendix D).

32.080 APPROVAL CRITERIAL (ALTERNATIVE REVIEW PROCESS)

Applications reviewed under the alternate review process shall meet the following approval criteria:

A. The proposed WRA shall be, at minimum, qualitatively equal, in terms of maintaining the level of functions allowed by the WRA standards of CDC 32.060(D).

A stream with fringe wetland at the bottom of a ravine are the WRA mapped water resources onsite. A 100' wide riparian corridor was also mapped on each side of the water resource and believed to be mis-mapped. The standards of 32.060(D) require a WRA width extending from the water resource in a ravine to top of slope where the slope breaks to less than 15% for at least 50', plus an additional 50'. This may be reduced to 25' with a geotechnical report demonstrating slope stability. After the 25' reduction, the western WRA boundary is in an existing parking lot considered previously disturbed area. The proposed development plan includes 2,402sf of development impacts to the mapped WRA consisting of upgrades to an existing parking lot.

Currently, the majority of WRA buffer adjacent to the water resource is a vegetated steep slope with a fairly strong overstory of native big leaf maple. The understory is entirely English ivy, so conditions are marginal. At the top of the slope, the WRA buffer extends into an existing parking lot that has been there since 2001 and has been utilized by the post office since 2006. This area is considered previously disturbed and is in degraded condition, therefore a reduced WRA is proposed to be defined by the edge of the existing parking area. This retains the entirety of the functional WRA buffer and avoids any additional impacts to the WRA. This proposal is qualitatively equal to the standards set out in 32.060. Development will be contained within the existing parking lot area and there will be no impacts to the proposed reduced WRA buffer.

In addition to avoidance of the functional WRA, mitigation is proposed within the reduced WRA buffer. The functions provided by the proposed, reduced WRA will exceed those of the current WRA once mitigation activities are completed. As described in the mitigation plan below, invasive English ivy will be removed and 2,402sf of the WRA, adjacent to the stream, will be enhanced with native shrubs and groundcover as mitigation for the development impact within mapped WRA

that is an existing parking lot. The WRA already has a strong native tree canopy and additional tree planting will be minimal. Mitigation planting will be to the density required in CDC 32.100 in order to ensure the functions of the WRA are maintained, especially adjacent to the stream.

B. If a WRA is already significantly degraded (e.g., native forest and ground cover have been removed or the site dominated by invasive plants, debris, or development), the approval authority may allow a reduced WRA in exchange for mitigation, if:

1. The proposed reduction in WRA width, coupled with the proposed mitigation, would result in better performance of functions than the standard WRA without such mitigation. The approval authority shall make this determination based on the applicant's proposed mitigation plan and a comparative analysis of ecological functions under existing and enhanced conditions (see Table 32-4).

As described above, the portion of the WRA beyond the break in slope was previously disturbed, consisting of an existing gravel parking lot and is considered significantly degraded. Evidence of previous disturbance is clearly shown in aerial photographs from 2001 as well as the topography and survey map of the site from 2003 (Appendix E). The proposed reduction in WRA width, along with proposed mitigation shall provide higher functions as shown in the comparative analysis and mitigation plan.

Table 1. Ecological Functions Comparison

Ecological Functions Comparison per Table 32-4		
Ecological Functions	**WRA existing conditions**	**WRA enhanced conditions**
Stream flow moderation and/or water storage	Wetland Storage functions are moderate, creek water flow is confined to within the bottom of the ravine.	Function will likely remain the same as stream is in the bottom of a ravine.
Sediment or pollution control	Vegetation is within 100' of the waterway. Tree canopy is bigleaf maple and fairly good. Most understory vegetation is non-native invasive English ivy	Increased native shrubs and groundcover within the entire remaining onsite WRA will increase functions by slowing water flow and increasing the capacity to filter nutrients and retain sediments.
Bank stabilization	Beyond wetland is English ivy which is invasive	Non-invasive natives will serve as a good stabilizer.
Large wood recruitment for a fish bearing section of stream	Stream is likely not fish bearing. There is a good number of trees for LWD recruitment.	Enhancement will not change this function.

Organic material sources	Good tree canopy, but no native understory present in Forest habitat within WRA	Additional shrubs will increase organic material sources throughout the onsite WRA
Shade (water temperature moderation) and microclimate	Stream is not likely fish bearing. Currently adequate shade from tree canopy.	Enhancement will not change this function.
Stream flow that sustains in-stream and adjacent habitats	Perennial flow.	Perennial flow will be maintained. No hydrologic impacts anticipated.
Other terrestrial habitat	Understory habitat within 100 feet of the resource is predominantly non-native and invasive but with an overstory of native bigleaf maple.	Removal of invasives and planting of diverse native shrub species shall increase type and diversity of cover and food sources, improving terrestrial habitat onsite.

2. *The mitigation project shall include all of the following components as applicable. It may also include other forms of enhancement (mitigation) deemed appropriate by the approval authority.*
   a. *Removal of invasive vegetation.*
   b. *Planting native, non-invasive plants (at minimum, consistent with CDC 32.100) that provide improved filtration of sediment, excess nutrients, and pollutants. The amount of enhancement (mitigation) shall meet or exceed the standards of CDC 32.090(C).*
   c. *Providing permanent improvements to the site hydrology that would improve water resource functions.*
   d. *Substantial improvements to the aquatic and/or terrestrial habitat of the WRA.*

Proposed mitigation shall consist of a combination of non-native, invasive species removal and replanting with native vegetation as detailed in the mitigation plan below. These activities will increase filtration of sediment, excess nutrients, and pollutants improving water quality and erosion control functions by providing additional vegetation appropriate for the WRA. Additionally, the proposed mitigation enhancement will increase native species cover and diversity improving wildlife habitat functions by providing greater cover, nesting or burrowing sites and food availability and type.

C. *Identify and discuss site design and methods of development as they relate to WRA functions.*

There is an existing post office building and paved parking lot within TL 700. Within TL 900, directly adjacent to the east property boundary of TL 700, is the gravel portion of the parking lot that has been disturbed since 2001. Proposed development of a new building and renovation of the parking lot is planned within the footprint of the existing parking lot. Pavement and curbing will replace the existing compacted ground. In addition, the proposed development includes a portion of an enclosed refuse receptacle and landscaping. The landscaping is at the perimeter closest to the top of the slope and will further buffer the development from the WRA. There is a water resource at the bottom of a ravine east of the parking lot. There will be no development impacts to the functional resource. There will be no impacts to the existing forested area. The proposed, reduced WRA will encompass the entire vegetated slope. Development will avoid the proposed reduced riparian corridor setback WRA entirely.

D. Address the approval criteria of CDC 32.060, with the exception of CDC 32.060(D).

32.060 APPROVAL CRITERIA (STANDARD PROCESS)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

A. WRA protection/minimizing impacts.
- *1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.*
- *2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100 respectively.*

Proposed development will be limited to the footprint of the existing parking area and avoid impact to the functional resource. The parking/impact area has been in existence since 2001 and therefore is "previously degraded." The proposed development stays within this previously degraded footprint in order to minimize onsite impacts. The 2,402sf area of impact into the 25' setback is hardscape and contains no trees, shrubs or native vegetation. With approval of this application development shall stay out of the proposed WRA entirely.

B. Storm water and storm water facilities.
- *1. Proposed developments shall be designed to maintain the existing WRAs and utilize them as the primary method of storm water conveyance through the project site unless:*
  - *a. The surface water management plan calls for alternate configurations (culverts, piping, etc.); or*

b. *Under CDC 32.070, the applicant demonstrates that the relocation of the water resource will not adversely impact the function of the WRA including, but not limited to, circumstances where the WRA is poorly defined or not clearly channelized. Re-vegetation, enhancement and/or mitigation of the re-aligned water resource shall be required as applicable.*

The existing outfall to the WRA will be utilized. The proposed plan will not impact the reduced riparian setback WRA and it will continue to be used as the primary method of conveyance.

2. *Public and private storm water detention, storm water treatment facilities and storm water outfall or energy dissipaters (e.g., rip rap) may encroach into the WRA if:*
   a. *Accepted engineering practice requires it;*
   b. *Encroachment on significant trees shall be avoided when possible, and any tree loss shall be consistent with the City's Tree Technical Manual and mitigated per CDC 32.090;*
   c. *There shall be no direct outfall into the water resource, and any resulting outfall shall not have an erosive effect on the WRA or diminish the stability of slopes; and*
   d. *There are no reasonable alternatives available.*

   A geotechnical report may be required to make the determination regarding slope stability.

No impacts are proposed. The existing storm outfall to the WRA will be utilized.

3. *Roadside storm water conveyance swales and ditches may be extended within rights-of-way located in a WRA. When possible, they shall be located along the side of the road furthest from the water resource. If the conveyance facility must be located along the side of the road closest to the water resource, it shall be located as close to the road/sidewalk as possible and include habitat friendly design features (treatment train, rain gardens, etc.).*
4. *Storm water detention and/or treatment facilities in the WRA shall be designed without permanent perimeter fencing and shall be landscaped with native vegetation.*
5. *Access to public storm water detention and/or treatment facilities shall be provided for maintenance purposes. Maintenance driveways shall be constructed to minimum width and use water permeable paving materials. Significant trees, including roots, shall not be disturbed to the degree possible. The encroachment and any tree loss shall be mitigated per CDC 32.090. There shall also be no adverse impacts upon the hydrologic conditions of the site.*

6. *Storm detention and treatment and geologic hazards. Per the submittals required by CDC 32.050(F)(3) and 92.010(E), all proposed storm detention and treatment facilities must comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and the applicant must provide sufficient factual data to support the conclusions of the submitted plan.*

No swales are proposed. No public facilities are proposed. No detention is required due to proximity to the Willamette River. A Water Quality (WQ) treatment vault with storm filters shall be proposed for WQ before discharge to the existing storm outfall in the WRA. Further, no detention is required, as the existing conveyance system has capacity and the site has no net new impervious area proposed.

C. *Repealed by Ord. 1647*

NA

D. WRA width. Except for the exemptions in CDC 32.040, applications that are using the alternate review process of CDC 32.070, or as authorized by the approval authority consistent with the provisions of this chapter, all development is prohibited in the WRA as established in Table 32-2.

The mapped resource was mis-mapped and the alternate review process under 32.070 was followed. The proposed reduced WRA encompasses the entire vegetated slope and extends to the boundary of the existing disturbed area. No development is proposed within the proposed reduced WRA.

E. Per the submittals required by CDC 32.050(F)(4), the applicant must demonstrate that the proposed methods of rendering known or potential hazard sites safe for development, including proposed geotechnical remediation, are feasible and adequate to prevent landslides or other damage to property and safety. The review authority may impose conditions, including limits on type or intensity of land use, which it determines are necessary to mitigate known risks of landslides or property damage.

A geotechnical report is provided as part of the submitted application materials. The report did not identify any potential hazards on the site that would be impacted by the proposed development (Appendix D).

F. Roads, driveways and utilities.

1. *New roads, driveways, or utilities shall avoid WRAs unless the applicant demonstrates that no other practical alternative exists. In*

that case, road design and construction techniques shall minimize impacts and disturbance to the WRA by the following methods:

a. New roads and utilities crossing riparian habitat areas or streams shall be aligned as close to perpendicular to the channel as possible.

b. Roads and driveways traversing WRAs shall be of the minimum width possible to comply with applicable road standards and protect public safety. The footprint of grading and site clearing to accommodate the road shall be minimized.

c. Road and utility crossings shall avoid, where possible:

1) Salmonid spawning or rearing areas;
2) Stands of mature conifer trees in riparian areas;
3) Highly erodible soils;
4) Landslide prone areas;
5) Damage to, and fragmentation of, habitat; and
6) Wetlands identified on the WRA Map.

Roadways will not be part of the development proposal. No utilities will encroach into the proposed WRA.

2. Crossing of fish bearing streams and riparian corridors shall use bridges or arch-bottomless culverts or the equivalent that provides comparable fish protection, to allow passage of wildlife and fish and to retain the natural stream bed.

There will be no crossing of fish bearing streams.

3. New utilities spanning fish bearing stream sections, riparian corridors, and wetlands shall be located on existing roads/bridges, elevated walkways, conduit, or other existing structures or installed underground via tunneling or boring at a depth that avoids tree roots and does not alter the hydrology sustaining the water resource, unless the applicant demonstrates that it is not physically possible or it is cost prohibitive. Bore pits associated with the crossings shall be restored upon project completion. Dry, intermittent streams may be crossed with open cuts during a time period approved by the City and any agency with jurisdiction.

There will be no utilities proposed in the WRA.

4. No fill or excavation is allowed within the ordinary high water mark of a water resource, unless all necessary permits are obtained from the City, U.S. Army Corps of Engineers and Oregon Department of State Lands (DSL).

No fill or excavation is proposed within the OHW.

5. *Crossings of fish bearing streams shall be aligned, whenever possible, to serve multiple properties and be designed to accommodate conduit for utility lines. The applicant shall, to the extent legally permissible, work with the City to provide for a street layout and crossing location that will minimize the need for additional stream crossings in the future to serve surrounding properties.*

There will be no stream crossings.

G. *Passive recreation. Low impact or passive outdoor recreation facilities for public use including, but not limited to, multi-use paths and trails, not exempted per CDC 32.040(B)(2), viewing platforms, historical or natural interpretive markers, and benches in the WRA, are subject to the following standards:*

1. Trails shall be constructed using non-hazardous, water permeable materials with a maximum width of four feet or the recommended width under the applicable American Association of State Highway and Transportation Officials (AASHTO) standards for the expected type and use, whichever is greater.

2. Paved trails are limited to the area within 20 feet of the outer boundary of the WRA, and such trails must comply with the storm water provisions of this chapter.

3. All trails in the WRA shall be set back from the water resource at least 30 feet except at stream crossing points or at points where the topography forces the trail closer to the water resource.

4. Trails shall be designed to minimize disturbance to existing vegetation, work with natural contours, avoid the fall line on slopes where possible, avoid areas with evidence of slope failure and ensure that trail runoff does not create channels in the WRA.

5. Foot bridge crossings shall be kept to a minimum. When the stream bank adjacent to the foot bridge is accessible (e.g., due to limited vegetation or topography), where possible, fences or railings shall be installed from the foot bridge and extend 15 feet beyond the terminus of the foot bridge to discourage trail users and pets from accessing the stream bank, disturbing wildlife and habitat areas, and causing vegetation loss, stream bank erosion and stream turbidity. Bridges shall not be made of continuous impervious materials or be treated with toxic substances that could leach into the WRA.

6. Interpretive facilities (including viewpoints) shall be at least 10 feet from the top of the water resource's bankfull flow/OHW or delineated wetland edge and constructed with a fence between users and the resource. Interpretive signs may be installed on footbridges.

No passive low impact outdoor recreation amenities are being proposed.

H. *Daylighting Piped Streams.*

1. As part of any application, covered or piped stream sections shown on the WRA Map are encouraged to be "daylighted" or opened. Once it is daylighted, the WRA will be limited to 15 feet on either side of the stream. Within that WRA, water quality measures are required which may include a storm water treatment system (e.g., vegetated bioswales), continuous vegetative ground cover (e.g., native grasses) at least 15 feet in width that provides year round efficacy, or a combination thereof.

2. The re-opened stream does not have to align with the original piped route but may take a different route on the subject property so long as it makes the appropriate upstream and downstream connections and meet the standards of subsections (H)(3) and (4) of this section.

3. A re-aligned stream must not create WRAs on adjacent properties not owned by the applicant unless the applicant provides a notarized letter signed by the adjacent property owner(s) stating that the encroachment of the WRA is permitted.

4. The evaluation of proposed alignment and design of the reopened stream shall consider the following factors:

a. The ability of the reopened stream to safely carry storm drainage through the area without causing significant erosion.

b. Continuity with natural contours on adjacent properties, slope on site and drainage patterns.

c. Continuity of adjacent vegetation and habitat values.

d. The ability of the existing and proposed vegetation to filter sediment and pollutants and enhance water quality.

e. Provision of water temperature conducive to fish habitat.

There is no proposal to cover, pipe or re-align a stream section.

5. Any upstream or downstream WRAs or riparian corridors shall not apply to, or overlap, the daylighted stream channel.

6. When a stream is daylighted the applicant shall prepare and record a legal document describing the reduced WRA required by subsections (H)(1) and (5) of this section. The document will be signed by a representative of the City and recorded at the applicant's expense to better ensure long term recognition of the reduced WRA and reduced restrictions for the daylighted stream section.

N/A

I. The following habitat friendly development practices shall be incorporated into the design of any improvements or projects in the WRA to the degree possible:

1. Restore disturbed soils to original or higher level of porosity to regain infiltration and storm water storage capacity.

2. Apply a treatment train or series of storm water treatment measures to provide multiple opportunities for storm water treatment and reduce the possibility of system failure.

3. Incorporate storm water management in road rights-of-way.

4. Landscape with rain gardens to provide on-lot detention, filtering of rainwater, and groundwater recharge.

5. Use multi-functional open drainage systems in lieu of conventional curb-and-gutter systems.

6. Use green roofs for runoff reduction, energy savings, improved air quality, and enhanced aesthetics.

7. Retain rooftop runoff in a rain barrel for later on-lot use in lawn and garden watering.

8. Disconnect downspouts from roofs and direct the flow to vegetated infiltration/filtration areas such as rain gardens.

9. Use pervious paving materials for driveways, parking lots, sidewalks, patios, and walkways.

10. Reduce sidewalk width to a minimum four feet. Grade the sidewalk so it drains to the front yard of a residential lot or retention area instead of towards the street.

11. Use shared driveways.

12. Reduce width of residential streets and driveways, especially at WRA crossings.

13. Reduce street length, primarily in residential areas, by encouraging clustering.

14. Reduce cul-de-sac radii and use pervious and/or vegetated islands in center to minimize impervious surfaces.

15. Use previously developed areas (PDAs) when given an option of developing PDA versus non-PDA land.

16. Minimize the building, hardscape and disturbance footprint.

17. Consider multi-story construction over a bigger footprint. (Ord. 1623 § 1, 2014; Ord. 1635 § 19, 2014; Ord. 1647 § 5, 2016; Ord. 1662 § 7, 2017)

The applicant is adhering to #15 of the habitat friendly development practices listed above.

32.090 MITIGATION PLAN

A. A mitigation plan shall only be required if development is proposed within a WRA (including development of a PDA). (Exempted activities of CDC 32.040 do not require mitigation unless specifically stated. Temporarily disturbed areas, including TDAs associated with exempted activities, do not require mitigation, just grade and soil restoration and re-vegetation.) The mitigation plan shall satisfy all applicable provisions of CDC 32.100, Re-Vegetation Plan Requirements.

If proposing WRA –*If a WRA is already significantly degraded the approval authority may allow a reduced WRA in exchange for mitigation if: 1. The proposed reduction in WRA width, coupled with the proposed mitigation, would result in better performance of functions than the standard WRA without such mitigation.*

A reduced WRA is proposed as the western portion is already significantly degraded. No development is proposed within the proposed reduced WRA. Mitigation is proposed in

exchange for the reduced WRA width to meet Alternative Review Standards. The proposed WRA will be enhanced with a mix of native plant material resulting in better performance of functions.

B. Mitigation shall take place in the following locations, according to the following priorities (subsections (B)(1) through (4) of this section):

1. On-site mitigation by restoring, creating or enhancing WRAs.

2. Off-site mitigation in the same sub-watershed will be allowed, but only if the applicant has demonstrated that:

a. It is not practicable to complete mitigation on-site, for example, there is not enough area on-site; and

b. The mitigation will provide equal or superior ecological function and value.

3. Off-site mitigation outside the sub-watershed will be allowed, but only if the applicant has demonstrated that:

a. It is not practicable to complete mitigation on-site, for example, there is not enough area on-site; and

b. The mitigation will provide equal or superior ecological function and value.

4. Purchasing mitigation credits though DSL or other acceptable mitigation bank.

Mitigation will take place onsite through enhancement of the existing WRA adjacent to the stream. Mitigation is proposed for 2,402sf of WRA adjacent to the stream for the reduction/impacts within the 25' setback in an existing parking lot that is WRA mapped.

C. <u>Amount of mitigation</u>.

1. The amount of mitigation shall be based on the square footage of the permanent disturbance area by the application. For every one square foot of non-PDA disturbed area, on-site mitigation shall require one square foot of WRA to be created, enhanced or restored.

2. For every one square foot of PDA that is disturbed, on-site mitigation shall require one half a square foot of WRA vegetation to be created, enhanced or restored.

3. For any off-site mitigation, including the use of DSL mitigation credits, the requirement shall be for every one square foot of WRA that is disturbed, two square feet of WRA shall be created, enhanced or restored. The DSL mitigation credits program or mitigation bank shall require a legitimate bid on the cost of on-site mitigation multiplied by two to arrive at the appropriate dollar amount.

There will be no impacts in the proposed reduced WRA. Mitigation is proposed as part of the reduction of the WRA. A total of 2,402sf of enhancement is proposed in exchange for the reduction/impact of 2,402sf within mapped WRA in an existing impervious parking lot.

D. The Planning Director may limit or define the scope of the mitigation plan and submittal requirements commensurate with the scale of the disturbance relative to the resource and pursuant to the authority of Chapter 99 CDC. The Planning Director may determine that a consultant is required to complete all or a part of the mitigation plan requirements.

See following mitigation information.

E. A mitigation plan shall contain the following information:

1. A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.

Applicant: Matt Grady
Gramor Development
19767 SW 72nd Avenue, Suite 100
Phone-503-245-1976
Email- matt@gramor.com

Applicant: Kenneth Sandblast
Westlake Consultants, Inc
15115 SW Sequoia Parkway, Suite 150
Tigard, Oregon 97224
Phone: 503-684-0652
Email: ksandblast@westlakeconsultants.com

Consultant: Jodi Reed
Schott & Associates, Inc
PO Box 589
Aurora, Oregon 97002

Phone: 503-678-6007
Email: Jodi@schottandassociates.com

2. A map showing where the specific adverse impacts will occur and where the mitigation activities will occur.

See Appendix C

3. A re-vegetation plan for the area(s) to be mitigated that meets the standards of CDC 32.100.

See below

4. An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, and reporting. All in-stream work in fish bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife.

See below.

5. Assurances shall be established to rectify any mitigation actions that are not successful within the first three years. This may include bonding or other surety. (Ord. 1623 § 1, 2014)

Assurances will be established.

32.100 VEGETATION PLAN REQUIREMENTS

A. In order to achieve the goal of re-establishing forested canopy, native shrub and ground cover and to meet the mitigation requirements of CDC 32.090 and vegetative enhancement of CDC 32.080, tree and vegetation plantings are required according to the following standards:

1. All trees, shrubs and ground cover to be planted must be native plants selected from the Portland Plant List.

As noted in the planting plan, all proposed plant species will be native plants selected from the Portland Plant List for enhancement of the proposed WRA.

2. Plant size. Replacement trees must be at least one-half inch in caliper, measured at six inches above the ground level for field grown trees or above the soil line for container grown trees (the one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round), unless they are oak or madrone which

may be one gallon size. Shrubs must be in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.

As noted in the planting plan, plant size will meet the above requirements for enhancement.

3. Plant coverage.

a. Native trees and shrubs are required to be planted at a rate of five trees and 25 shrubs per every 500 square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by 500, and then multiplying that result times five trees and 25 shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example, if there will be 330 square feet of disturbance area, then 330 divided by 500 equals 0.66, and 0.66 times five equals 3.3, so three trees must be planted, and 0.66 times 25 equals 16.5, so 17 shrubs must be planted). Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

b. Trees shall be planted between eight and 12 feet on center and shrubs shall be planted between four and five feet on center, or clustered in single species groups of no more than four plants, with each cluster planted between eight and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing measurements.

As noted in the planting plan, plant coverage shall meet the above requirements in the mitigation enhancement area that is proposed WRA. See Table 2 for planting plan.

4. Plant diversity. Shrubs must consist of at least two different species. If 10 trees or more are planted, then no more than 50 percent of the trees may be of the same genus.

Plant diversity requirements to be met as shown in Table 2 and enhancement plan description.

5. Invasive vegetation. Invasive non-native or noxious vegetation must be removed within the mitigation area prior to planting.

Non-native invasive vegetation will be removed from the mitigation area. The species to be removed is predominantly English ivy. Removal will be done by a combination of selective physical removal and limited herbicide applications. The removal of the non-native plants will be accomplished with minimal earth disturbance to protect the water resource.

6. Tree and shrub survival. A minimum survival rate of 80 percent of the trees and shrubs planted is expected by the third anniversary of the date that the mitigation planting is completed.

At least 80% of the woody plants will be living at the end of three years after the planting. Supplemental watering and mulching may be required in the first few years of plant establishment as well as weed control to allow for healthy plant growth.

7. Monitoring and reporting. Monitoring of the mitigation site is the ongoing responsibility of the property owner. Plants that die must be replaced in kind.

Monitoring of plant material will be done during the growing season and plant replacement done in the fall and winter if required.

8. To enhance survival of tree replacement and plantings, the following practices are required:

a. Mulching. Mulch new plantings a minimum of three inches in depth and 18 inches in diameter to retain moisture and discourage weed growth.

b. Irrigation. Water new plantings one inch per week between June 15th to October 15th, for the three years following planting.

c. Weed control. Remove, or control, non-native or noxious vegetation throughout maintenance period.

d. Planting season. Plant bare root trees between December 1st and February 28th, and potted plants between October 15th and April 30th.

e. Wildlife protection. Use plant sleeves or fencing to protect trees and shrubs against wildlife browsing and resulting damage to plants.

The above practices will be implemented as needed.

MITIGATION AND ENHANCEMENT PLAN DESCRIPTION

The proposed mitigation enhancement plan consists of planting the WRA (2,402sf) with native trees and native shrubs within the subject property adjacent to the water resource. The proposed enhancement shall provide higher functions than would be provided by the existing resource. The functional resource will remain constant even though the mapped WRA is reduced in size.

The goal of the enhancement mitigation is protecting the ecological benefit and water quality benefit to the higher quality sensitive areas while maximizing developable area. Mitigation shall consist of removal of non-native species, predominantly English ivy.

A total of 2,402sf of the onsite WRA adjacent to the stream will be planted with native plant material consistent with CDC 32.100, meeting or exceeding the standards of CDC 32.090(C) to provide a diverse native forested/scrub-shrub community adjacent to the water resource. Plant species will provide shade, habitat, and food sources. Proposed activity will increase filtration and replace non-native vegetation with a greater diversity of native species. Species will be selected from the Portland Plant list and will include species such as western red cedar, vine maple, Indian plum, swamp rose and snowberry (Table 2).

TABLE 2. FORESTED WRA ENHANCEMENT PLANTING PLAN (2,402SF)

	Plant Type	Water Require-ments	Light Require-ments	Min. Size	Min. Height	Spacing	Qty
Western red cedar (*Thuja plicata*)	Tree	Moist	Shade	2 gal	2’	Single	10
Vine maple (*Acer circinatum*)	Tree	Moist	Part	2 gal	2’	Single	15
Indian plum (*Oemleri cearasiformis*)	Shrub	Moist	Shade	2 gal	2’	Cluster	30
Swamp rose (*Rosa pisocarpa*)	Shrub	Moist	Part	1 gal.	1.5’	Cluster	20
Snowberry (*Symphoricarpos albus*)	Shrub	Dry	Part	1 gal.	1.5’	Cluster	50
Sword fern (*Polystichum munitum)*	Shrub	Moist	Shade	1 gal	Na	Cluster	22
Native California brome (*Bromus carinatus*)	Grass	Dry	Part	Seed	n/a	10lbs. pls	
Blue Wildrye (*Elymus glaucus*)	Grass	Dry	Part	Seed	n/a	10lbs. pls	

32.110 HARDSHIP PROVISIONS

The purpose of this section is to ensure that compliance with this chapter does not deprive an owner of reasonable use of land. To avoid such instances, the requirements of this chapter may be reduced. The decision-making authority may impose such conditions as are deemed necessary to limit any adverse impacts that may result from granting relief. The burden shall be on the applicant to demonstrate that the standards of this chapter, including Table 32-2, Required Width of WRA, will deny the applicant "reasonable use" of his/her property.

The Hardship Provision does not apply.

APPENDIX A: FIGURES

Figure 1: Site Vicinity Map
Figure 2: Tax Lot Map
Figure 3: WRA Map

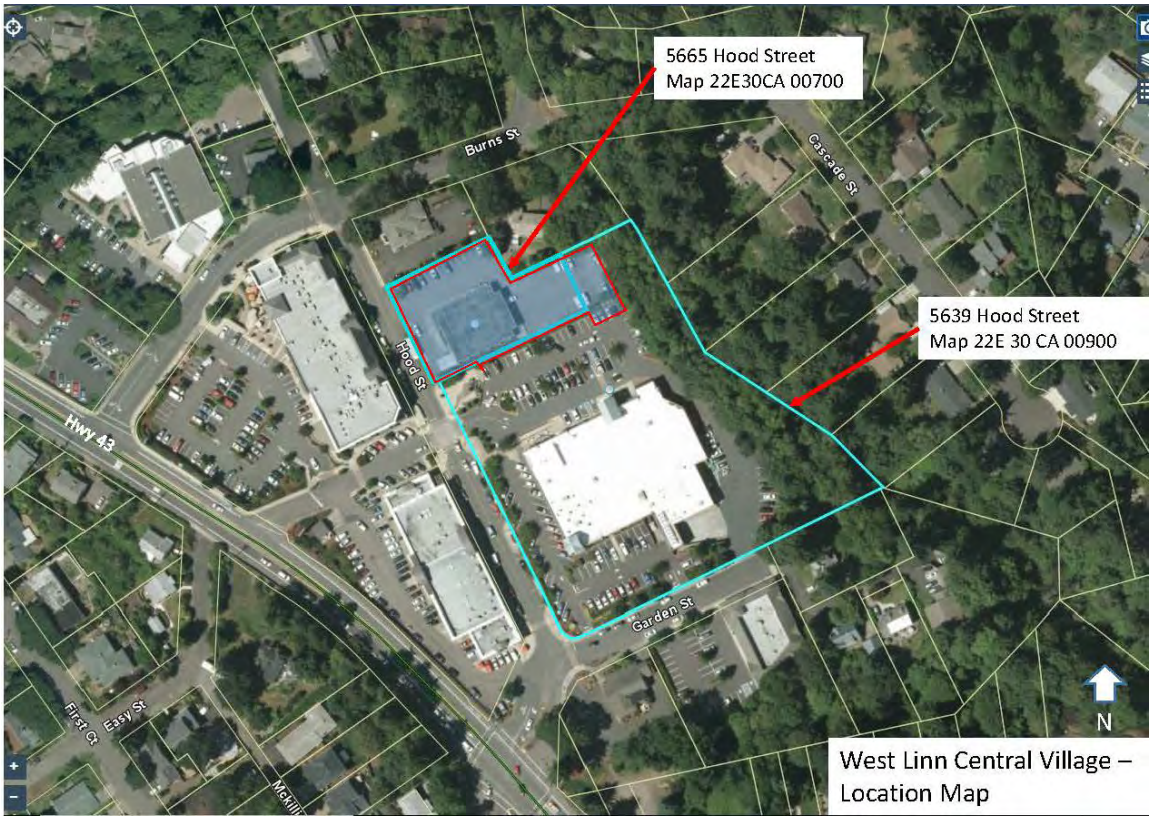


Figure 1: Site Vicinity Map
5665 and 5639 Hood Street
S&A 2696

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

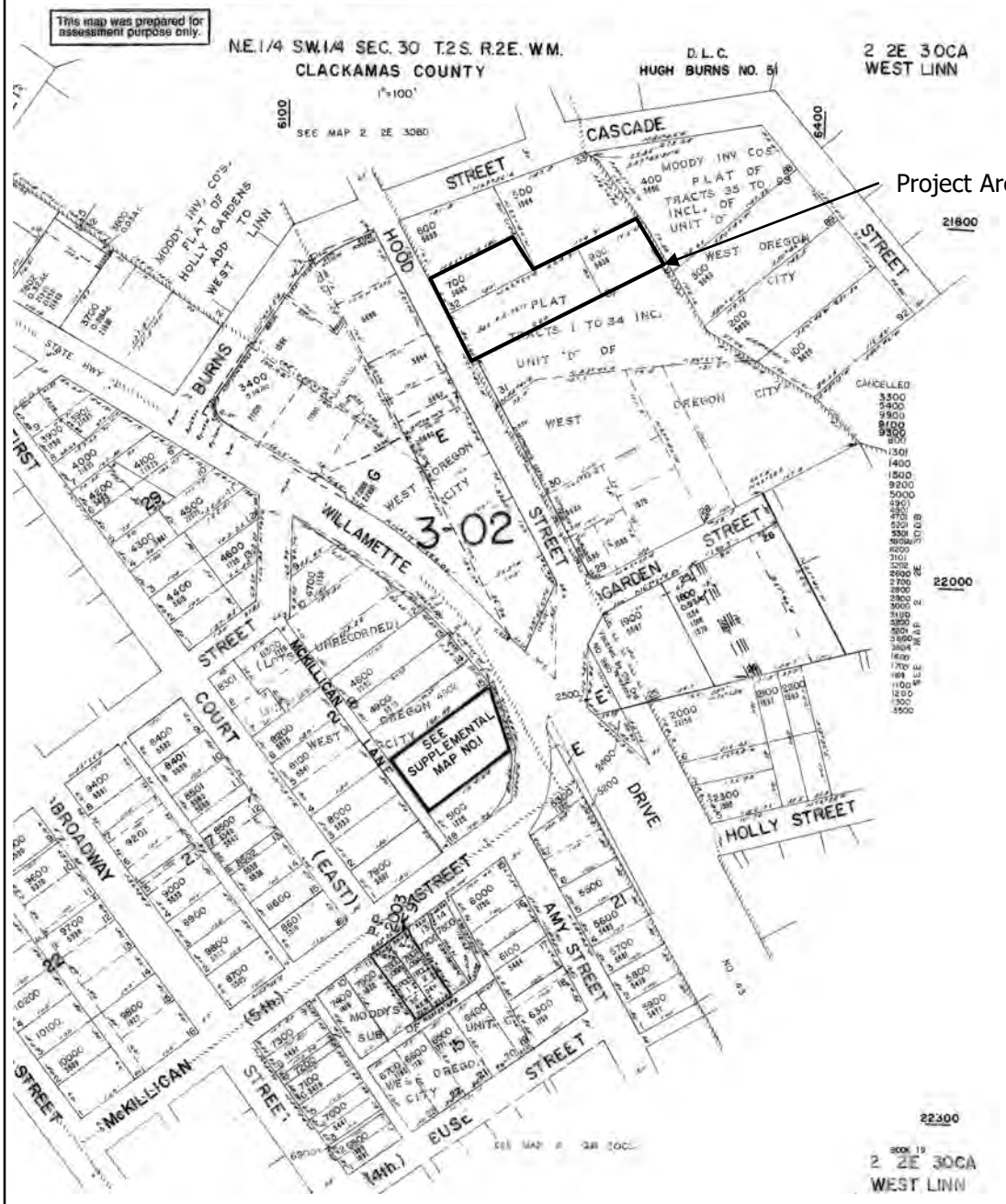


Figure 2: Tax Lot Map (TL 700, portion TL 900)
5665 and 5639 Hood Street
S&A 2696

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

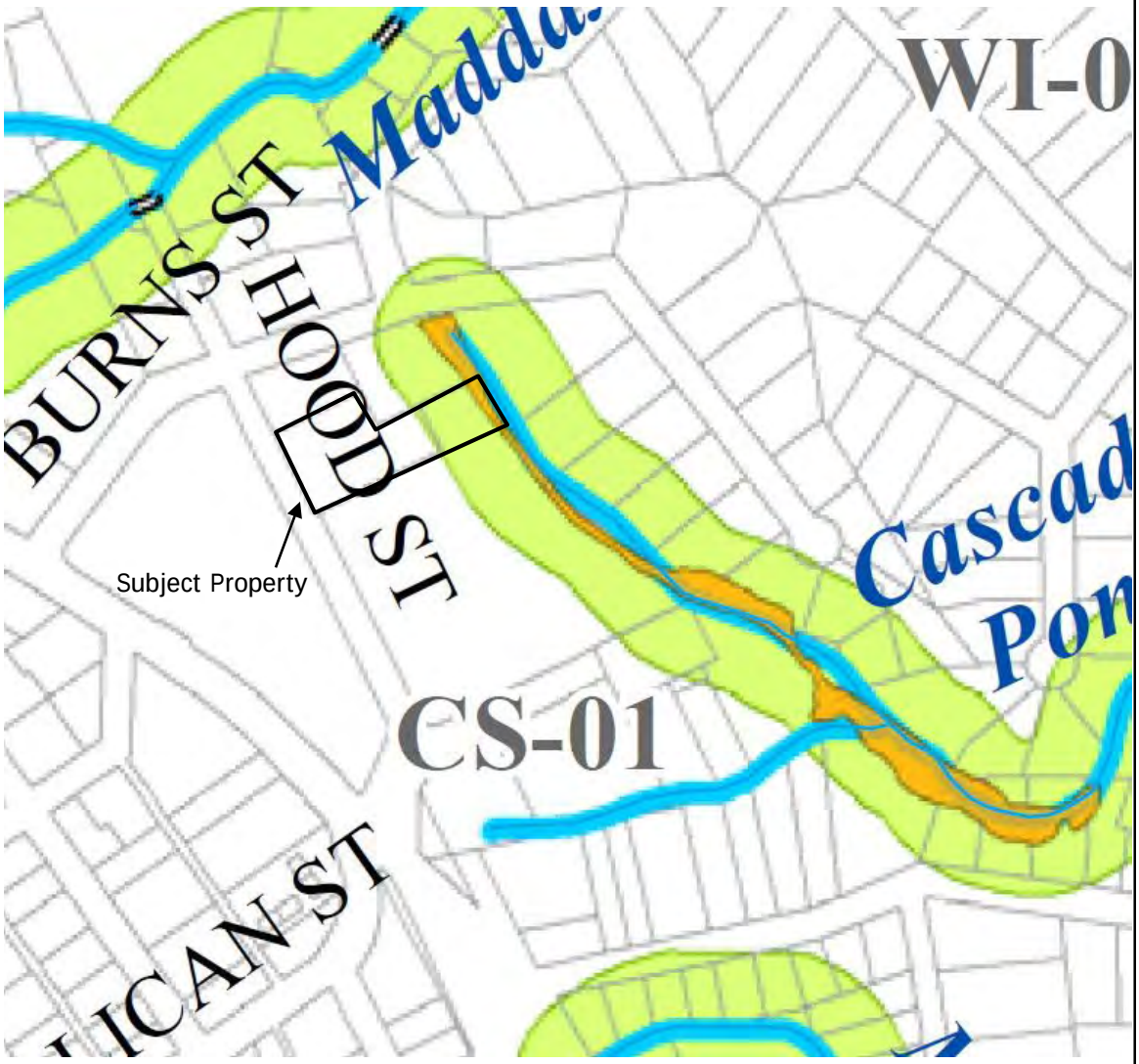


Figure 3: WRA, Tax Lot 700, Portion of Tax Lot 900
5665 and 5639 Hood Street
S&A 2696

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

APPENDIX B: EXISTING CONDITIONS MAP

0 15' 30'

SCALE: 1"=30'

EXISTING POST OFFICE

SEE ENLARGEMENT SHEET

EXISTING GRAVEL LOT (WITHIN WRA)

TOP OF SLOPE

25' GEOTECH REDUCTION

50' SETBACK

EXISTING MARKET OF CHOICE PARKING

WESTLAKE CONSULTANTS INC.

ENGINEERING ◆ SURVEYING ◆ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224

(503) 684-0652
FAX (503) 624-0157

WEST LINN REDEVELOPMENT

WEST LINN, OREGON

EXISTING CONDITIONS OVERALL

DATE	2020-06-23
REVISION	0
DRAWN BY	JAB
CHECKED BY	KLS
JOB NO.	2838-001

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\EXHIBITS\2020-06-23 SCHOTT\SCHOTT EXHIBITS - OPTION A.DWG 2020/06/23 - 05:13PM - JAB

APPENDIX C: DEVELOPMENT/MITIGATION PLANS

0 15' 30'

SCALE: 1"=30'

PROPOSED BUILDING

PROPOSED PARKING

SEE ENLARGEMENT SHEET

PROPOSED LIMITS OF DEVELOPMENT

TOP OF SLOPE

PROPOSED PARKING

2402 SF OF DEVELOPMENT WITHIN SETBACK

25' GEOTECH REDUCTION

50' SETBACK

2402 SF OF MITIGATION AREA PRECISE LOCATION TO BE MARKED UNDER GUIDANCE OF PROJECT BIOLOGIST

EXISTING MARKET OF CHOICE PARKING

XW XSS G E XSD

WESTLAKE CONSULTANTS INC.

ENGINEERING ◆ SURVEYING ◆ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503) 684-0652
FAX (503) 624-0157

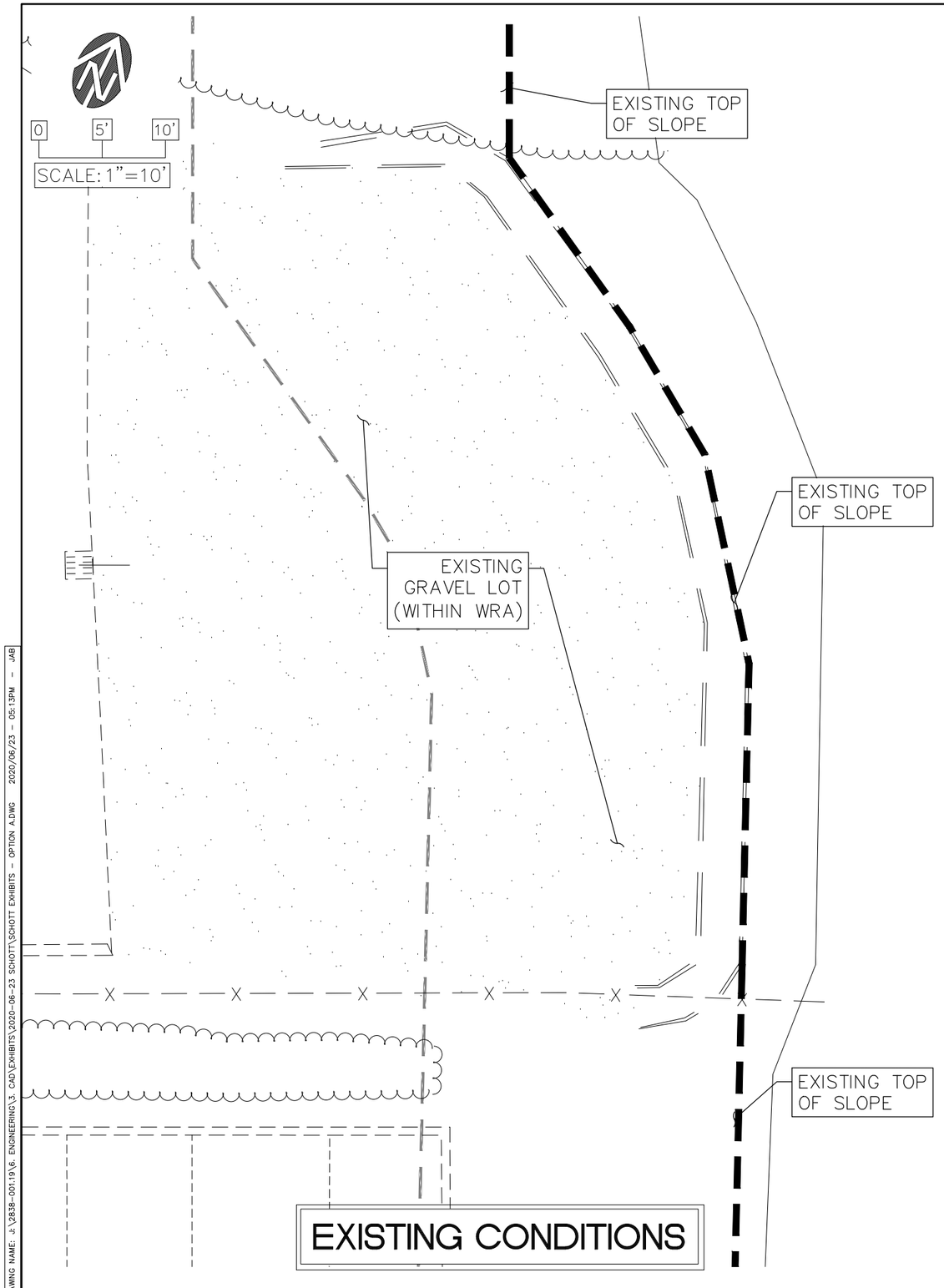
WEST LINN REDEVELOPMENT

WEST LINN, OREGON

PROPOSED CONDITIONS
OPTION A – OVERALL

DATE	2020-06-23
REVISION	0
DRAWN BY	JAB
CHECKED BY	KLS
JOB NO.	2838-001

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\EXHIBITS\2020-06-30 SCHOTT\SCHOTT EXHIBITS - OPTION A.DWG 2020/06/30 - 03:36PM - JAB



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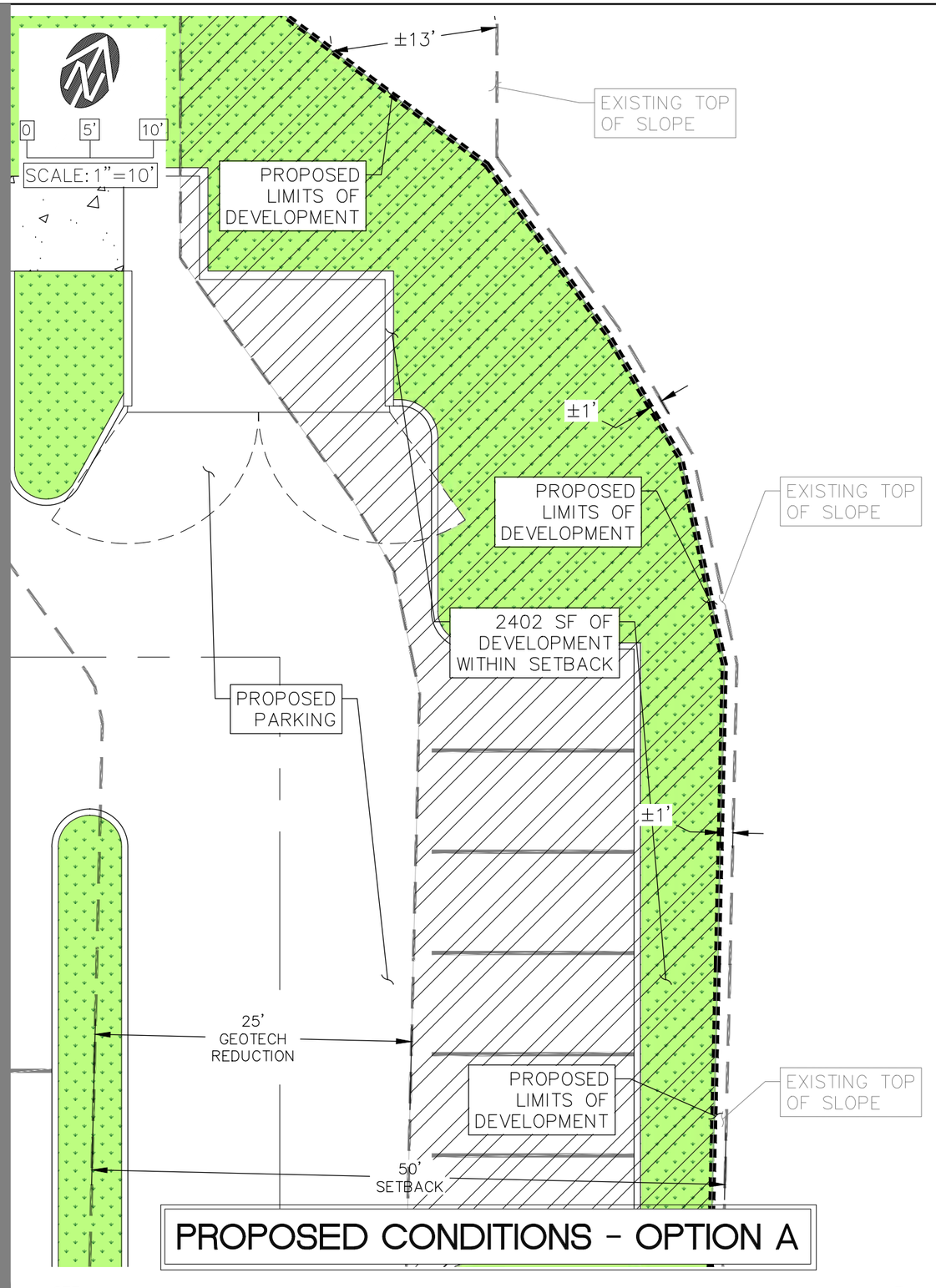

PROPOSED CONDITIONS - OPTION A

WESTLAKE CONSULTANTS INC.
ENGINEERING ◆ SURVEYING ◆ PLANNING
PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503) 684-0652
FAX (503) 624-0157

WEST LINN REDEVELOPMENT

WEST LINN, OREGON

EXISTING AND PROPOSED (OPTION A) ENLARGEMENTS

DATE	2020-06-23
REVISION	0
DRAWN BY	JAB
CHECKED BY	KLS
JOB NO.	2838-001

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\EXHIBITS\2020-06-23 SCHOTT\SCHOTT EXHIBITS - OPTION A.DWG 2020/06/23 - 05:13PM - JAB

0 15' 30'

SCALE: 1"=30'

PROPOSED BUILDING

SEE ENLARGEMENT SHEET

PROPOSED LIMITS OF DEVELOPMENT

TOP OF SLOPE

PROPOSED PARKING

PROPOSED PARKING

25' GEOTECH REDUCTION

50' SETBACK

2402 SF OF DEVELOPMENT WITHIN SETBACK

2402 SF OF MITIGATION AREA PRECISE LOCATION TO BE MARKED UNDER GUIDANCE OF PROJECT BIOLOGIST

EXISTING MARKET OF CHOICE PARKING

XW XSS G E XSD

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\EXHIBITS\2020-06-30 SCHOTT\SCHOTT EXHIBITS - OPTION B.DWG 2020/06/30 - 03:37PM - JAB

WESTLAKE CONSULTANTS INC.

ENGINEERING ◆ SURVEYING ◆ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150
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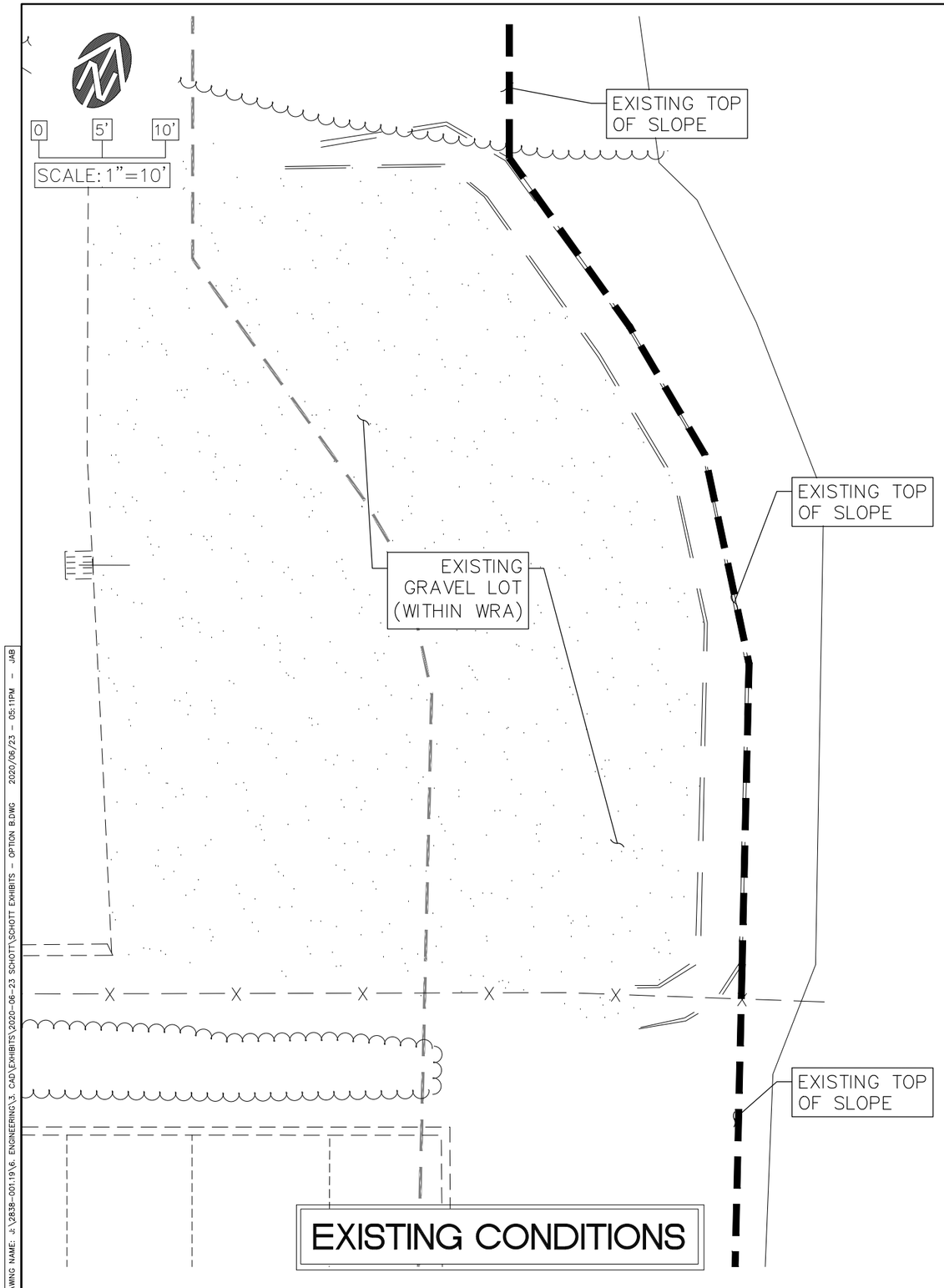
(503) 684-0652
FAX (503) 624-0157

WEST LINN REDEVELOPMENT

WEST LINN, OREGON

PROPOSED CONDITIONS
OPTION B – OVERALL

DATE	2020-06-23
REVISION	0
DRAWN BY	JAB
CHECKED BY	KLS
JOB NO.	2838-001



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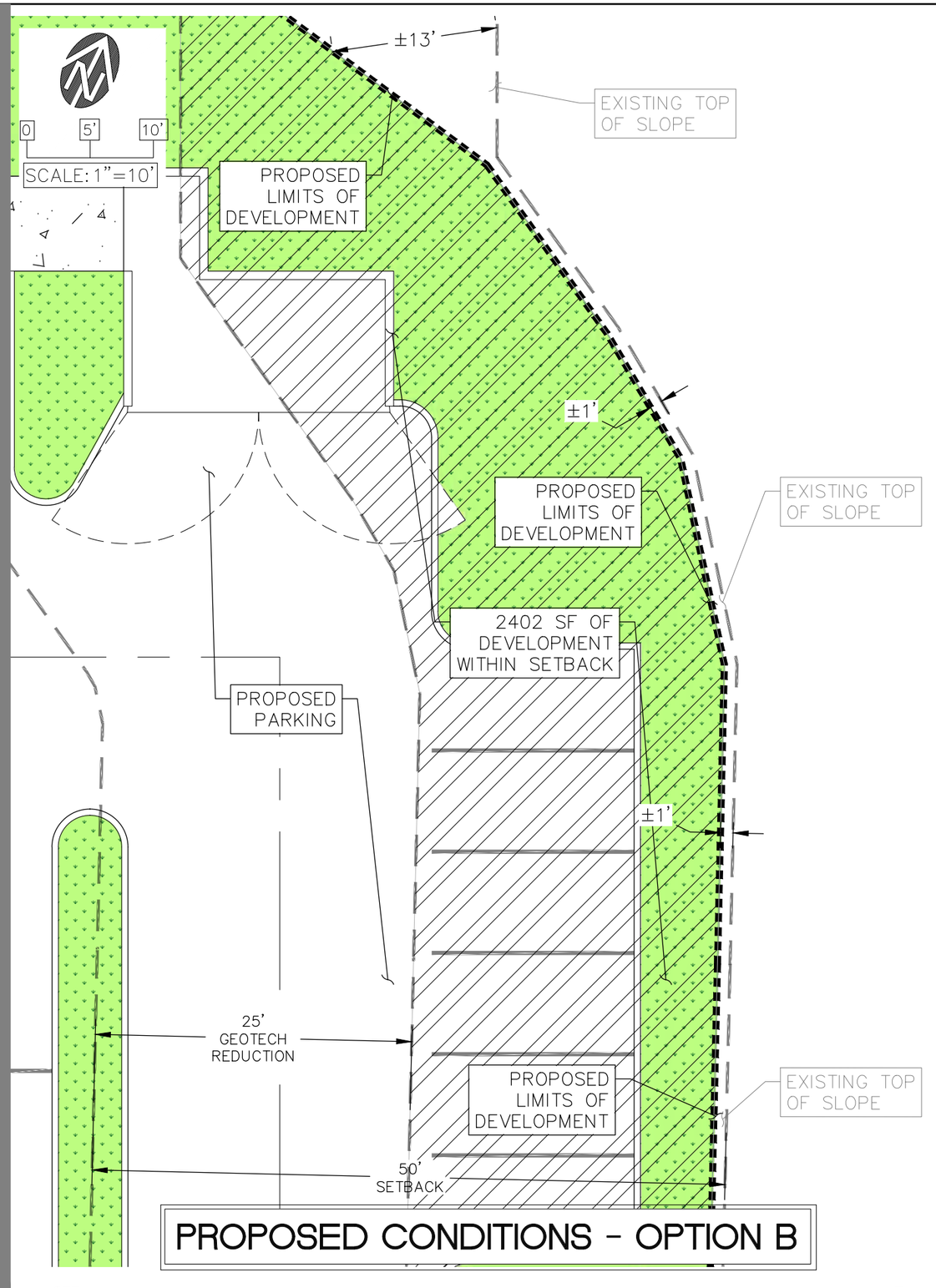

PROPOSED CONDITIONS - OPTION B

WESTLAKE CONSULTANTS INC.
ENGINEERING ◆ SURVEYING ◆ PLANNING
PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503) 684-0652
FAX (503) 624-0157

WEST LINN REDEVELOPMENT

WEST LINN, OREGON

EXISTING AND PROPOSED (OPTION B) ENLARGEMENTS

DATE	DEVISION	DRAWN BY	CHECKED BY	JOB NO.
2020-06-23	0	JAB	KLS	2838-001

DRAWING NAME: J:\2838-001.19\6. ENGINEERING\3. CAD\EXHIBITS\2020-06-23 SCHOTT\SCHOTT EXHIBITS - OPTION B.DWG 2020/06/23 - 05:11PM - JAB

APPENDIX D: GEOTECH REPORT

October 17, 2019

Matt Grady
Gramor Development
19767 SW 72nd Avenue, Suite 100
Tualatin, Oregon 97062

Via email: Matt@gramor.com

Regarding: Geotechnical Engineering Services
Proposed Parking Lot
5665 Hood Street
West Linn, Oregon 97068
PBS Project 73454.000

Dear Mr. Grady:

PBS Engineering and Environmental Inc. (PBS) understands future site development includes relocating the existing post office and paving the existing, gravel-surface lot behind the post office. We understand site grading is currently being developed but currently includes predominantly cuts of up to about 1 foot over most of the gravel-surface area and up to 2 feet of fill at the northeastern corner. This area will be surfaced with asphalt concrete pavement and surrounded with a concrete curb that directs surface water away from the slope.

SURFACE CONDITIONS

The gravel-surface area is currently being used as a parking lot for personal vehicles and abuts the existing slope along the eastern edge of the site. Site topography slopes generally down to the northeast at slopes of about 1.25H:1V (horizontal to vertical) and flatter, toward a small creek. The existing slope is heavily vegetated with ivy and several trees.

SUBSURFACE CONDITIONS

PBS explored subsurface conditions at the site by completing one boring, designated B-1, to a depth of approximately 41.5 feet below the existing ground surface (bgs) in the gravel parking area. The location of PBS' exploration in relation to existing site features is shown on the attached Site Plan, Figure 1. Subsurface conditions consisted of gravelly clay and well-graded gravel fill from the ground surface to approximately 5 feet bgs, underlain by lean clay with variable amounts of sand and gravel to approximately 13 feet bgs, underlain by silty sand to the 41.5-foot depth explored. Groundwater was not directly measured due to the use of mud rotary drilling techniques, but samples were generally wet below a depth of approximately 20 feet. The interpreted boring log is presented as Figure A1 in Attachment A, Field Explorations.

SLOPE STABILITY ANALYSES

Slope stability is influenced by various factors including: (1) the geometry of the soil mass and subsurface materials, (2) the weight of soils overlying the failure surface, (3) the shear strength of soils and/or rock along the failure surface, and (4) the hydrostatic pressure (groundwater levels) along the failure surface. The stability of a slope is expressed in terms of factor of safety (FS), which is defined as the ratio of resisting forces to driving forces. At equilibrium, the FS is equal to 1.0 and the driving forces are balanced by the resisting forces. Failure occurs

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when the driving forces exceed the resisting forces, i.e., FS less than 1.0. An increase in the FS above 1.0, whether by increasing the resisting forces and/or decreasing the driving forces, reflects a corresponding increase in the stability of the mass. The actual FS may differ from the calculated FS due to uncertainty in soil strengths, subsurface geometry, failure surface location and orientation, groundwater levels, and other factors that are not completely known or understood. We have used information developed from our field explorations, laboratory testing, and our experience with similar earth materials to develop the stability analysis model. Our analyses and recommendations are based upon the assumption that subsurface conditions everywhere within the landslide mass are not significantly different from those encountered by the field explorations.

Slope stability analyses were performed to model the existing conditions and proposed site grading to determine if the proposed development will adversely impact stability of site slopes. The analyses were completed using the computer software SLIDE 6.0 by Rocscience, incorporating Bishop's simplified method of slices and Spencer's method.

CONCLUSION

Based on the results of our explorations and analyses, our current opinion is that the proposed site grading will not reduce the stability of site slopes.

Please feel free to contact me at 503.539.5028 or ryan.white@pbsusa.com with any questions or comments.

Sincerely,

Ryan White, PE, GE
Geotechnical Engineering Group Manager

Attachment A: Field Explorations
Figure 1. Site Plan
Table A-1. Terminology Used to Describe Soil
Table A-2. Key to Test Pit and Boring Log Symbols
Figure A1. Log for Boring B-1

Attachment B: Laboratory Testing
Figure B1. Atterberg Limits Test Results
Figure B2. Summary of Laboratory Data

RW:rg

Attachment A
Field Explorations

EXPLANATION

B-1 - Boring name and approximate location

Notes: Google Earth 2018 imagery

1 inch = 50 feet

0 25 50 Feet 100

SITE PLAN

PROPOSED PARKING LOT
WEST LINN, OREGON

DATE: OCT 2019 · PROJECT: 73454.000

PBS

FIGURE
1

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Soil Descriptions

Soils exist in mixtures with varying proportions of components. The predominant soil, i.e., greater than 50 percent based on total dry weight, is the primary soil type and is capitalized in our log descriptions (SAND, GRAVEL, SILT, or CLAY). Smaller percentages of other constituents in the soil mixture are indicated by use of modifier words in general accordance with the ASTM D2488-06 Visual-Manual Procedure. "General Accordance" means that certain local and common descriptive practices may have been followed. In accordance with ASTM D2488-06, group symbols (such as GP or CH) are applied on the portion of soil passing the 3-inch (75mm) sieve based on visual examination. The following describes the use of soil names and modifying terms used to describe fine- and coarse-grained soils.

Fine-Grained Soils (50% or greater fines passing 0.075 mm, No. 200 sieve)
The primary soil type, i.e., SILT or CLAY is designated through visual-manual procedures to evaluate soil toughness, dilatency, dry strength, and plasticity. The following outlines the terminology used to describe fine-grained soils, and varies from ASTM D2488 terminology in the use of some common terms.

Primary soil NAME, Symbols, and Adjectives			Plasticity Description	Plasticity Index (PI)
SILT (ML & MH)	**CLAY (CL & CH)**	**ORGANIC SOIL (OL & OH)**		
SILT		Organic SILT	Non-plastic	0 – 3
SILT		Organic SILT	Low plasticity	4 – 10
SILT/Elastic SILT	Lean CLAY	Organic SILT/ Organic CLAY	Medium Plasticity	10 – 20
Elastic SILT	Lean/Fat CLAY	Organic CLAY	High Plasticity	20 – 40
Elastic SILT	Fat CLAY	Organic CLAY	Very Plastic	>40

Modifying terms describing secondary constituents, estimated to 5 percent increments, are applied as follows:

Description	% Composition	
With Sand	% Sand ≥ % Gravel	15% to 25% plus No. 200
With Gravel	% Sand < % Gravel	
Sandy	% Sand ≥ % Gravel	≤30% to 50% plus No. 200
Gravelly	% Sand < % Gravel	

Borderline Symbols, for example CH/MH, are used when soils are not distinctly in one category or when variable soil units contain more than one soil type. **Dual Symbols,** for example CL-ML, are used when two symbols are required in accordance with ASTM D2488.

Soil Consistency terms are applied to fine-grained, plastic soils (i.e., PI ≥ 7). Descriptive terms are based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84, as follows. SILT soils with low to non-plastic behavior (i.e., PI < 7) may be classified using relative density.

Consistency Term	SPT N-value	Unconfined Compressive Strength	
		tsf	kPa
Very soft	Less than 2	Less than 0.25	Less than 24
Soft	2 – 4	0.25 – 0.5	24 – 48
Medium stiff	5 – 8	0.5 – 1.0	48 – 96
Stiff	9 – 15	1.0 – 2.0	96 – 192
Very stiff	16 – 30	2.0 – 4.0	192 – 383
Hard	Over 30	Over 4.0	Over 383

Soil Descriptions

Coarse - Grained Soils (less than 50% fines)

Coarse-grained soil descriptions, i.e., SAND or GRAVEL, are based on the portion of materials passing a 3-inch (75mm) sieve. Coarse-grained soil group symbols are applied in accordance with ASTM D2488-06 based on the degree of grading, or distribution of grain sizes of the soil. For example, well-graded sand containing a wide range of grain sizes is designated SW; poorly graded gravel, GP, contains high percentages of only certain grain sizes. Terms applied to grain sizes follow.

Material NAME	Particle Diameter	
	Inches	Millimeters
SAND (SW or SP)	0.003 – 0.19	0.075 – 4.8
GRAVEL (GW or GP)	0.19 – 3	4.8 – 75
Additional Constituents:		
Cobble	3 – 12	75 – 300
Boulder	12 – 120	300 – 3050

The primary soil type is capitalized, and the fines content in the soil are described as indicated by the following examples. Percentages are based on estimating amounts of fines, sand, and gravel to the nearest 5 percent. Other soil mixtures will have similar descriptive names.

Example: Coarse-Grained Soil Descriptions with Fines

>5% to < 15% fines (Dual Symbols)	≥15% to < 50% fines
Well graded GRAVEL with silt: GW-GM	Silty GRAVEL: GM
Poorly graded SAND with clay: SP-SC	Silty SAND: SM

Additional descriptive terminology applied to coarse-grained soils follow.

Example: Coarse-Grained Soil Descriptions with Other Coarse-Grained Constituents

Coarse-Grained Soil Containing Secondary Constituents	
With sand or with gravel	≥ 15% sand or gravel
With cobbles; with boulders	Any amount of cobbles or boulders.

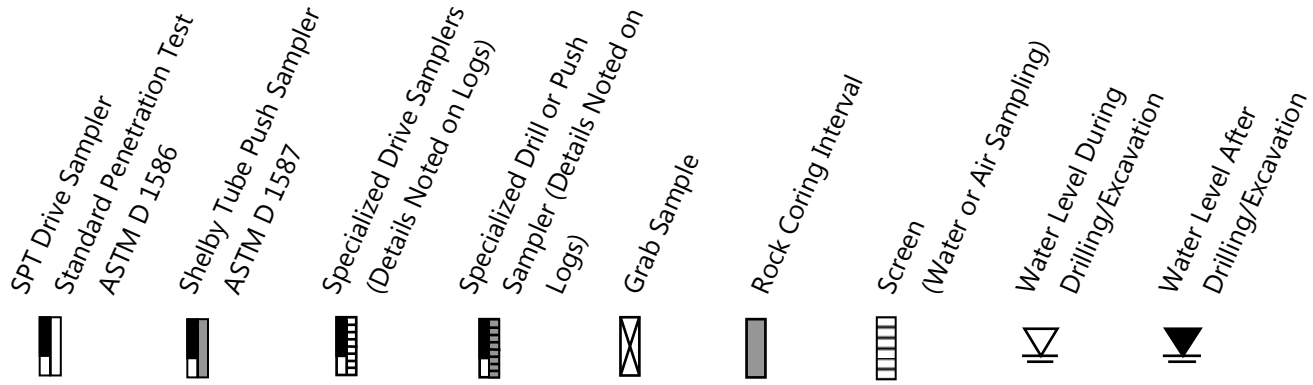
Cobble and boulder deposits may include a description of the matrix soils, as defined above.

Relative Density terms are applied to granular, non-plastic soils based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84.

Relative Density Term	SPT N-value
Very loose	0 – 4
Loose	5 – 10
Medium dense	11 – 30
Dense	31 – 50
Very dense	> 50

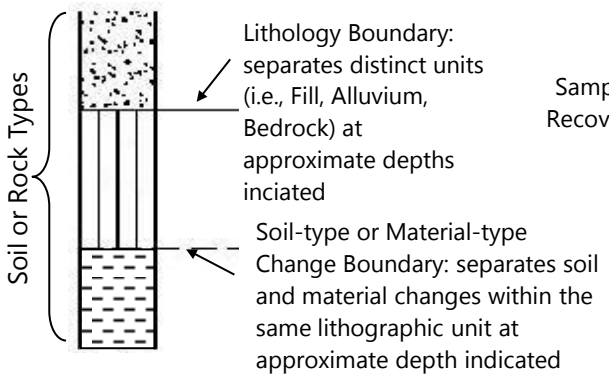
Table A-2
Key To Test Pit and Boring Log Symbols

SAMPLING DESCRIPTIONS

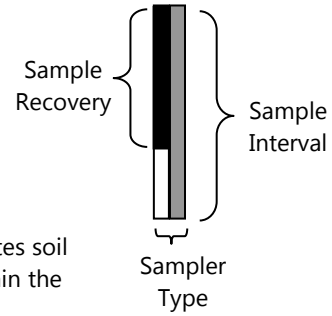


LOG GRAPHICS

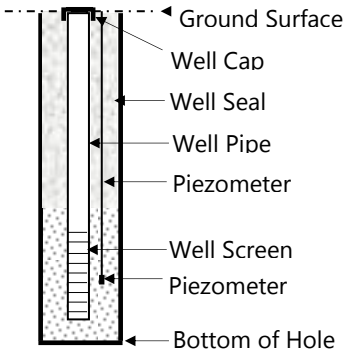
Soil and Rock



Sampling Symbols



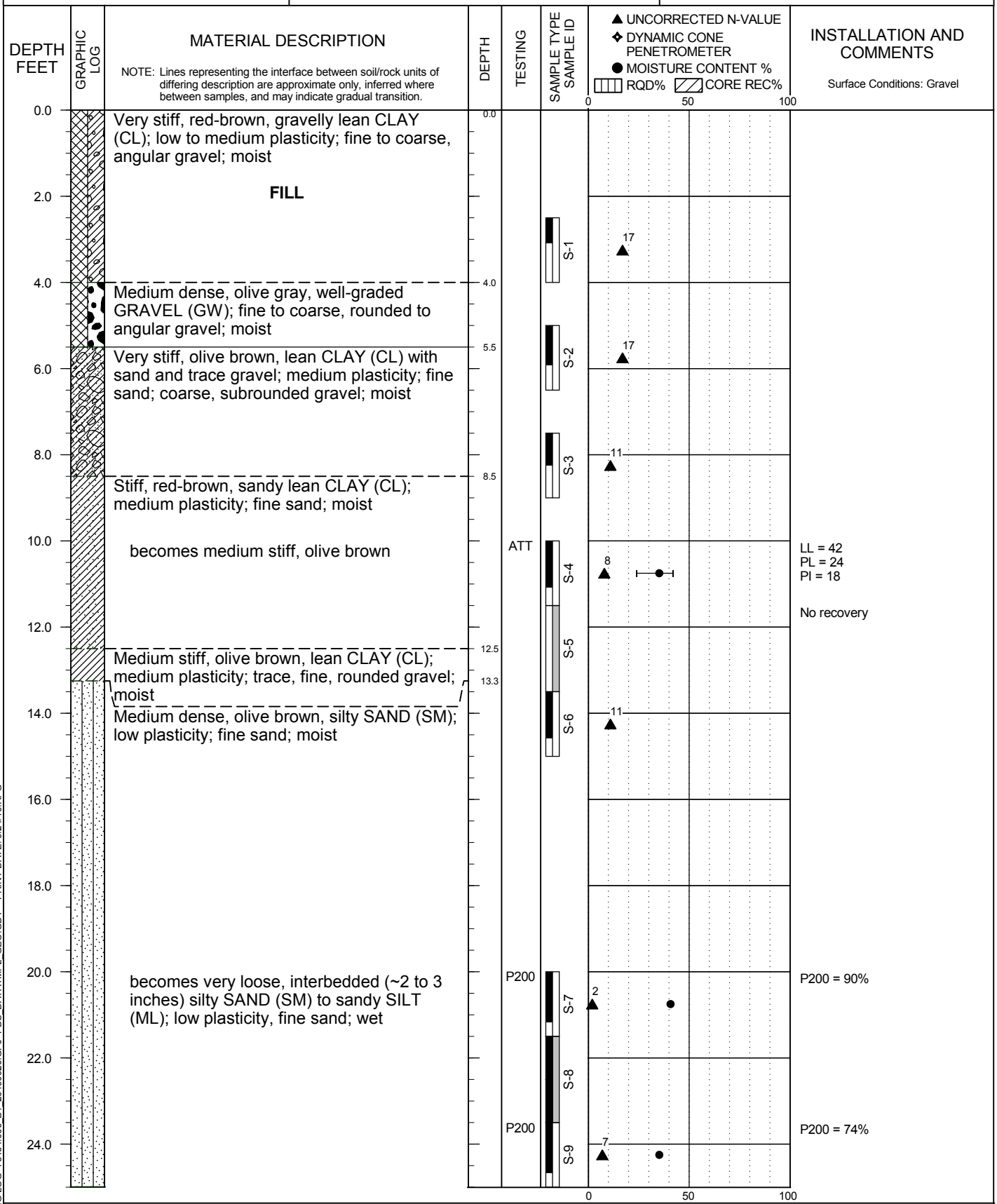
Instrumentation Detail



Geotechnical Testing Acronym Explanations

PP	Pocket Penetrometer	HYD	Hydrometer Gradation
TOR	Torvane	SIEV	Sieve Gradation
DCP	Dynamic Cone Penetrometer	DS	Direct Shear
ATT	Atterberg Limits	DD	Dry Density
PL	Plasticity Limit	CBR	California Bearing Ratio
LL	Liquid Limit	RES	Resilient Modulus
PI	Plasticity Index	VS	Vane Shear
P200	Percent Passing US Standard No. 200 Sieve	bgs	Below ground surface
OC	Organic Content	MSL	Mean Sea Level
CON	Consolidation	HCL	Hydrochloric Acid
UC	Unconfined Compressive Strength		

PBS	HOOD STREET PARKING LOT WEST LINN, OREGON	**BORING B-1**
	PBS PROJECT NUMBER: 73454.000	APPROX. BORING B-1 LOCATION: 45.36735; -122.61217



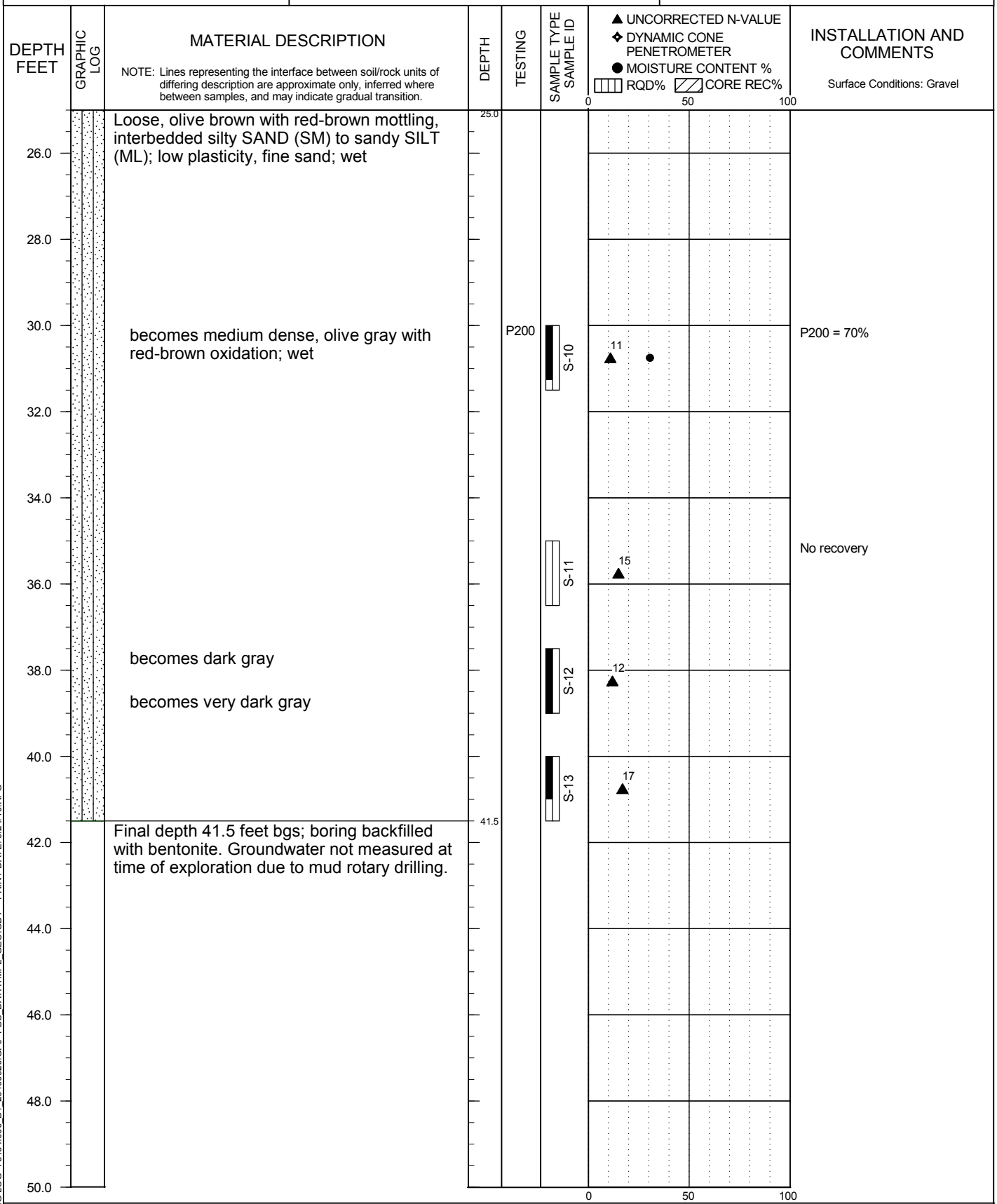
DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: S. Cordes

BIT DIAMETER: 4 7/8 inches
HAMMER EFFICIENCY PERCENT: 86.5
LOGGING COMPLETED: 9/17/19

FIGURE A1
Page 1 of 2

BORING LOG 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/24/19:RPG

PBS	HOOD STREET PARKING LOT WEST LINN, OREGON	**BORING B-1** (continued)
	PBS PROJECT NUMBER: 73454.000	APPROX. BORING B-1 LOCATION: 45.36735; -122.61217



DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: S. Cordes

BIT DIAMETER: 4 7/8 inches
HAMMER EFFICIENCY PERCENT: 86.5
LOGGING COMPLETED: 9/17/19

FIGURE A1
Page 2 of 2

BORING LOG 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/24/19:RPG

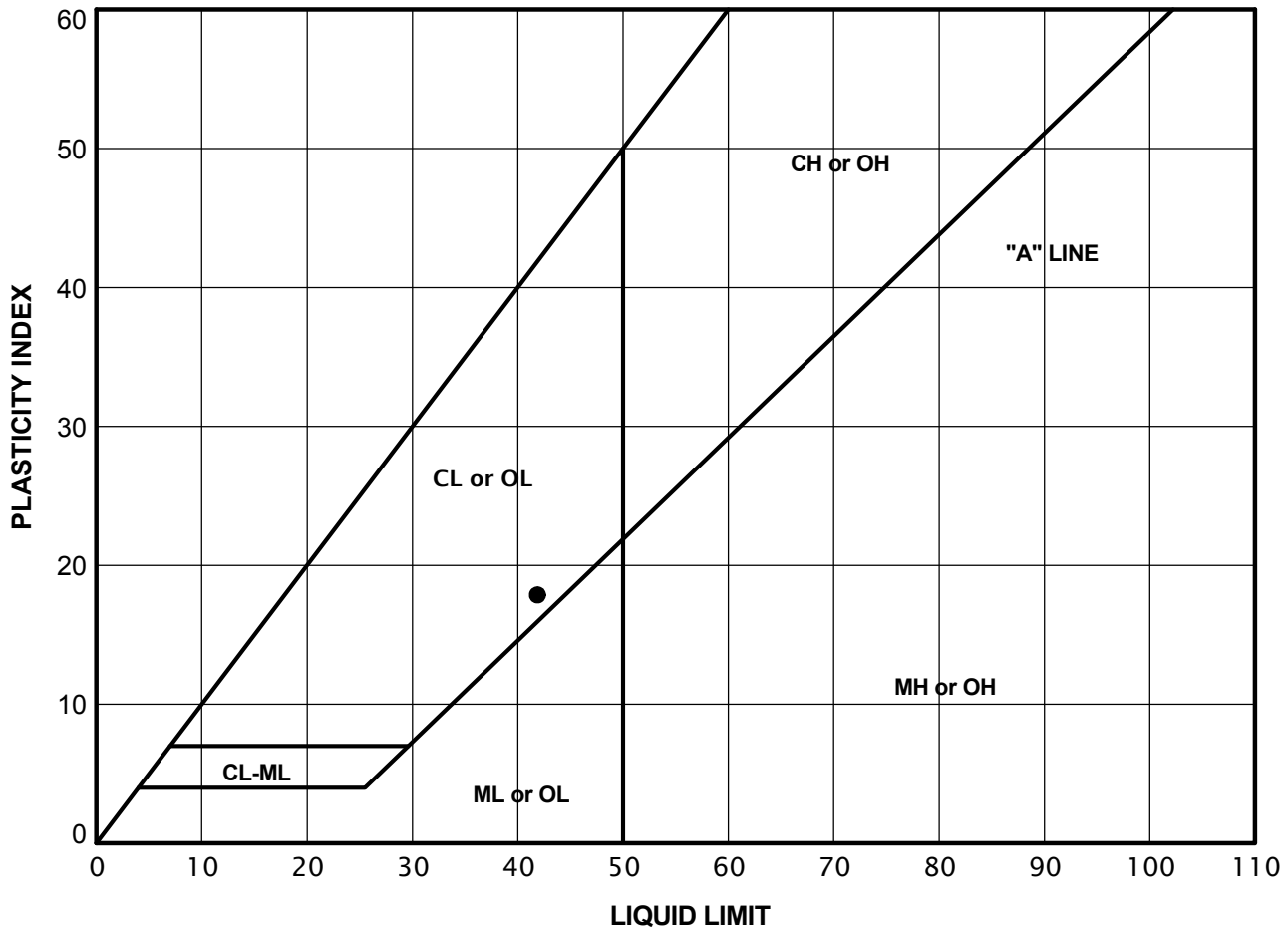
Attachment B
Laboratory Testing

ATTERBERG LIMITS TEST RESULTS

HOOD STREET PARKING LOT
WEST LINN, OREGON

PBS PROJECT NUMBER:
73454.000

TEST METHOD: ASTM D4318



KEY	EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	NATURAL MOISTURE CONTENT (PERCENT)	PERCENT PASSING NO. 40 SIEVE (PERCENT)	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX
●	B-1	S-4	10.0	35.1	NA	42	24	18

FIGURE B1

_ATTERBERG LIMITS 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/23/19:RPG

SUMMARY OF LABORATORY DATA

HOOD STREET PARKING LOT
WEST LINN, OREGON

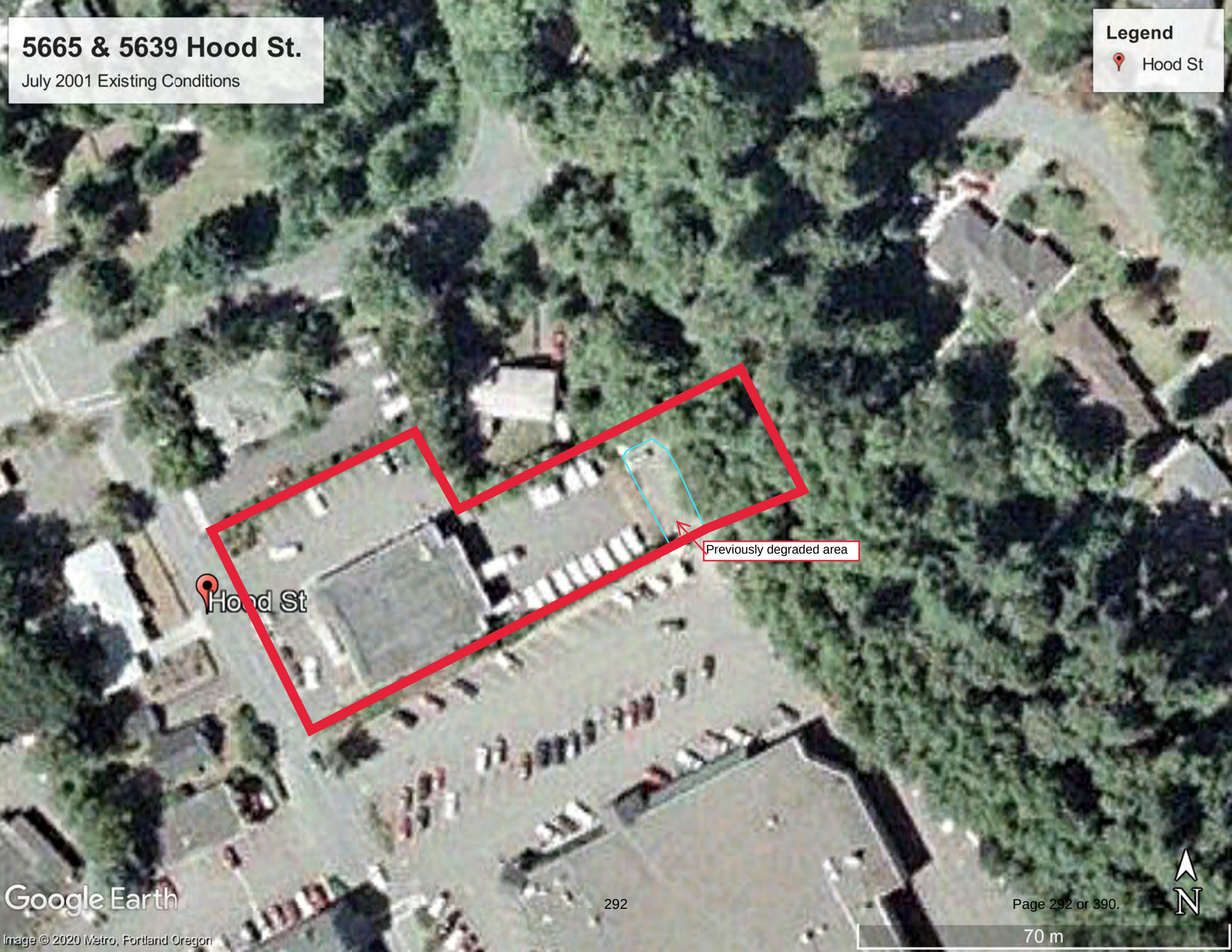
PBS PROJECT NUMBER:
73454.000

SAMPLE INFORMATION				MOISTURE CONTENT (PERCENT)	DRY DENSITY (PCF)	SIEVE			ATTERBERG LIMITS		
EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	ELEVATION (FEET)			GRAVEL (PERCENT)	SAND (PERCENT)	P200 (PERCENT)	LIQUID LIMIT (PERCENT)	PLASTIC LIMIT (PERCENT)	PLASTICITY INDEX (PERCENT)
B-1	S-4	10		35.1					42	24	18
B-1	S-7	20		40.7				90			
B-1	S-9	23.5		35.1				74			
B-1	S-10	30		30.5				70			

FIGURE B2
Page 1 of 1

__LAB SUMMARY 73454.000_B1_20190920.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 9/23/19.RPG

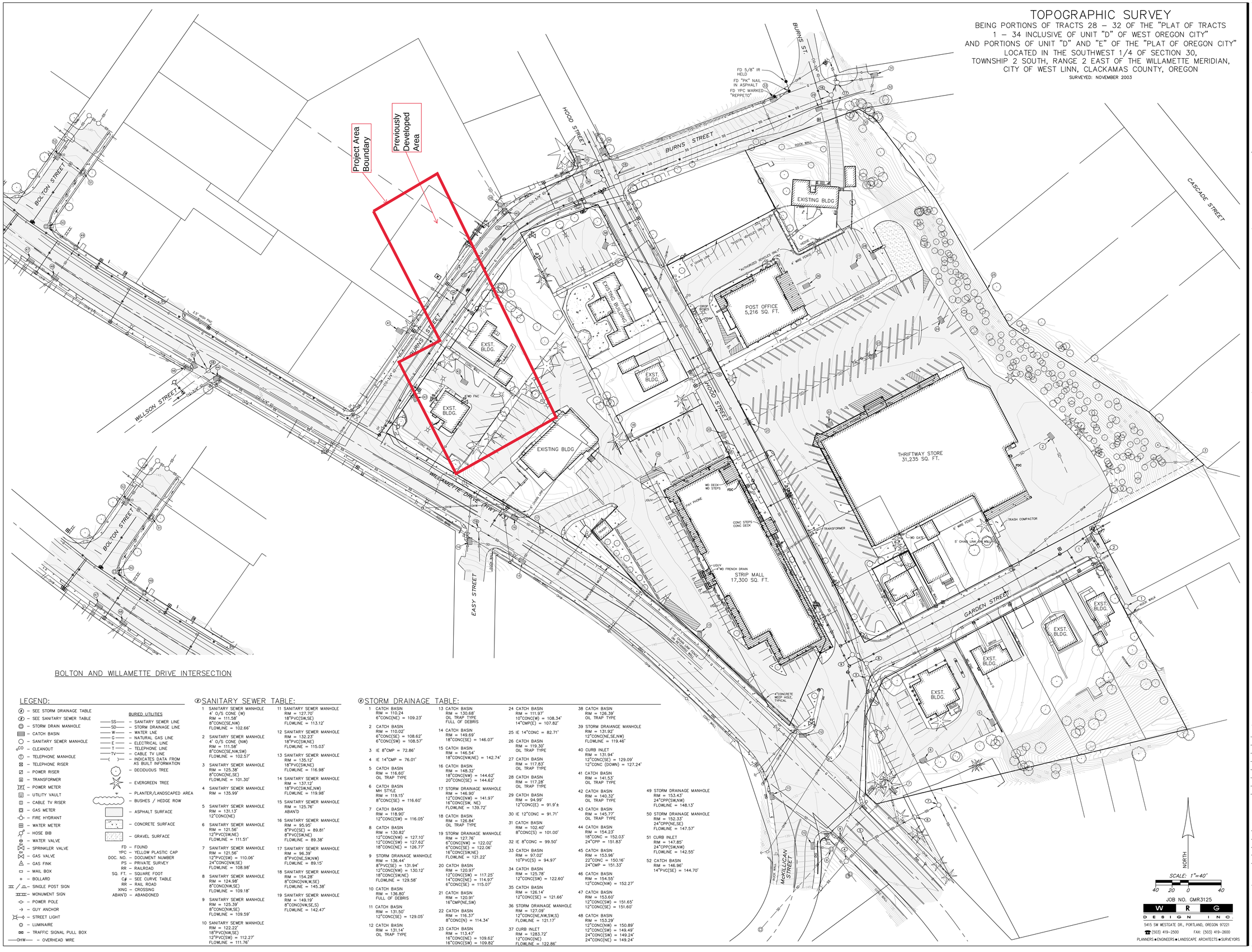
APPENDIX E: HISTORICAL CONDITIONS


5665 & 5639 Hood St.
July 2001 Existing Conditions
Legend
Hood St
Previously degraded area
Hood St
Google Earth
Image © 2020 Metro, Portland Oregon
N
70 m

TOPOGRAPHIC SURVEY

BEING PORTIONS OF TRACTS 28 – 32 OF THE "PLAT OF TRACTS 1 – 34 INCLUSIVE OF UNIT "D" OF WEST OREGON CITY" AND PORTIONS OF UNIT "D" AND "E" OF THE "PLAT OF OREGON CITY" LOCATED IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

SURVEYED: NOVEMBER 2003



BOLTON AND WILLAMETTE DRIVE INTERSECTION

LEGEND:

- (#) – SEE STORM DRAINAGE TABLE
- (#) – SEE SANITARY SEWER TABLE
- – STORM DRAIN MANHOLE
- – CATCH BASIN
- – SANITARY SEWER MANHOLE
- – CLEANOUT
- – TELEPHONE MANHOLE
- – TELEPHONE RISER
- – POWER RISER
- – TRANSFORMER
- – POWER METER
- – UTILITY VAULT
- – CABLE TV RISER
- – GAS METER
- – FIRE HYDRANT
- – WATER METER
- – HOSE BIB
- – WATER VALVE
- – SPRINKLER VALVE
- – GAS VALVE
- – GAS FINK
- – MAIL BOX
- – BOLLARD
- – SINGLE POST SIGN
- – MONUMENT SIGN
- – POWER POLE
- – GUY ANCHOR
- – STREET LIGHT
- – LUMINAIRE
- – TRAFFIC SIGNAL PULL BOX
- OHW – OVERHEAD WIRE

BURIED UTILITIES

- SS – SANITARY SEWER LINE
- SD – STORM DRAINAGE LINE
- W – WATER LINE
- G – NATURAL GAS LINE
- E – ELECTRICAL LINE
- T – TELEPHONE LINE
- TV – CABLE TV LINE
- ( ) – INDICATES DATA FROM AS BUILT INFORMATION

- – DECIDUOUS TREE
- – EVERGREEN TREE
- – PLANTER/LANDSCAPED AREA
- – BUSHES / HEDGE ROW
- – ASPHALT SURFACE
- – CONCRETE SURFACE
- – GRAVEL SURFACE

- FD – FOUND
- YPC – YELLOW PLASTIC CAP
- DOC. NO. – DOCUMENT NUMBER
- PS – PRIVATE SURVEY
- RR – RAILROAD
- SQ. FT. – SQUARE FOOT
- C# – SEE CURVE TABLE
- RR – RAIL ROAD
- XING – CROSSING
- ABAN'D – ABANDONED

(#) SANITARY SEWER TABLE:

1 SANITARY SEWER MANHOLE
4' O/S CONE (W)
RIM = 111.58'
8"CONC(SE,NW)
FLOWLINE = 102.66'

2 SANITARY SEWER MANHOLE
4' O/S CONE (NW)
RIM = 111.58'
8"CONC(SE,NW,SW)
FLOWLINE = 102.57'

3 SANITARY SEWER MANHOLE
RIM = 125.38'
8"CONC(NE,SE)
FLOWLINE = 101.30'

4 SANITARY SEWER MANHOLE
RIM = 135.99'

5 SANITARY SEWER MANHOLE
RIM = 131.13'
12"CONC(NE)

6 SANITARY SEWER MANHOLE
RIM = 121.56'
12"PVC(SW,NE)
FLOWLINE = 111.51'

7 SANITARY SEWER MANHOLE
RIM = 121.56'
12"PVC(SW) = 110.06'
24"CONC(NW,SE)
FLOWLINE = 108.98'

8 SANITARY SEWER MANHOLE
RIM = 124.98'
8"CONC(NW,SE)
FLOWLINE = 109.18'

9 SANITARY SEWER MANHOLE
RIM = 125.39'
8"CONC(NW,SE)
FLOWLINE = 109.59'

10 SANITARY SEWER MANHOLE
RIM = 122.22'
18"PVC(NW,SE)
12"PVC(SW) = 112.27'
FLOWLINE = 111.76'

11 SANITARY SEWER MANHOLE
RIM = 127.70'
8"CONC(NW,SE)
FLOWLINE = 113.12'

12 SANITARY SEWER MANHOLE
RIM = 132.23'
18"PVC(SW,NE)
FLOWLINE = 115.03'

13 SANITARY SEWER MANHOLE
RIM = 135.12'
18"PVC(SW,NE)
FLOWLINE = 116.98'

14 SANITARY SEWER MANHOLE
RIM = 137.12'
18"PVC(SW,NE,NW)
FLOWLINE = 119.98'

15 SANITARY SEWER MANHOLE
RIM = 125.76'
ABAN'D

16 SANITARY SEWER MANHOLE
RIM = 95.95'
8"PVC(SE) = 89.81'
8"PVC(SW,NE)
FLOWLINE = 89.38'

17 SANITARY SEWER MANHOLE
RIM = 96.39'
8"CONC(NE,SW,NW)
FLOWLINE = 89.15'

18 SANITARY SEWER MANHOLE
RIM = 154.28'
8"CONC(NW,W,SE)
FLOWLINE = 145.38'

19 SANITARY SEWER MANHOLE
RIM = 149.19'
8"CONC(NW,SE,S)
FLOWLINE = 142.47'

(#) STORM DRAINAGE TABLE:

1 CATCH BASIN
RIM = 110.24
6"CONC(NE) = 109.23'

2 CATCH BASIN
RIM = 110.02'
6"CONC(SE) = 108.62'
6"CONC(SW) = 108.57'

3 IE 8"CMP = 72.86'

4 IE 14"CMP = 76.01'

5 CATCH BASIN
RIM = 116.60'
OIL TRAP TYPE

6 CATCH BASIN
MH STYLE
RIM = 119.15'
8"CONC(SE) = 116.60'

7 CATCH BASIN
RIM = 118.90'
12"CONC(SW) = 116.05'

8 CATCH BASIN
RIM = 130.82'
12"CONC(NW) = 127.10'
12"CONC(SW) = 127.62'
18"CONC(NE) = 126.77'

9 STORM DRAINAGE MANHOLE
RIM = 136.44'
8"PVC(SE) = 131.94'
12"CONC(NW) = 130.12'
18"CONC(SW,NE)
FLOWLINE = 129.58'

10 CATCH BASIN
RIM = 136.80'
FULL OF DEBRIS

11 CATCH BASIN
RIM = 131.50'
12"CONC(SE) = 129.05'

12 CATCH BASIN
RIM = 131.14'
OIL TRAP TYPE

13 CATCH BASIN
RIM = 130.68'
OIL TRAP TYPE
FULL OF DEBRIS

14 CATCH BASIN
RIM = 149.69'
18"CONC(SE) = 146.07'

15 CATCH BASIN
RIM = 146.54'
18"CONC(NW,NE) = 142.74'

16 CATCH BASIN
RIM = 148.32'
18"CONC(NW) = 144.62'
20"CONC(SE) = 144.62'

17 STORM DRAINAGE MANHOLE
RIM = 146.90'
12"CONC(NW) = 141.97'
16"CONC(SW, NE)
FLOWLINE = 139.72'

18 CATCH BASIN
RIM = 126.84'
OIL TRAP TYPE

19 STORM DRAINAGE MANHOLE
RIM = 127.76
6"CONC(NW) = 122.02'
6"CONC(SE) = 122.06'
16"CONC(SW,NE)
FLOWLINE = 121.22'

20 CATCH BASIN
RIM = 120.97'
12"CONC(SW) = 117.25'
14"CONC(NE) = 114.97'
6"CONC(SE) = 115.07'

21 CATCH BASIN
RIM = 120.91'
16"CMP(NE,SW)

22 CATCH BASIN
RIM = 116.37'
8"CONC(N) = 114.34'

23 CATCH BASIN
RIM = 113.47'
16"CONC(NE) = 109.62'
16"CONG(SW) = 109.82'

24 CATCH BASIN
RIM = 111.97'
10"CONC(W) = 108.34'
14"CMP(E) = 107.82'

25 IE 14"CONC = 82.71'

26 CATCH BASIN
RIM = 119.30'
OIL TRAP TYPE

27 CATCH BASIN
RIM = 117.83'
OIL TRAP TYPE

28 CATCH BASIN
RIM = 117.28'
OIL TRAP TYPE

29 CATCH BASIN
RIM = 94.99'
12"CONC(E) = 91.9'±

30 IE 12"CONC = 91.71'

31 CATCH BASIN
RIM = 102.40'
8"CONC(S) = 101.00'

32 IE 8"CONC = 99.50'

33 CATCH BASIN
RIM = 97.02'
10"PVC(S) = 94.97'

34 CATCH BASIN
RIM = 125.78'
12"CONC(SW) = 122.60'

35 CATCH BASIN
RIM = 126.14'
12"CONC(SE) = 121.66'

36 STORM DRAINAGE MANHOLE
RIM = 127.09'
12"CONC(NE,NW,SW,S)
FLOWLINE = 121.17'

37 CURB INLET
RIM = 1283.72'
12"CONC(NE)
FLOWLINE = 122.86'

38 CATCH BASIN
RIM = 126.39'
OIL TRAP TYPE

39 STORM DRAIANGE MANHOLE
RIM = 131.92'
12"CONC(NE,SE,NW)
FLOWLINE = 119.46'

40 CURB INLET
RIM = 131.94'
12"CONC(SE) = 129.09'
12"CONC (DOWN) = 127.24'

41 CATCH BASIN
RIM = 141.53'
OIL TRAP TYPE

42 CATCH BASIN
RIM = 140.32'
OIL TRAP TYPE

43 CATCH BASIN
RIM = 145.77'
OIL TRAP TYPE

44 CATCH BASIN
RIM = 154.23'
18"CONC = 152.03'
24"CPP = 151.83'

45 CATCH BASIN
RIM = 153.96'
22"CONC = 150.16'
24"CMP = 151.33'

46 CATCH BASIN
RIM = 154.55'
12"CONC(NW) = 152.27'

47 CATCH BASIN
RIM = 153.60'
12"CONC(SW) = 151.65'
12"CONC(SE) = 151.60'

48 CATCH BASIN
RIM = 153.29'
12"CONC(NW) = 150.89'
12"CONC(SW) = 149.49'
24"CONC(SW) = 149.24'
24"CONC(NE) = 149.24'

49 STORM DRAINAGE MANHOLE
RIM = 153.43'
24"CPP(SW,NW)
FLOWLINE = 148.13'

50 STORM DRAINAGE MANHOLE
RIM = 152.33'
24"CPP(NE,SE)
FLOWLINE = 147.57'

51 CURB INLET
RIM = 147.85'
24"CPP(SW,NW)
FLOWLINE = 142.55'

52 CATCH BASIN
RIM = 146.96'
14"PVC(SE) = 144.70'

JOB NO. GMR3125

W R G DESIGN INC
5415 SW WESTGATE DR., PORTLAND, OREGON 97221
☎ (503) 419-2500 FAX: (503) 419-2600
PLANNERS ■ ENGINEERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
NOV. 16, 1998
MICHAEL D. FRANK
53854

RENEWAL DATE 12-31-03

TOPOGRAPHIC SURVEY
WEST LINN SHOPPING CENTER

WEST LINN, OREGON

FOR: GRAMOR DEVELOPMENT, INC., 19767 SW 72ND AVE., SUITE "P", TUALATIN, OREGON 97062

REV.	DATE	BY

PROJECT NO.
GMR3125

DATE 11/26/03
DRAWN ED
SURVEYOR M. FRANK
CHECKED

SHEET TITLE
TOPO-2003-11-18

SHEET NUMBER
2/2

KITTELSON & ASSOCIATES
851 SW 6th AVENUE, SUITE 600
PORTLAND, OR 97204
P 503.228.5230 F 503.273.8169

June 4, 2020 Project #: 25133

Matt Grady
Gramor Development
19767 SW 72nd Avenue, Suite 100
Tualatin, OR 97062-8352

RE: West Linn Central Village Post Office Reconfiguration Project – Updated June 2020

Dear Matt,

Per our discussions, we have assessed the trip generation associated with the replacement of the existing US Post office at the West Linn Central Village site (located in Lot 00700 and a small portion of Lot 00900). Two alternatives are being evaluated for the site, including:

- Replacement of the 5,100 square foot post office with a 5,225 square foot post office. Today customer service as well as freight service truck and mail delivery operations are handled at the site[1]. The new building would focus on postal customer service operations and some deliveries. As a result, the service trucks would be relocated to an off-site facility and delivery operations are expected to be reduced by approximately 50 percent.
- Alternatively, the team is contemplating complete replacement of the postal operations with a retail building. The new building could be up to 6,600 square feet in size and accommodate five tenants; one of the tenants could be a small restaurant.

For planning purposes, Table 1 compares the anticipated change in site trip generation using trip rates obtained from the *Trip Generation Manual, 10th Edition* as published by the Institute of Transportation Engineers.

[1] Per documentation provided by the West Linn Post Office manager and attached to this letter as Appendix 1, the existing Post Office serves an average of eight freight delivery service trucks per day (16 trips total) with seven typically arriving on-site between 6:00 AM and 7:00 PM and one arriving between 11:00 PM and midnight Monday through Saturday. In addition 18 delivery trucks typically serve the site Monday through Saturday with most leaving for delivery between 8:00 and 10:00 AM and the returning between 2:00 and 5:00 PM (36 trips total per day).

Table 1. Trip Generation Comparison

Land Use	ITE Code	Size (sq ft)	Weekday Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
Existing Use									
United States Post Office	732	5,100	530	42	22	20	57	29	28
Alternative 1									
United States Post Office	732	5,225	544	43	22	21	59	30	29
Difference in Post Office Trips (Alternative-Existing)			14	1	0	1	2	1	1
Alternative 2									
Shopping Center*	820	5,280	200	5	3	2	20	10	10
Less Pass-by (34%)			*(68)*	*(2)*	*(1)*	*(1)*	*(7)*	*(3)*	*(4)*
High-turnover (Sit-down) Restaurant	932	1,320	148	13	7	6	13	8	5
Less Pass-by (43%)			*(64)*	*(6)*	*(3)*	*(3)*	*(6)*	*(3)*	*(3)*
Total Proposed Retail Uses			348	18	10	8	33	18	15
Total Pass-by Trips			*(132)*	*(8)*	*(4)*	*(4)*	*(13)*	*(6)*	*(7)*
Net New Trips			216	10	6	4	20	12	8
Proposed Retail Net New - Existing Post Office Trips			**-314**	**-32**	**-16**	**-16**	**-37**	**-17**	**-20**

*Trip generation based on average rates

As shown in Table 1, the reconstruction of the post office building could nominally increase the site trip generation per national average trip rates[2] whereas the potential retail building could result in a reduction in the number of trips generated by the site. Accordingly, we conclude there are no transportation-related impacts associated with either redevelopment scenario.

[2] The *Trip Generation Manual, 10th Edition* trip rates offer data for a single US Post Office facility. The available data do not differentiate between US Post Office sites with customer service as well as service trucks and delivery operations versus sites that only provide customer service. Presumably, a reduction in site trips at the West Linn site could be realized with the planned new building due to the associated relocation of approximately 50 percent of the postal delivery operations off-site (estimated to reduce delivery trips by approximately 18 trips per day related to 9 fewer delivery vehicles each entering and leaving per day) along with elimination of freight service trucks that shift to an alternate location (estimated to reduce delivery trips by approximately 16 trips per day related to 8 fewer trucks each entering and leaving the post office site).

Please contact us if you have any questions.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Chris Brehmer, PE
Senior Principal Engineer

Julia Kuhn, PE
Senior Principal Engineer

Attachment: Appendix 1

Appendix 1 Existing Site Truck Delivery Information

West Linn Post Office
Delivery Truck
Schedule Arrival and Delivery

	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday		Size of Truck
	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	
1am to 2am															
2am to 3am															
3am to 4am															
4am to 5am															
5am to 6am															
6am to 7am															
7am to 8am															
8am to 9am		7		7		7		7		7		7		5	
9am to 10am		10		10		10		10		10		10			
10am to 11am															
11am to 12pm															
12pm to 1pm															
1pm to 2pm															
2pm to 3pm	2		2		2		2		2		2		2		
3pm to 4pm	14		14		14		14		14		14		3		
4pm to 5pm	2		2		2		2		2		2				
5pm to 6pm															
6pm to 7pm															
7pm to 8pm															
8pm to 9pm															
9pm to 10pm															
10pm to 11pm															
11pm to 12am															
Totals	18	17	18	17	18	17	18	17	18	17	18	17	5	5	

West Linn Post Office
Freight Delivery Truck
Schedule Arrival and Delivery

UPS
FedEx
Freight

	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday	
	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery	Arrival	Delivery
1am to 2am														
2am to 3am														
3am to 4am														
4am to 5am														
5am to 6am														
6am to 7am	1	1	1	1	1	1	1	1	1	1	1	1	1	1
7am to 8am														
8am to 9am	1	1	1	1	1	1	1	1	1	1	1	1		
9am to 10am														
10am to 11am	1	1	1	1	1	1	1	1	1	1	1	1		
11am to 12pm	1	1	1	1	1	1	1	1	1	1	1	1		
12pm to 1pm														
1pm to 2pm	1	1	1	1	1	1	1	1	1	1	1	1		
2pm to 3pm														
3pm to 4pm	1	1	1	1	1	1	1	1	1	1	1	1		
4pm to 5pm														
5pm to 6pm														
6pm to 7pm	1	1	1	1	1	1	1	1	1	1	1	1		
7pm to 8pm														
8pm to 9pm														
9pm to 10pm														
10pm to 11pm														
11pm to 12am	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Totals	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**2**	**2**

22E30AC01601
Andrea Boho
1442 Burns St
West Linn, OR 97068

22E30AC01602
Debra Lynn Monaco
1428 Burns St
West Linn, OR 97068

22E30AC01606
Kimberly Turnbull
Po Box 2194
Kealakekua, HI 96750

22E30AC01607
Andrew Gilburne
5660 River St
West Linn, OR 97068

22E30AC01800
Robert & Rosalinda Wells
5651 Cascade St
West Linn, OR 97068

22E30AC01900
Terence & Donna Davis
5641 Cascade St
West Linn, OR 97068

22E30AC02003
Calvin Lang
5655 Sinclair St
West Linn, OR 97068

22E30BD00800
City Of West Linn
22500 Salamo Rd #600
West Linn, OR 97068

22E30BD01800
D Michael & Nesja Stucky
1580 Bolton St
West Linn, OR 97068

22E30BD01900
Steven & Amy Nakano
1594 Bolton St
West Linn, OR 97068

22E30BD01901
Kathleen Sue Co-E Nave
1068 E Newhall Dr
Fresno, CA 93720

22E30BD02200
City Of West Linn
22500 Salamo Rd #600
West Linn, OR 97068

22E30BD02300
Edward Lohman
1579 Burns St
West Linn, OR 97068

22E30BD02400
William Coston
Po Box 387
West Linn, OR 97068

22E30BD02500
Robert & Janet McCarthy
1535 Burns St
West Linn, OR 97068

22E30BD02501
Bolton Commons LLC
1554 Garden St #104
West Linn, OR 97068

22E30BD02502
Roderick Doubleday
1685 NE Regatta Way
Lincoln City, OR 97367

22E30BD02503
Mary Miller
5725 Hood St
West Linn, OR 97068

22E30BD02504
Robert & Janet McCarthy
1535 Burns St
West Linn, OR 97068

22E30BD02600
Bryon & Tawnya Borntrager
1497 Burns St
West Linn, OR 97068

22E30BD02700
Michael Raymond Gates
1471 Burns St
West Linn, OR 97068

22E30BD03300
Timothy & Robin Starr
1461 Burns St
West Linn, OR 97068

22E30BD03400
Marilyn Scott
1462 Burns St
West Linn, OR 97068

22E30BD03500
Troy & Kristin Wolfe
1492 Burns St
West Linn, OR 97068

22E30BD03600
John & Brandi Rasmusan
6065 W A St
West Linn, OR 97068

22E30BD03700
Walter Jr & Dianne Swan
5777 Cascade St
West Linn, OR 97068

22E30BD03800
Linda Rae Hamel
5661 Cascade St
West Linn, OR 97068

22E30CA00100
Rick Lynn Price
5620 Cascade St
West Linn, OR 97068

22E30CA00200
Karen Elizabeth Co-E Gienger
5630 Cascade St
West Linn, OR 97068

22E30CA00300
Patrick Bancke
5640 Cascade St
West Linn, OR 97068

22E30CA00400
Douglas Jay Spillum
5650 Cascade St
West Linn, OR 97068

22E30CA00500
Erin Lommen
1564 Burns St
West Linn, OR 97068

22E30CA00600
Sheri Co-E Dawson
2586 Crestview Dr
West Linn, OR 97068

22E30CA00700
West Linn Shopping Ctr Assoc LLC
19767 SW 72nd Ave #100
Tualatin, OR 97062

22E30CA00900
West Linn Shopping Ctr Assoc LLC
19767 SW 72nd Ave #100
Tualatin, OR 97062

22E30CA01800
West Linn Shopping Ctr Assoc LLC
19767 SW 72nd Ave #100
Tualatin, OR 97062

22E30CA01900
5597 Hood Street LLC
222 N Rampart St
New Orleans, LA 70112

22E30CA02000
Bolton Commercial Center LLC
Po Box 12564
Portland, OR 97212

22E30CA02100
Christopher Leebrick
1567 Holly St
West Linn, OR 97068

22E30CA02200
Clinton & Kelly Springer
1563 Holly St
West Linn, OR 97068

22E30CA02300
Tower Property & Acquisition LLC
1595 Holly St
West Linn, OR 97068

22E30CA02400
Bolton Commercial Center LLC
Po Box 12564
Portland, OR 97212

22E30CA02500
5597 Hood Street LLC
222 N Rampart St
New Orleans, LA 70112

22E30CA03400
West Linn Shopping Ctr Assoc LLC
19767 SW 72nd Ave #100
Tualatin, OR 97062

22E30CA03700
21890 Willamette Drive LLC
21890 Willamette Dr
West Linn, OR 97068

22E30CA03800
Willamette 2018 LLC
6105 SW Macadam Ave
Portland, OR 97239

22E30CA03802
Simy Properties LLC
21860 Willamette Dr
West Linn, OR 97068

22E30CA04000
Margo Lee Rams
21895 Willamette Dr
West Linn, OR 97068

22E30CA04100
John & Tracey Howell
21925 Willamette Dr
West Linn, OR 97068

22E30CA04200
Dorothy Deline
5665 First Ct
West Linn, OR 97068

22E30CA04400
David & Summer Buzza
5615 First Ct
West Linn, OR 97068

22E30CA04500
Hannah Kay Bogue
1721 Easy St
West Linn, OR 97068

22E30CA04600
Steven & Julie Johnston
1725 Easy St
West Linn, OR 97068

22E30CA04700
Judith Co-E Sather
1750 Easy St
West Linn, OR 97068

22E30CA04800
Robert Holladay
5585 Mckillican Ln
West Linn, OR 97068

22E30CA04900
William Ward Campbell
5575 McKillican Ln
West Linn, OR 97068

22E30CA05100
Charles Ferrell
1725 Mckillican St
West Linn, OR 97068

22E30CA05200
West Linn Strategies LLC
4703 SW Campbell Ct
Portland, OR 97239

22E30CA05300
West Linn Strategies LLC
4703 SW Campbell Ct
Portland, OR 97239

22E30CA05500
West Linn Strategies LLC
4703 SW Campbell Ct
Portland, OR 97239

22E30CA05600
Merrill McNeil
5483 Amy St
West Linn, OR 97068

22E30CA06000
Dave Renton
1750 Mckillican St
West Linn, OR 97068

22E30CA07900
Frank Dibenedetto
5507 First Ct
West Linn, OR 97068

22E30CA08000
Douglas Dickston
5533 First Court St
West Linn, OR 97068

22E30CA08100
Ronald Chappell
5541 First Ct
West Linn, OR 97068

22E30CA08200
Ken Harmon
5575 First Ct
West Linn, OR 97068

22E30CA08300
1770 Easy Street LLC
Po Box 256
Marylhurst, OR 97036

22E30CA9000A
Dolores Eloise Heard
5555 Mckillican Ln
West Linn, OR 97068

22E30CA9000B
Dolores Heard
5555 Mckillican Ln
West Linn, OR 97068

22E30CA9000C
Dolores Eloise Heard
5555 Mckillican Ln
West Linn, OR 97068

22E30CA9000D
Dolores Eloise Heard
5555 Mckillican Ln
West Linn, OR 97068

22E30DB02103
Ruth Grant
6824 Bel Mor Ct SW
Tumwater, WA 98512

22E30DB03800
Mara Christensen
5540 Sinclair St
West Linn, OR 97068

22E30DB03900
Lola Blevins
5542 Sinclair St
West Linn, OR 97068

22E30DB04000
Patrick Oconnor
5546 Sinclair St
West Linn, OR 97068

22E30DB04100
Gregory & Julia Williams
5550 Sinclair St
West Linn, OR 97068

22E30DB04200
Thomas Henry Papst
5560 Sinclair St
West Linn, OR 97068

22E30DB04300
Laura Kemnitz
5580 Sinclair St
West Linn, OR 97068

22E30DB04400
Suzanne Dryden
5624 Sinclair St
West Linn, OR 97068

22E30DB04500
Carl Michael Gardner
5620 Sinclair St
West Linn, OR 97068

22E30DB04600
Mary Tyner
5636 Sinclair St
West Linn, OR 97068

22E30DB04700
Dawn & Kevin Kasowski
5640 Sinclair St
West Linn, OR 97068

22E30DB04800
Randolph Valles
4929 W Oraibi Dr
Glendale, AZ 85308

22E30DB04900
Wayne Aldridge
5631 Cascade St
West Linn, OR 97068

22E30DB05000
Raes
5629 Cascade St
West Linn, OR 97068

22E30DB05001
Joseph & Kelly Vetere
5625 Cascade St
West Linn, OR 97068

22E30DB05002
Janet Enger
5621 Cascade St
West Linn, OR 97068

22E30DB05003
Janet Enger
5621 Cascade St
West Linn, OR 97068

22E30DB05004
Jerome Couture
5614 Cascade St
West Linn, OR 97068

22E30DB05005
Gary & Anita Olson
5618 Cascade St
West Linn, OR 97068

22E30DB05006
Miller
5610 Cascade St
West Linn, OR 97068

22E30DB05100
Jeanette Hamel LLC
Po Box 461
West Linn, OR 97068

22E30DB05200
Leann Kae Curry
1550 Garden St
West Linn, OR 97068

22E30DB05300
Nicolas & Laura Hamel
1544 Garden St
West Linn, OR 97068

22E30DB05400
Roy & Ivy Burghardt
1540 Garden St
West Linn, OR 97068

22E30DB05500
Allan Mohr
1503 Holly St
West Linn, OR 97068

22E30DB05600
Alfred Brown
1513 Holly St
West Linn, OR 97068

22E30DB05700
Hannah Berkowitz
1519 Holly St
West Linn, OR 97068

22E30DB05800
Jennifer Roos & John Millar
5665 Hood St #492
West Linn, OR 97068

22E30DB05900
Bruce & Elizabeth Bensen
1547 Holly St
West Linn, OR 97068

22E30DB06100
Michelle Marsh
1555 Holly St
West Linn, OR 97068

22E30DB06200
Reed & Diana Harmon
1560 Holly St
West Linn, OR 97068

22E30DB06300
Brady & Alison Housden
1570 Holly St
West Linn, OR 97068

22E30DB06400
Falconeri-Gordon & Sons LLC
Po Box 574
West Linn, OR 97068

22E30BD01701
Daniel Helfet-Hilliker
5725 Robert Moore St
West Linn, OR 97068

22E30BD02401
City Of West Linn
22500 Salamo Rd #100
West Linn, OR 97068

22E30DB08600
Nicholas Hamel
1544 Garden St
West Linn, OR 97068

22E30CA04902
Sloan Mikael & Emily
5571 Mckillican Ln
West Linn, OR 97068

22E30AC01801
Christ Stathakis
7840 Shore Acres Dr NE
Olympia, WA 98506

NEIGHBORHOOD REVIEW MEETING

DEVELOPER OR AGENT: Gramor Development / Matt Grady

PROJECT LOCATION: 5665 & 5639 Hood Street, West Linn, OR 97068

AFFIDAVIT OF MAILING NOTICE

* *

I, Matt Grady, being first duly sworn; say that I am (represent) the party intended to submit an application to the City of West Linn for a proposed New building and revised parking lot affecting land located at 5665 & 5639 Hood Street, West Linn, and that pursuant to Chapter 99, Subsection 99.038set out by the West Linn Community Development Director, did on the 28th day of May, 2019, personally mail notice to affected property owners and NA's within 500 feet of the proposed development site.

Sign and Date in the presence of a Notary Public. Certain City staff are Notary Publics and are available for witnessing.

Signature: Matt Grady

Dated this 28th day of May, 2019.

Subscribed and sworn to before me this 28th *day of* May, 2019

Kristin Jennifer Woods

Notary Public for the State of Oregon

My Commission expires: April 10, 2022

OFFICIAL STAMP
KRISTIN JENNIFER WOODS
NOTARY PUBLIC - OREGON
COMMISSION NO. 973607
MY COMMISSION EXPIRES APRIL 10, 2022

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NEIGHBORHOOD REVIEW MEETING

West Linn Central Village
PROJECT NAME: Post Office Replacement Bldg. and Parking

POST ON SITE NOT LESS THAN 20 DAYS PRIOR TO THE NAC MEETING

AFFIDAVIT OF POSTING NOTICE

* *

I, Matt Grady, being first duly sworn; say that I am (represent) the party submitting an application to the City of West Linn for a proposed New replacement building and revised parking lot affecting land located at 5665 & 5639 Hood Street, and that pursuant to Chapter 99, Subsection 99.038, did on the 28th day of May, 2019, personally post public notice(s). The notice(s) was (were) posted on or before the deadline date determined by City staff for this application.

Sign and Date in the presence of a Notary Public. Certain City staff are Notary Public's and are available for witnessing.

Signature: Matt Grady

Dated this 28th day of May, 2019.

Subscribed and sworn to before me this 28th *day of* May, *20* 19.

Kristin Jennifer Woods
Notary Public for the State of Oregon

My Commission expires: April 10, 2022

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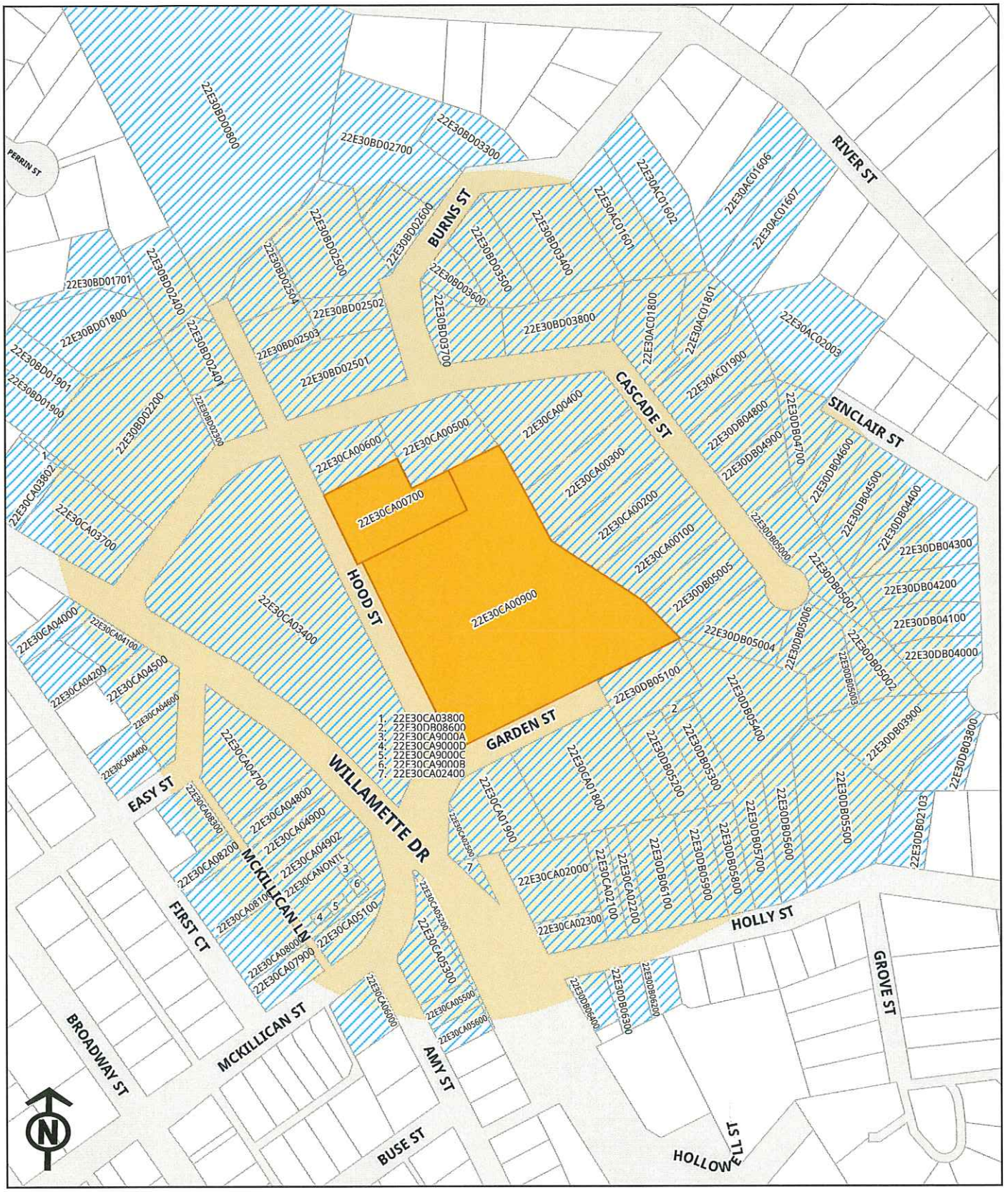

Prepared by: Fidelity National Title
Data: CoreLogic, Metro RLIS
Date: 4/25/2019
This information is reliable, but not guaranteed. It is not a survey.

Bolton Neighborhood Association
Draft Agenda
May 21, 2019

1. Welcome and introductions
2. Review, revise as necessary and approve April meeting minutes.
3. Review Ground Rules:
    a. Balance air time. Suggestions for extroverts and introverts.
    b. No speeches.
    c. Acknowledge and paraphrase.
4. Nominate a new Secretary.
5. Matt Brady, Gramor Development to update proposed plans for the Post Office and his request to speak at the June 18th meeting.
6. Updates:
    a. Parking.
    b. Chief Kruger to attend June 18th BNA meeting.
    c. Proposed development at 1575 Burns (corner of Burns and Hood Streets) and likely request for the developer to present their ideas at our June or July meeting.
    d. Waterfront information meetings.
    e. Invitation of a guest to discuss emergency natural gas shut-off procedures.
7. Community Concerns and Discussion
8. Summer Break.
9. Next meeting date and draft agenda items.
10. Adjourn.

GRAMOR
DEVELOPMENT

May 28, 2019

RE: Neighborhood Meeting for West Linn Central Village
Proposed Replacement of Post Office Building and New Construction
5665 and 5639 Hood Street, West Linn, OR 97068
Assessor Map 22E30CA00700 and 22E30CA00900 (portion)

Dear Neighborhood Resident:

We are inviting you and your neighbors to attend the June Bolton Neighborhood Association meeting and learn about our proposed plans related to the potential replacement of the Post Office building and parking lot renovations at West Linn Central Village.

The proposal is to replace the existing Post Office building with a larger 6,700 sf building in the corner of the lot, to rearrange the parking field between the new building and Market of Choice, and to pave the gravel parking area used by the Post Office for part of the parking lot.

The day, time and location of the meeting is:

7:00 pm
Tuesday, June 18, 2019
Tualatin Valley Fire and Rescue Station No. 58
6050 Failing Street
West Linn, OR 97068
(503) 649-8577

This is an informational meeting and is not intended to take the place of a public hearing before the Planning Commission. You will have the chance to present testimony at the public hearing when a hearing date has been assigned.

We look forward to seeing you at this meeting and learning more about your concerns.

Sincerely,
Gramor Development, Inc.

Matt Grady

Matt Grady, AICP
Vice President – Director of Development

7018 1830 0000 6888 0406

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Jan McCarthy
Secretary - Bolton Neighborhood Assoc.
1535 Burns Street
West Linn, OR 97068

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Jan McCarthy
Secretary - Bolton Neighborhood Assoc.
1535 Burns Street
West Linn, OR 97068

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X Jan McCarthy ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Jan McCarthy C. Date of Delivery 5-30-19

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Robert McCarthy
Vice President - Bolton Neighborhood Assoc.
1535 Burns Street
West Linn, OR 97068

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Vice President - Bolton Neighborhood Assoc.
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☐ Agent
☐ Addressee

B. Received by (Printed Name) Robert McCarthy
C. Date of Delivery 5-30-19

D. Is delivery address different from item 1? ☐ Yes
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2. Artic

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Steven Miesen
President - Bolton Neighborhood Assoc.
6275 Holmes Street
West Linn, OR 97068

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1. Article Addressed to:

Steven Miesen
President - Bolton Neighborhood Assoc.
6275 Holmes Street
West Linn, OR 97068

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Steve Miesen ☐ Agent ☒ Addressee

B. Received by (Printed Name) STEVE MIESEN
C. Date of Delivery 5-30-19

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Bolton Neighborhood Association
Meeting Minutes
June 18, 2019

1. Welcome and introductions.
2. The May meeting minutes were approved unanimously.
3. We reviewed our meeting Ground Rules.
4. Chief Terry Kruger, West Linn Police, was introduced.

Comments by Chief Terry Krueger, West Linn Police Department
Overview:

- The current parking district around West Linn High School was established in 1992.
- The school district considered increasing the number of parking spots but concluded there was enough.
- There have been conversations about building a parking structure, but it is expensive and there is no money available for it.
- Early this year students pushed for change in the parking district. That effort has ended.
- Problems of congestion and safety continued despite various efforts to address them.
- Police staffing currently has two officers and one sergeant available at all times. The department is currently understaffed. In addition, one officer position was eliminated to meet the constraints of this year's budget.
- The one School Resources Officer (SRO) has many responsibilities and is unable to direct traffic around the high school. School staff does monitor traffic.
- 142 citations were written this year for violations around the high school. Twice that number of warnings were issued. The department receives 686 city-wide calls related to parking issues; 119 calls regarding high school parking..
- There is chaos and safety issues related parking around the high school, and yet there are few if any accidents.
- The department has one code enforcement officer. However she was injured for the entire year and is now slated to retire. A new code enforcement officer has been hired.
- One of the major parking issues raised by Vince is parents parking, not in designated parking area, but in the bike lanes as they wait to pick up students.
- West Linn has the lowest crime rate of any city in the Oregon.

Possible Solutions:

- The Chief is willing to ask West Linn Wilsonville school district to pay for another school resource officer and increase their financial contribution.

- Should students pay for a parking spot, if don't already.
- Hire a seasonal code enforcement officer.
- Engage the Transportation Advisory Board to consider adjustments to the bike lane.
- Educate parents picking up students not parking in the bike lanes.
    - BNA meet with Kathy Ludwick and Aaron Dennis of the West Linn Wilsonville school district to message parents about proper parking.
    - Engage Tim Woodley, operations manager of West Linn Wilsonville school district.
    - Engage and involve West Linn students and student leadership in how to address the parking situation.

5. Darren Wyss, Associate Planner, City of West Linn, Lance Calvert, City Engineer, Waterfront plan process.

    - The intent is to finalize the West Linn transportation plan by early 2020.
    - Once this is done the next step is to decide on land uses. This could include, zoning changes, design standards and of course financing.
    - By the end of 2020 it is hoped planning process will be complete.
    - Waterfront planning is done in conjunction with the widening of I205. The cost of the widening of I 205 from route 213 - Stafford is approximately $450 million.
    - No financing was included in this session of the legislature.
    - Willamette Drive is intended as a major residential bike and pedestrian trail.
    - Arch Bridge is not earthquake safe. The other bridges across I 205 will be rebuilt to meet earthquake standards as I 205 is being planned as a major North-South route.
    - The transportation plan is being designed to discourage traffic from moving into West Linn when there are traffic impediments on I 205 and elsewhere.
    - Lance believes that tolling on I 205 is 10 to 20 years out and if at all.

6. Matt Grady, Gramor Development
    - Post office leadership has contracted with JL L brokers to find space in West Linn for a 10,000 ft.^{2} building on 2 acres of land.
    - John Logan, of the post office, has formed a committee to respond to Gramor development proposals.
    - Gramor has proposed that the post office use the Garden Street location in Central Village.
    - Gramor development is not interested in seeking to buy the two properties adjacent to the current post office. This is something the post office could seek to do if they chose.
    - Gramor made a presentation of various design element for the proposed building in Central Village.

- Two-story post office is possible and they exist in other states.
- The retail portion of the post office could fit in the new Gramor proposed building.
- If the post office were to leave, Central Village would lose a main draw into the commercial area. Not long would this hurt central village economically but it would undermine the vision of the Bolton business district.

7. Updates:
    a. We agreed to extend this meeting to 9:15 PM.
    b. Reviewed the BNA officers' letter to City Council to take proactive steps to protect the Post Office.
    c. July 17th Summer Social/Band Concert at Hammerle Park, 6PM.
    d. Updates to BNA website and email system are being made.
    e. Waterfront information meeting, June 25th, Adult Community Center.
8. No August meeting. Next meeting September 17th.
9. Bob McCarthy adjourned the meeting at 9:20 PM.

Speaker 1:	00:00	That's actually what's in the mayor almost the same day with was working exactly on the same page. We absolutely agree with you and we're pushing forward with this. And then subsequently he wrote letters to the city, John and Peggy and I hope you've got a chance to look at that because he's continued to have conversations with the post office, um, contacts as well at Gramor and there will be a open house with the post office contact. I'm not sure what the person's role is on the uh, 25th at City Hall. It's an open house. We should be there and we should engage them because there has been communication issues with them and with Gramor development as well as um, mixed signals from both I would say. And so this is now like to hear from Matt. Thank you Robert. Glad to be back there. My name is snacks, regular great work development and with them for all open all the time, about 20 years. And I see some familiar faces. It's nice to see that there's still some of the same folks around there
Matt Grady:	01:15	or when I was here working on this way back when in 2006 with me tonight, Frank is actually going to show us some images of Bose friction that we're looking at to go along this street, which I didn't have before at all. If we had actually developed a concepts yet, we're going to take a look at that. But I've got to review where I was at. I don't know how much time I've got and you guys have been very patient sitting in some interesting topics. If I was to drive the hand speed down on, which is the most interesting when you've had some very interesting topics and see,
Speaker 1:	01:51	I think what'll happen is one or more people will go like this. Okay. All right. So, um, the good, the purpose of this meeting is that
Matt Grady:	01:59	is to continue to seek input you all for potential application and we're going to try to get geared up and moving towards the city direction to refurbish the parking lot. So I've got, can you guys see this and see that nice little.here. So let's treat is right here. And what happens is the market of choice situate here, which then, so when they're looking at the aerial photograph, market of choice, it's here post office, the city here in the post office occupies this entire area kind of in blue right now. And they're there. Use the back part for Trump parking with what I want it right down, right up to the trees. And um, the market that has this, the leading right here in this area that we have, the goals, which is along the year, we're not going to go into the gold, should always stay.

Matt Grady:	02:46	All of our proposals stay up on top of the editor, enter the fault before it actually drops down. And, um, we're looking at actually taking the post office down. Now I'll get back into the post office when some options if given to the post office. And I know that we're not hearing that they actually knowledge the offers we put on the table. But, and this is one of the communications that we're having expressed after the last time, but so the plan is to remove the post office building and build a new structure in the corner of the lot here, which is actually this right here. And that becomes a building about 6,700 square feet in size as single story would have multiple tenants in it with the hope of having a nice restaurant on the corner closest to the street. Uh, it would open up, it would close the access points.
Matt Grady:	03:34	There's two access points here now servicing the post office. It would actually create that to be one and it would actually add on this, it would associate using the pavement area, which is there today and actually moving the building back. And this plan looks like it might be, you see in part, we use this to be organized with the building tucked into the corner of the lot. So it becomes an efficient location for people to circle around and they can actually use more parking together between the two structures than they can right now. Where that market is limited. Because if there's a great change and there's also a nice fence so the cars can't go up to the answer to the graded at all. It's mutually exclusive. And so this would actually help the market and people on busy days who come in here and are looking for places and they can't seem to find something.
Matt Grady:	04:20	Uh, and these tenants would be using the parking in here as well. They need about 28 spaces according to the city's parking standards. Um, and we'll end up about eight more parking spaces in this plan. The idea is to extend the walkway straight on out and there's a great change here. So not all flats actually, you're kind of walking up their grade and probably some railings there. Um, but the idea is that you have to enter is extended from the market itself up into this zone. Continue the accessible parking spots here. So this in front of the parking lot doesn't relations that fountain in the Annette Plaza area states has seen, we're just walking around with fountain English and senior today. Yes. May I ask you a point of information
Speaker 3:	05:04	on the agenda? It says they just plans for the post office. What you're talking about his latest pumps for the post office site. I was under the impression we were going to talk about in the post office [inaudible]

Matt Grady:	05:17	and so I didn't write your Gen ed by the way, somebody spills like naming correctly
Speaker 3:	05:22	g r a d didn't change. So is that, so we're not talking about the post on, talk about the post office to
Matt Grady:	05:32	you about the post office by you to talk to you about what some plans are but without the post. So you're implying the post office will not be there? That is correct. Why not? I will get into that part of my presentation. This is the card before the wholesalers? Uh, yes and no. It depends whose cup of tea you're holding. Okay. So let me, let me finish and I will get into the post office and what I know about post office and then we can all talk collectively. So what I'd like to do is have frank actually show what the structure would look like here. And so Frank [inaudible], you have two different pieces. One is you see this one, you can put this one up here. This is a actual rendering which his group was put together. And then this, this shows use what the structure would look from different angles. So this top view is what it would look like from the street, which is similar, sort of similar to this angle here. And this is taken from Hood Street and they super and model actually inaccurate picture. So very well. Well I was like to see things from a public way and see what it looks like from the public. You're looking down the street now. We took the artist's liberty to uh, show the building more than the trees, which will still state those treats. Speak fees will be all
Speaker 1:	06:56	we have along the edge check. Matt, you're going to have to talk now about the post office because this milling we really hope is not, you're going to do, I'm just telling you that I got your, okay. So Val, I agree that that's an important topic, but I also want hear about this. So this would be 102 those we can fives and concerns and questions about improvement that's done. I'm not really a good, I have questions about it so, so I don't know if it's tonight or somewhere else, but I think we have to interest in both sides. Okay. So your interest is in knowing what their development would be and whether it should actually be built. I just like to hear what they're doing. And you're what you're planning to do continue to play. And then I kinda came in assuming close office decision's going to be, it's on another track.
Speaker 1:	07:52	There are two tracks on here. And so there's two question marks. So does the post office stay? What does it look like to go? There's a whole set of questions. You guys own the property. You kind of have a right to do a lot of things with it. And so if you had your grades, this is what you're looking to do.

So as you designed this, I can't do much about what the post office does. I can understand what's happening here and if you get this direction, um, I think we need to address some problems on this direction. Let's look at least offices in that building or not. No, it's not. Okay. Whether it is or not. Since since this post office, yes. No track really is not resolved. I don't know what's in this building, but that can be submitted and so, so I want to understand what's going on with this track cause yeah, it would have to be something on both sides.

Speaker 1: 08:48 Yeah. So, so, so, so Bob, I'm not, okay. Where are, we were just want to hear both public. I think this will be as far as I'm willing to encourage you to go in terms of this part of the development. So gray mar has a development, it has these elements to it. If they have their druthers, this is what they will do. And I don't know what else you want to say about that, but they are the structure, the [inaudible] roof peak and why we have [inaudible] conversation. I think that we had originally talked about, which is that whether or not the other land is, it has been that acquired or sought to be required. Is there a possibility of taking this building down, building a building for the post office for hot. Those are large questions and I'm concerned because we're pushing this. How much further do you need to talk about your design? Why don't you go, okay. Don't give up [inaudible] it's a nice design. It fits. I get it. It's in the corner. It's got windows. [inaudible]

Speaker 1: 10:04 okay, let's, can I show of hands from the group? How many want to continue along this conversation? [inaudible] because they're not coming back. So this is your opportunity to talk about where dream more is with the post office and it's eight 45 how many are interests come back to that? How many of you are interested in having the discussion about the post office and where it fits and Greg Morris development process from great. More of the discussion of what you're trying to come in. I know there's another track of a post office, but no, it's part of this track. It's all integrated. So the proposal was we want to extend the meeting, normally go to stay. What do you propose? A show of hands? Nine 15 possible like you talk about the post office first and then his pet project. I made your beckon call. Both [inaudible] have too much energy. Okay, got it. So let's have this conversation about post office and the rain orders of planning until there were a whole series of questions of Matt came out of our last discussion and they should be in the notes. So they are discussion of mass presentation. Um,

Matt Grady: 11:54 there was an issue about asking a gray more to propose a more favorable lease. They're closer to take. Tell us what you know

about the post office conversation. Agree more at this point and how that fits with what Brittany don't do by grass. Okay. Ah, what about a ball with a PC where there are people that are involved, at least we have 400 tenants. We've been together 30 years doing leasing commercial centers. And so we knew that the post office lease, which has been enacted since 1968, uh, at a series of renewables which should kept renewing along the way. I actually had an end date in there and we knew in advance that was going to terminate. And we started talking to the post office about what their plans were cause we do that with tenants. They try to talk a little bit about what their plans are.

Matt Grady: 12:46 I have a lot of this information I know from the last time so and identity work out and there's been some question about the post office now asking for a larger space. That's true. And difficulty in communicating with them and not responding to your requests. Absolutely. To extend the lease. That's true. So is there anything else been developed since the last time you were here? The only thing since the last time I was here was we picked up for one of our brokers and on the website which said that they hired j l l ropes to look for sites into link anywhere in Westland. We simply want to look for sites on highway 43 and when I looked for sites on the top of the hill, they want to look for sites close to I two o five. They weren't specific about grain mortar site in the posting and the end of the post.

Matt Grady: 13:34 And they also said that they had a budget of about $3 million and they want a building up to 10,000 square feet and two acres of land. And that was, that was in a a website announcement, which wasn't specifically given to Greenboro they're brokers, which we talked to what they said, hey, by the way, did you happen to see, but that happened literally at the day after I was with you guys. Last thing when have couple. And so that information came in and we, uh, got on a conference call with a fellow named John Logan and I don't know where Mr. Logan sits in instructor with the real estate people and Mr. Logan, we asked him if he thought about any of our proposals to try to change our configuration and split it into pieces and what he thought about that, to move the trucks to a temporary location and move into one of our spots.

Matt Grady: 14:26 And then temporary, uh, location just with the retail portion. He said there is a committee formed. That committee is evaluating all aspects that we don't have a response for you on that. And that was recently, oh, that was, that was probably three and a half weeks ago. So from your perspective, from Green Mars perspective, what's your take on that now? Well, I think they've

taken a look. They've got the community together figuring out a program meeting as a spacial program and needs to service West land. And they're looking at this particular facility and seeing how it operates and how best to serve the community now and into the future. And I think this particular building that's 5,100 square feet, it's been there for a long time. Yeah, and it's done really immensely well. Um, but the site that they're on is literally three quarters of an Acre and they want to eight years now and we have, we did give them a proposal.

Matt Grady: 15:24 They say at some point in time when tenants move out of the garden street area that there's a chance that we could actually move them completely over to that location when the timing is right and they haven't responded on that option because we realize that if they want to stay right here, the center, the best option we have for them as a move the trucks, not a car space, can they not go up here for hunting? That building's going to be two story or not. No, it's just, it's a single server. Oh, can can make the choice. They have a mezzanine up there, which I've used as an effect. And that that's a great, we will all benefit from this meeting, which was happens on the 25th, because I feel like I'm in a vacuum and I want to ask them some questions myself because do they do to sorority post office?

Matt Grady: 16:14 Probably. I bet they do. Cute stories. And they managed to do business that way. That's correct. That's correct. So I don't know what their criteria list is in terms of, I know that they want to secure parking for 28 vehicles and I don't know that that's, and that's incorporated in their overall two acres if they want. We do know that, uh, we, uh, we're told that the parking area, which was down by the waterfront redevelopment area by Old City Hall, that was not, uh, it was now taken by nonprofit groups, which would probably want to inhabit that building. And so the parking that would be available for the post office is now going to be consumed by some nonprofit organizations with the city is entertaining leases with, for the old police building.

Speaker 1: 17:02 Tons there. But let me ask you one question about this site is still it becomes clear. Um, has gray more the soft by those two adjacent properties? No, we have known. Okay. And that's not an interest that you have

Matt Grady: 17:16 that God will not actually we are learning that they want to have two acres. There was only between those two parcels is letting an Acre and half

Speaker 1:	17:25	that corner lot went the [inaudible]. So the question I gave you, if you were acquire those properties, would that be sufficient for the post office? Assuming their 10,000 square foot property is somewhat exaggerated, right. There are two weaker. Okay. Get
Matt Grady:	17:43	it right. Most of those exaggerated we, they haven't asked us to go pursue. Yeah.
Speaker 3:	17:50	And we, we came up with it on our own and ask for a suggestion to them. So if the post office to say that would be acceptable to us is that ingrained more his interest to have the post office in a new building on that space be great, but maybe they could also pursue it. Environment sounds like you don't have to go lease score. So I don't know. What's your temperature? So this would be a good conversation on the 25th sure, absolutely. So you don't, you answer that will keep it dear. I know displaces the beautiful [inaudible] group who have been there, but [inaudible] to sell it and incorporate the office with the post office. Like I said, two stories up. Let that them still have they to do building. They could have their offices in the new building and the post types to be on the bottom to be on top.
Speaker 3:	18:41	I mean I don't think about is presented them with that particular offline. Like I stopped by and show them the option and they were very appreciative of me sharing that plan with them. And also is there an option of underground parking lot area is right up there near the fountain. There's some underground parking and that building if they're concerned about parking, isn't that right? Oh yeah. There was a discussion here about them both ground and parking and how extensive it was and nobody came up with a price. But I can tell you it's about $25,000 installed into the, just a very basic piece that somebody wanted to do on top. You go underground and devils, it's got to go to $49,000 or we begin to understand some of the questions that need to be asked. Right. So I'll, I'll, are you saying that grandma would be prepared to sell that land to the post office if they have an interest being this part?
Speaker 3:	19:34	The person that we have right here, uh, I suppose if they had an interest, but right now let's start fitting happen. I don't think they've ever talked about. Okay. I thought I heard you say that, but what the discussion was on these two parcels right here. It wouldn't be great or be interested in buying those Parsons for the post office. Oh, I thought you were saying the post office would have the option could have the option to buy that land from Greenville block taken by these without having us involved

at all. Okay. It wouldn't be 20 minutes or so. There's zone and wonderful. So Sydney zoning. Okay. But it's not an interesting gray more as you'd be wearing students post or where to do it in that one figure in different kinds of wood. Yes. So now I have a question please. I think that one of the concerns that, um, that we have

Speaker 4: 20:23 yes and I'm sure probably right more is that if the post office wants to do their own building is, you know, it's important that the design fit in here. Um, but in answer to your question, do they have to story post offices? Absolutely. And there's absolutely a wonderful one in the ballet or texting.

Speaker 3: 20:51 I didn't want to go to story box office people ready? It was beautiful. Yeah. Other questions before we move on please? So you know, their budget, you would saw that light are, we've not put a gun said probably this piece, this piece here isn't big enough to meet their criteria under $3 million right now. Yes, please. I understand that they're asking [inaudible] sky and know that it's processing emotions. And they started with the date when we first started at 8,000 feet in 28 parking spaces. We never put any kind of April. Yeah, me. I mean really liked [inaudible] the post office is [inaudible] people aren't planning to go to the post office and then you go to all these retail spaces [inaudible] post building here. But the majority of restaurants last three years. Yeah, they come and go in those spaces. [inaudible]

Speaker 3: 22:36 restaurant in Thai [inaudible] Sam changed his tenants. There's a lot to do with the operations that I'm learning a functioning in their repeat customers. So we are all we are going to need, maybe need some space for, it has po box sorting itself, but it just got these offers, these packages like the ups store. That's correct. Dan [inaudible]. So we ready. We had agreed that we're going to spend some time on this proposed development. One more question I'll was today, when do you expect the post office to vacate stop facility? The current extension that they're operating under now has running into until the end of October of this year. Okay. So right now the post office will leave on the, at the end of, that's

Matt Grady: 23:46 what I understand. Right.

Speaker 5: 23:46 Okay. Is there a potential that, I'm sorry, I just spoke with him there. Axelrod yesterday. He mentioned that there is a potential to extend at least through the end of the year.

Matt Grady: 23:55 Yeah. I have no fear of God yet. He was also

Speaker 5:	23:59	telling me, let me know that uh, there has been any time since done on different properties. He's not been invited to those.
Matt Grady:	24:07	Did you ever have [inaudible] we're, we're in a, I've been telling you, Robert and you guys all that we're in an odd, you're acting of information and there's a time to away with things happen and then there's different people who should stick out. You guys may speak with which we speak with, I don't know who, who's running the show?
Speaker 4:	24:28	[inaudible] there's no one to 0.2,
Speaker 1:	24:36	excuse me. [inaudible] I was going to switch to the design. I'm not married to the post office, but I saw what Patrick, Cassie did with the wiser block down in Lake Oswego. The windward departments. Yeah. And you see how active the, I've got salt and Straw. They got all his business. One of the annoying things about Living Westland is that downtown, it shuts down. It's quiet, you know, I have to go to Lagos to go have to go to Oregon city. So that'd be great to be able to actually go downtown. How people there something to that end, I mean it might be a little bit, but was there any thought about putting additional intensity that our development like three floors of apartments above it to actually get people in there?
Speaker 4:	25:21	No. We have more intense [inaudible]
Matt Grady:	25:27	talk about putting apartments on top know. So that's a different twist. I mean it's an interesting idea. It's just you gotta figure out where are we, what's this zone? It's still retail commercial. Both of the farmers home walk version.
Speaker 5:	25:40	I think we have a heightened
Matt Grady:	25:42	across the street office business, commercial [inaudible]. She's a budding residential districts. So you can't, you have to step it up. But in a way I'm going to ask you away. Yeah.
Speaker 5:	25:56	Plan. My concern is that if the post office goes away, there's always been a bit of a uh, empty spaces in years. You're building their, you're buildings are potential commercial. And you have lost the draw. The main draw I change is the post office. Yes.
Matt Grady:	26:25	Yeah. And mark inhalers too. But we're going to choices also date. They are going to be renovating storage starting at at BPV late fall, right after Christmas they got ready, wait, the interior

of the store and I go into what their time frame music, different pieces of renovation and how it goes. The Post. I just

Speaker 5: 26:44 look at all of this and I want to see upcoming cohesive completion of the vote in business district. I see an exclusion on the corner. I see an exclusion because of that other thing behind there. Yeah. And and how can we bring this together to be sort of like you're, you've done that area over by Cruz way, that whole big thing isn't that cruise. Yeah. We've got to come to some kind of a cohesive finish to this. Our words, leaving it with not the best dangling thread. It's a dangling thread for your sake. And for ours, for everybody's sake, we may lose the post office, which is so important. So how can we bring it all together? How can you guys help us? How can we as a neighborhood plan advocates? Because some of us were in on that neighborhood plan way, way back,

Speaker 3: 27:56 right. And we want to see [inaudible] they would, they like to do their development there because there was a post office there and because the library was there and there was a grocery store, the post office was important to everybody when we went to all the meetings before you started or you be there, he said, and we all agree that one of the reasons why it would be good to develop there is fine because the post office was there and that was a big drum grabber. What did the post office they were then and I've been secret and things and in the newspaper clipping take grammar source. They weren't the post office to stay. Well, is that a lie then? Why is it being said? The post office isn't as great.

Speaker 5: 28:42 First of all, I'm gonna say [inaudible]. No, but Sarah,

Speaker 3: 28:47 they're not even wanting the post office. There they are. They're wanting to build their little special restaurant and funded places. No, that's not true.

Speaker 5: 28:58 Well, that's my concern. [inaudible] I mean she is proposing development on the corner across from that, uh, in the office business commercial. We want to see it come together and what we wanted, you know, for the library not having a Walgreen's parking structure at the front door. I've been here too long. I've seen all together.

Speaker 3: 29:33 Yeah. You will, you ended up with is a central belief that is increasingly dynamic and choice as

Speaker 1:	29:42	increasingly successful. Yeah. So how your fault hopefully as a result of the meeting on the 25th, there is some sense from the post office about what they're thinking actually is and if not, what other kinds of political pressure can we bring to bear? Yes. That's what I
Matt Grady:	30:01	to all of us together to result in more. I think you're your uh, communicate with have been very effective so far. You actually got a medium to bring the people out from the Midwest or Colorado or wherever your heart to come here and meet with people in person and try to get some of this stuff sorted out. You know, you, you said you use this, we kind of get in here in person and you guys need to pay yourself back for achieving cat one step off the check mark. Okay, we'll get them the arcade. Couldn't you give him to come back again? Can you get open up communications and get everybody's numbers and emails so that you can keep up after them and then continue the, your pressure from the political standpoint. Now [inaudible] is unique to that. People want to have a post offices. Exactly.
Matt Grady:	30:49	If it's been here state, this is ingrained in your history right here. They pretty much, and so you can see why. But then the other communities, if they were just going to plunk down somewhere else, oh my gosh, there'd be all kinds of, I don't want the lights on the security lights on it. I don't want to see this new fencing and I wanna see the trucks going out somewhere, you know, and, and uh, so it's like kind of not in my neighborhood, sort of a situation. And so they should be grateful that they have a champion of a community saying, we want you to be here and why don't you be right in the same spot, figured out how to work it out with the parcels that be got, can you make your size smaller? I mean all those things. I'm sitting here and I, I, I don't know exactly what he's [inaudible] control. And the reason we couldn't reach an agreement was they gave us at least federal lease form and they said, you cannot make any changes on this. So we make changes on leases all the time. And their particular issue was that it could have ended up that new lease. They said they can be there indefinitely for any edits, no reason. They can just continue on and we couldn't live with that one particular institution. You know, we ask them and we worked with them repeatedly and they said no, no changes. No, definitely.
Matt Grady:	32:00	Is there a contact that you can give us? John and Logan is the person that I know of and with the USBS? Yes.
Speaker 4:	32:07	Uh Huh. If you don't mind. Aye. I,

Matt Grady:	32:10	that's so they may have said that we gave up but we tried, we were working with them for a year.
Speaker 4:	32:17	All right. You have a question? Yes. Well, I have a comment. One of the things that have happened last night, I was watching that city hall meeting and uh, the whole, the whole post office saying came out and um, there was, this is what I was trying to understand. There's actually two meetings with the post office and I asked the Viet both of them, but I don't know if we can get both of them. So the mayor said there's going to be a meeting on the 25th and it's going to start at five o'clock and I thought you said that's when we meet with the gentleman at the post office and then there's a public thing afterwards. So I think it'd be good for us to figure this out and to have Bolton people don't have had, the whole crew would have both, some people there yet that smaller meeting and we can,
Speaker 3:	33:09	we'll check on the, well, yeah. You guys, do you want to be there? Oh sure. Yeah, I have no idea. This was [inaudible]
Speaker 4:	33:20	that's what threw me off when I was listening to it and I'm thinking, well we need to be there. You know, it's our neighborhood and so um, yeah, yeah, yeah. You can check on that. That'd be,
Speaker 3:	33:32	that does know about that because I spoke with him the other day and he informed me that there is being this meeting at the city hall at five o'clock so apparently that Pedro that's open to the public. Is that it is, yeah. [inaudible] he's talking about what I am saying. I am but I don't know that I am [inaudible] you will find out one or more wasn't. But the meeting on the 25th is a note of music. Correct. Your ts one open meeting and then I like everything that I know the fiber is here more you'd like talk about in terms of design that you've put together. Only if anybody wants to hear it. I did sounded like frank and tell you why you came up with this is nice to know why the elements that you see here, our show, that's a great question. You've got three but three minutes. [inaudible]
Speaker 3:	34:29	what we did when we originally designed this project is who we came from. Great. Was saying, you want to make sure that we have some surely you mean nothing, extremely repetitive and something that allows the community come together and all these different ways. So we have different talents that will be a no, we know tennis will come in and go restaurants and all that. And so we have a whole series of different materials, different shapes, sizes, um, two story buildings, single story building, two buildings that were totally remodeled. The front one here was

obviously all into retail. We have marketing choice over here. There we expanded and then we have the building behind earn market. This show is here. Um, that was brand new building and that was, it was a nice little building and where that's as big as we could make it. We had to make sure we kept a right to the top of the slope.

Speaker 3: 35:27

We had to keep away from it, the goalie in the whole thing. And so in bringing in another small building, I said, well why don't I just simply take some of the same language that is already scattered throughout this development and see what we can put together. So I took the element basically from off of garden, that entry, cause that entry is so strong and it's so simple and we know that we need a quarter entry. So I'm sore and this is already been designated as a possible restaurant location. And so, which is dynamic how all the plaza's would work because of the way we have set back to and all that kind of good stuff. We'll see how that all works. But there's other elements such as this a massage here that we just break back the cornice. We have that on this building. We have it, I believe on me.

Speaker 3: 36:24

The other building by the library goes well and it's a very small building so we didn't want to do too many things that just kind of clutters it all up. So it would basically have situation where we have similar materials on all sides. The other thing is we're sitting very close to the property line on North side. We still have your arborvitae shown. Those are providers might have to go away cause they're probably at the end of their life. I talked to the landscape architect today and he was a little concerned about even being able to get those through construction. So, but certainly we'll have landscape new landscape all the way around meeting the landscape codes and such. And so we have a very simple rectangular building, multiple, uh, we try to bring things in and out. You have a nice canopy keeping people out of the rain and reads.

Speaker 3: 37:17

It will read very well with market, a choice over here and be able to see through. But you will be looking up at it from one can question if in fact there was a retail post office than there is there. If the traffic flow pattern make that possible. Oh, I think it's because there's a lot of traffic that goes through this right now. Actually. I think the circulation grabbing is way better than, yeah, okay. Yeah. We may have very inviting you all back depending upon what happens on the 25th you know, if you give me a call, I will show up doors open. Keep your guns. Yeah. All right, so we have a couple of you online and if we need to finish the whole chapter in the working conditions, like to get a chance to talk about that. I don't know if you can get these guys

to come back tomorrow. They're very willing and if you might talk to them after we closed, and that's totally up to you. I want really [inaudible] a couple of quick updates. July 17 is.

RECEIVED
JUN 13 REC'D
GRAMOR DEVELOPMENT INC.

May 31, 2019

Gramor Development
19767 SW 72 Ave Suite 100
Tualatin, Oregon 97062

RE: Proposed Replacement of P.O. on Hood St., West Linn, OR

Attention: Mr. Matt Grady,

It doesn't seem possible, but we have lived across the "canyon" from Market of Choice and the P.O. for fifty years! The P.O. has remained the hub of our area all these years of development...from one tiny food market to what it is now!

It seems necessary to draw attention to environmental concerns that should be considered. There is a small, natural spring/creek that begins somewhere behind the library that goes under a culvert on Burns St. and feeds the water in the "canyon." separating those homes on Cascade Street, as well as others and the Market of Choice complex and the P.O. until the tributary reaches an estuary of the Willamette River.

Years ago, the beavers built a dam near what would've been about the center of the Market of Choice parking lot and the end of our property. We found signs of Indigenous People once inhabiting the canyon. In the nice little pond created, were wood ducks, mallards and their babies. We created a path to take our kids down to the pond for bird watching excursions. Owls hooted at night and frogs sang their songs.

One neighbor near the P.O. decided more parking was needed and brought in bulldozers that ended up shoving dirt around which rolled down the bank into the pond, turning it into a sludgy mess. No one cared but us! (Both property lines go to the center of the canyon, whether it's a waterway or not.)

The eagles perch in our trees. ospreys fly low. Now, all these years later, the frogs have just begun to sing again, skunk cabbage bloom. The water still does not flow.

Those neighbors didn't care about the environment, they didn't care about taking care of the little canyon. Our time is coming to a close. May your choices indicate you will continue to be good stewards of the canyon and care for its future. Thank you.

Sincerely yours,

Linda L. Spillum

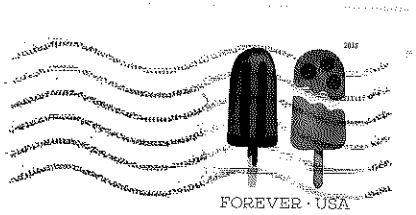
Doug & Linda Spillum

5650 Cascade St.

West Linn, Oregon 97068

Douglas & Linda Spillum
5650 Cascade St
West Linn, OR 97068-3204

PORTLAND OR 972
10 JUN 2019 PM 4 L



Attention: Mr. Matt Grady
Gramor Development
19767 SW 72 Ave. Suite 100
Tualatin, OR 97062

97062-835425

NOTICE SIGN MOCK-UP

PUBLIC MEETING

On A

Preliminary Development Proposal

Affecting

MAP 22E 30 CA, LOTS 700 & 900
5665 & 5639 HOOD STREET, WEST LINN, OR 97068

PROPOSED

PARKING LOT RECONFIGURATION
REPLACEMENT OF POST OFFFICE WITH NEW BLDG.

A meeting to discuss the preliminary development proposal is scheduled for

JUNE 18, 2019 7:00 PM
6050 FAILING STREET, WEST LINN, OR

ALL INTERESTED PERSONS MAY ATTEND

FOR MORE INFORMATION CONTACT:

MATT GRADY
(503) 245-1976

[Use this form and fill in the blank spaces with the information you provided on the notice sign posted at the site if you used the signs available from the City]

Peg Patterson
595 Edgewater Road
Gladstone, OR 97027

RECEIVED
APR 12 RECD
GRAMOR DEVELOPMENT INC.

April 11, 2019

Barry Cain, President
Graymor Development
19767 SW 72nd Ave #100
Tualatin, OR 97062

Re: West Linn Post Office Relocation

Dear Mr. Cain:

I grew up in, and was a resident of, West Linn for 65 years. I have worked in West Linn for 30 years, most currently at Dawson Law Group since 2005, which is immediately adjacent to the West Linn Post Office. The businesses in the area rely heavily upon the location of the West Linn Post Office, and I rely upon it as well for personal use since I work in the area.

Moving the West Linn Post Office from it's current location would, in my opinion, be disastrous for the community. It seems to me that development of that property, without providing space for the West Linn Post Office to stay in its present location, would certainly not benefit the West Linn Community and in my view, would only line the pockets of Graymor Development and the property owner.

I would strongly urge you to work with the USPS to enable them to stay at their current location by giving them an "affordable" lease payment. I would like to believe that Graymor's ethical DNA would be to "serve" this community instead of preempting the desires of this community.

I speak for many who hold the same position but likely will not take the time to write you a letter regarding their feelings. Thank you in advance for your consideration regarding this issue.

Sincerely,

Peg Patterson

Peggy J. Patterson

pjp

GRAMOR
DEVELOPMENT

April 18, 2019

Peg Patterson
595 Edgewater Road
Gladstone, OR 97027

RE: United States Post Office
West Linn Central Village

Dear Ms. Patterson:

Thank you for your letter dated April 11, 2019 regarding the Post Office at West Linn Central Village.

We agree with you that the Post Office is a real asset to the area. In fact, we tried for almost a year to extend the term of the Post Office but in the end gave up.

During our negotiations, the Post Office gave us a brand new lease form that they said had to be used and that absolutely no changes could be made to it. And this was after extending the lease with the same lease form for over 50 years! One of the terms in the new lease allowed them to 'hold over' at the end of the lease indefinitely, no matter what. As you might assume that was not acceptable to us. For almost a year we repeatedly tried to talk to them and get them to see reason, but to no avail. That is when we decided to try to figure out how we could exist without them. And that is what we have done.

We hope the Post Office will stay in the general area and we have been giving them some choices for alternate locations. It probably doesn't hurt for you to contact them so they know how important it is to the neighborhood.

Thanks again for the letter.

Sincerely,
Gramor Development, Inc.

Barry A. Cain
President

Peg Patterson
595 Edgewater Road
Gladstone, OR 97027

RECEIVED
MAY 16 REC'D
GRAMOR DEVELOPMENT INC.

April 25, 2019

Barry Cain, President
Graymor Development
19767 SW 72nd Ave #100
Tualatin, OR 97062

Re: West Linn Post Office Relocation

Dear Mr. Cain:

I received your letter explaining the situation on Graymor's side of the fence and their attempts at keeping the post office in it's present location. Thank you so very much for taking the time to write back to me. I now have a much broader view of the situation.

As you suggested, I will attempt to contact the powers to be at the USPS and urge them to consider a reasonable resolution which would be beneficial to both sides.

Sincerely,

Peg Patterson

Peggy J. Patterson

pjp

VISITORS REGISTER

June 18th 2019 (EMAILS)

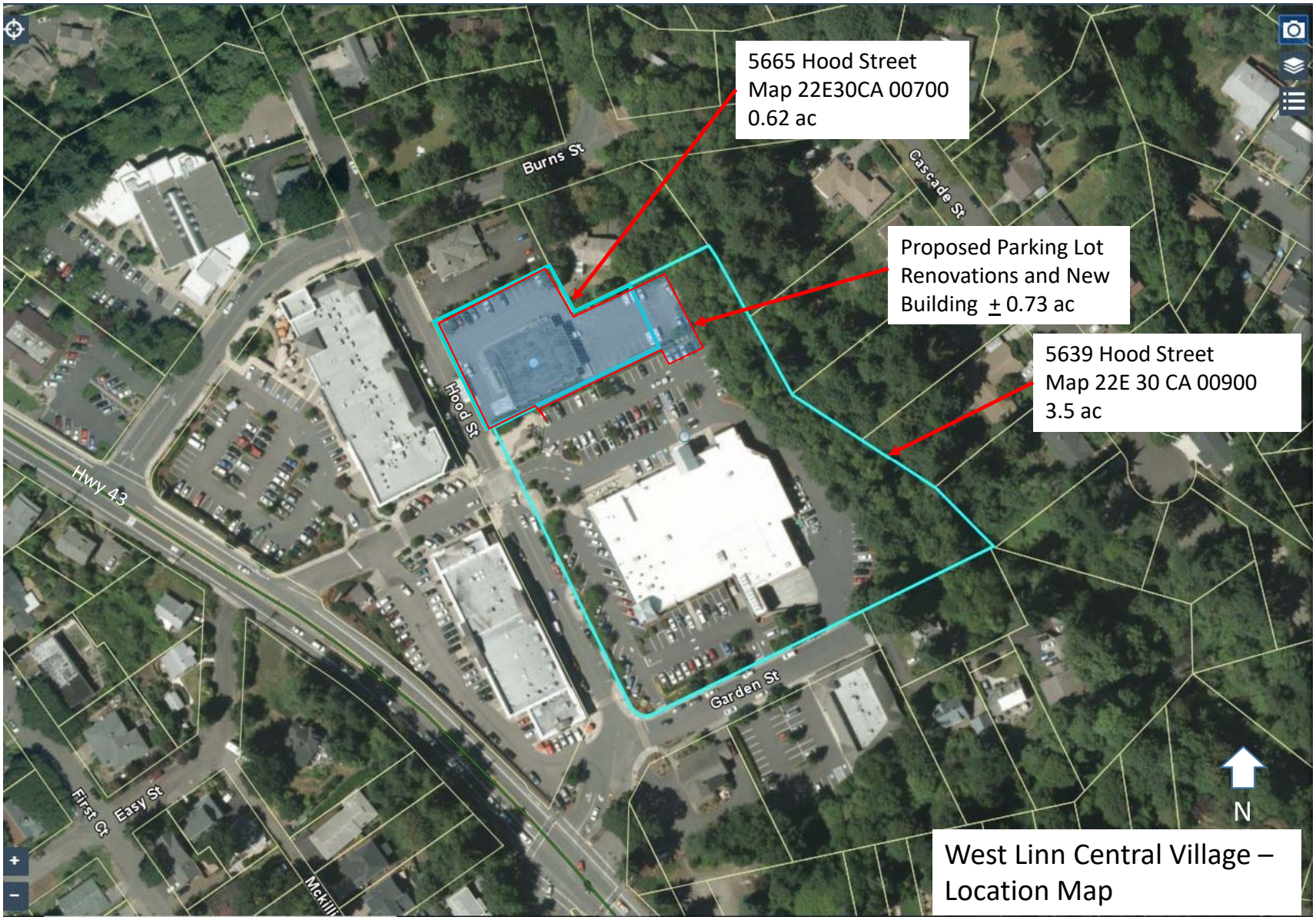
DATE	VISITOR'S NAME	ADDRESS	TIME	REMARKS
	Walt + Dianne Swan	5777 Cascade St.		
		503-656-3962		jambo37@comcast.net
	Kim Tenoso	1575 Burns St		
	Mary Peterson	2816 Tree Top Lane		marynpeterson@yahoo.com
	Roy Rockhill			
	Mark Thomas			
	Ronda Thomas			
	Peggy Kuhnsdale			on file
	Vince Miles	5767 K ST.		v.miles.234@gmail.com
	Nathan Olson	2170 Hammond St.		
	Micah Wood			
	Anna Corton	4008t.		
	Hailey Foster	2000 Willamette View Ct.		hailey.foster@gmail.com
	Robert Wells	5651 Cascade St West Linn OR 97068		bob@wellsmurray.com

VISITORS REGISTER

DATE	VISITOR'S NAME	ADDRESS	TIME	REMARKS
	LANCE GALBERT			lcalbert@westhenrycga.gov
	DARREN WISS			dwiss@westhenrycga.gov
6/18	TERRY KRUGER	POLICE DEPARTMENT		
	Marshall Threefoot	5535 Perrin St West Linn		
	Laura Lee Scott			all that life stuff@gmail.com
	Leann Curry	1550 Garden		leannart@hotmail.com

PUBLIC MEETING
On A
Preliminary Development
Proposal Affecting
PROPOSED
A meeting to discuss the
preliminary development
proposal is scheduled for
FOR MORE INFORMATION
CONTACT:

PUBLIC MEETING
On A
Preliminary Development
Proposal Affecting
PROPOSED
A meeting to discuss the
preliminary development
proposal is scheduled for
ALL INTERESTED PERSONS MAY ATTEND
FOR MORE INFORMATION
CONTACT:


5665 Hood Street
Map 22E30CA 00700
0.62 ac
Proposed Parking Lot
Renovations and New
Building ± 0.73 ac
5639 Hood Street
Map 22E 30 CA 00900
3.5 ac
Burns St
Cascade St
Hood St
Hwy 43
Garden St
First Ct
Easy St
N
West Linn Central Village –
Location Map

Tenant
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2417
503-224-5221

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WESTLAKE CONSULTANTS

Planning | Engineering | Surveying

May 26, 2020

Online Neighborhood Meeting Invitation

RE: 5665 Hood Street Post Office Redevelopment VIRTUAL Land Use Meeting

Dear Neighbor/Property Owner,

Westlake Consultants is assisting West Linn Shopping Center Associates LLC, owner of the property located at 5665 Hood Street, with development of a new building. The specific properties are Map 2-2E-30CA Tax Lot 700 and a portion of Tax Lot 900 which are highlighted on the site map included with this letter.

The purpose of this VIRTUAL meeting is to provide a forum for surrounding property owners/residents to learn more about this proposal and to provide input before a land development application is submitted to the City of West Linn. This VIRTUAL meeting provides you the opportunity to share with us any special information you know about the property involved. We will attempt to answer questions which may be relevant to meeting development standards consistent with the West Linn Community Development Code.

Pursuant to West Linn CDC Chapter 99.038 you are invited to attend a VIRTUAL neighborhood meeting on:

Tuesday June 16, 2020
Starts @ 7:00 PM
As Part of Bolton Neighborhood Association June '20 Meeting

Online Meeting Sign-In Details
See Attachment A of this letter

Please note this meeting will be an informational meeting on preliminary development plans. These plans may be altered prior to submittal of a formal application. If a formal application is submitted, you will receive official notice from the City of West Linn as part of the application review process to participate with any formal written comments you may have.

We look forward to discussing the proposal with you at the meeting. Contact me at 503.684.0652 if you have questions.

Sincerely,

Kenneth Sandblast, AICP
Director Planning Division

WESTLAKE CONSULTANTS
Planning | Engineering | Surveying

Published: May 26, 2020

Attachment A
ONLINE Land Use Meeting Sign-In Details

5665 Hood Street Design Review Redevelopment
Tuesday June 16, 2020 7:00pm Start

The following is provided by Bolton Neighborhood Association:

We use the Zoom video conference software for our next Bolton Neighborhood Association (BNA) meeting. We will all learn as we continue to us it.

Zoom Meeting ID: 676 215 5916

Here is how to join our Zoom meeting:

1. *Using a computer, tablet, smart phone, or laptop, hopefully with a camera so we can see your face, go online. Then copy and paste:*

   https://us02web.zoom.us/j/6762155916

2. *At the top of the page, click Open Zoom Meetings and you will join us.*
   Once we are all in the meeting we will spend a few minutes getting familiar with how Zoom works.

3. *If you need to call in, find your local number:*
   https://us02web.zoom.us/u/kd6rsNdvAP

Please join the meeting 10 minutes early. This will give us time to check-in everyone and start on time. Once you have joined the meeting and been acknowledged by Bob, please mute your microphone so we can hear as others join us.

We can go over the rest of the Zoom rules once we start the meeting and this will minimize cross talk until we start.

Best to one and all,

Bob McCarthy, President
Bolton Neighborhood Association
BoltonNA@WestLinnOregon.gov

Online Land Use Meeting

For Site Design Review

5665 Hood St. (Map 22E30CA TL700&900)

7:00 PM

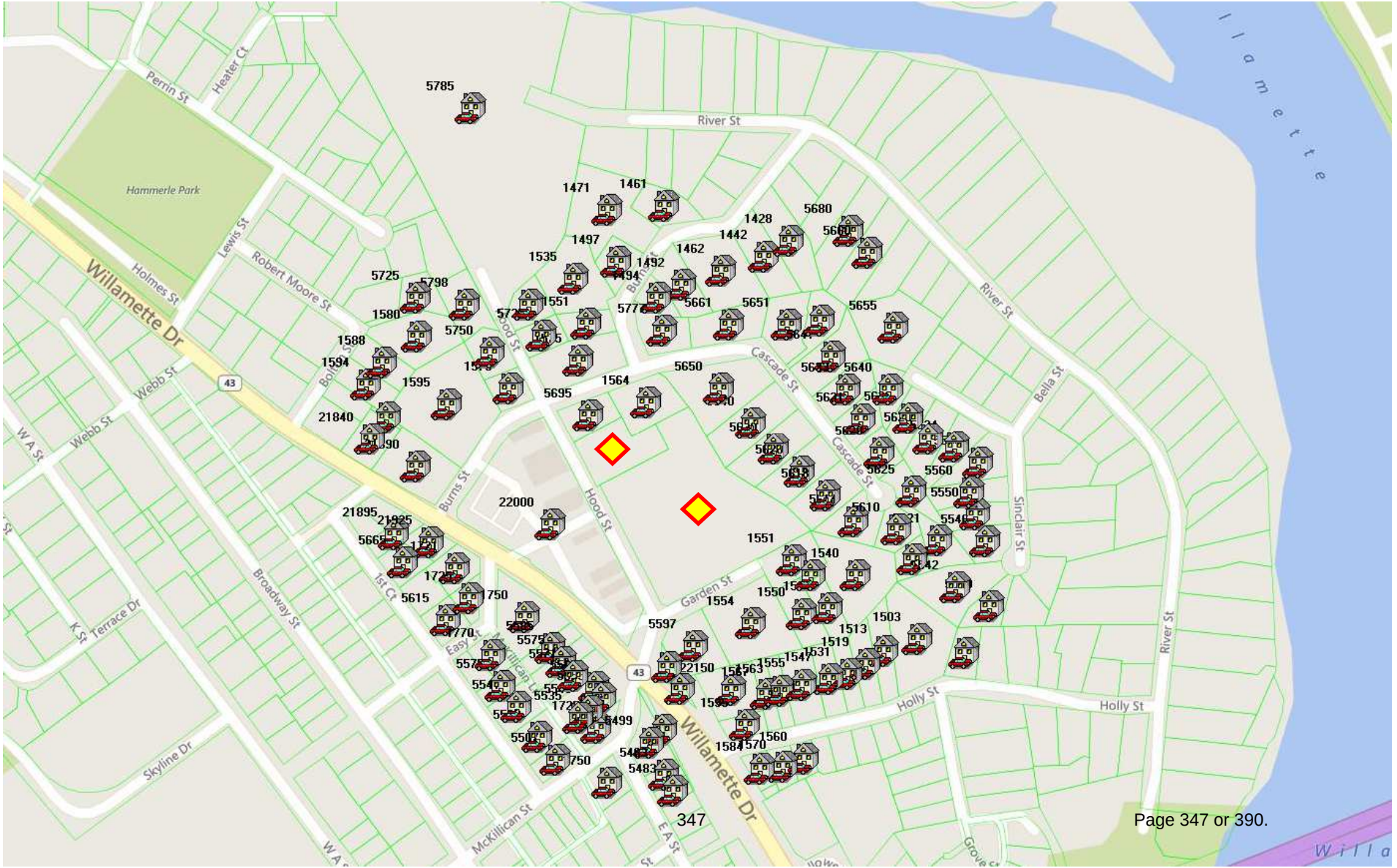
Tuesday June 16, 2020

Online ZOOM Meeting:

westlinnoregon.gov/bolton/bolton-neighborhood-association-meeting-online

For More Info Before Meeting Call:

Matt Grady 503-245-1976


Willamette Dr
River St
Hammerle Park
Pernin St
Heater Ct
Lewis St
Holmes St
Robert Moore St
Webb St
W A St
Broadway St
1st Ct
Terrace Dr
Skyline Dr
Burns St
Hood St
Cascade St
Garden St
Holly St
Sinclair St
Bella St
McKillican St
Easy St
Willamette
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5550
Page 347 or 390.

22E30AC01601
Andrea Boho
1442 Burns St
West Linn, OR 97068-3213

22E30AC01602
Debra Monaco
1428 Burns St
West Linn, OR 97068-3213

22E30AC01606
Kimberly Turnbull
Po Box 2194
Kealakekua, HI 96750-2194

22E30AC01607
Rhonda & Andrew Gilburne
5660 River St
West Linn, OR 97068-

22E30AC01800
Robert & Rosalinda Wells
5651 Cascade St
West Linn, OR 97068-3217

22E30AC01801
Christ Stathakis
7840 Shore Acres Dr NE
Olympia, WA 98506-9670

22E30AC01900
Terence & Donna Davis
5641 Cascade St
West Linn, OR 97068-3217

22E30AC02003
Calvin Lang
5655 Sinclair St
West Linn, OR 97068-3248

22E30BD00800, 02200 & 02401
City Of West Linn
22500 Salamo Rd #600
West Linn, OR 97068-8306

22E30BD01701
Daniel Helfet-Hilliker
Rebecca Marshall
5725 Robert Moore St
West Linn, OR 97068-3244

22E30BD01800
D Michael & Nesja Stucky
1580 Bolton St
West Linn, OR 97068-3252

22E30BD01900
Steven & Amy Nakano
1594 Bolton St
West Linn, OR 97068-3252

22E30BD01901
Kathleen & Thomas Nave
1068 E Newhall Dr
Fresno, CA 93720-4084

22E30BD02300
Edward Lohman
Debbie Steiner
1579 Burns St
West Linn, OR 97068-3231

22E30BD02400
William & Alma Coston
Po Box 387
West Linn, OR 97068-0387

22E30BD02500 & 02504
Robert & Janet McCarthy
1535 Burns St
West Linn, OR 97068-3258

22E30BD02501
Bolton Commons LLC
1554 Garden St #104
West Linn, OR 97068-3278

22E30BD02502
Sandra & Roderick Doubleday
1685 NE Regatta Way
Lincoln City, OR 97367-3655

22E30BD02503
Erich Kunrath
Mary Miller
5725 Hood St
West Linn, OR 97068-3293

22E30BD02600
Bryon & Tawnya Borntrager
1497 Burns St
West Linn, OR 97068-3229

22E30BD02700
Michael & Geri Gates
1471 Burns St
West Linn, OR 97068-3229

22E30BD03300
Timothy & Robin Starr
1461 Burns St
West Linn, OR 97068-3229

22E30BD03400
Marilyn Scott
1462 Burns St
West Linn, OR 97068-3213

22E30BD03500
Troy & Kristin Wolfe
1492 Burns St
West Linn, OR 97068-3213

22E30BD03600
John & Brandi Rasmusan
6065 W A St
West Linn, OR 97068-3045

22E30BD03700
Walter & Dianne Swan Jr
5777 Cascade St
West Linn, OR 97068-3208

22E30BD03800
Linda Rae Hamel
5661 Cascade St
West Linn, OR 97068-3217

22E30CA00100
Darcey Lee & Rick Price
5620 Cascade St
West Linn, OR 97068-3204

22E30CA00200
Jeffery & Karen Gienger
5630 Cascade St
West Linn, OR 97068-3204

22E30CA00300
Patrick Bancke
Po Box 174
West Linn, OR 97068-0174

22E30CA00400
Douglas & Linda Spillum
5650 Cascade St
West Linn, OR 97068-3204

22E30CA00500
Erin Lommen
Jay Mead
1564 Burns St
West Linn, OR 97068-3215

22E30CA00600
Larry & Sheri Dawson
5695 Hood St
West Linn, OR 97068-3235

22E30CA01800 & 03400
West Linn Shopping Ctr Assoc LLC
19767 SW 72nd Ave #100
Tualatin, OR 97062-8354

22E30CA01900 & 02500
5597 Hood Street LLC
222 N Rampart St
New Orleans, LA 70112-3104

22E30CA02000 & 02400
Bolton Commercial Center LLC
Po Box 12564
Portland, OR 97212-0564

22E30CA02100
Diane & Christopher Leebrick
1567 Holly St
West Linn, OR 97068-3326

22E30CA02200
Clinton & Kelly Springer
1563 Holly St
West Linn, OR 97068-3326

22E30CA02300
Tower Property & Acquisition LLC
1595 Holly St
West Linn, OR 97068-3326

22E30CA03700
21890 Willamette Drive LLC
21890 Willamette Dr
West Linn, OR 97068-3256

22E30CA03800
Willamette 2018 LLC
6105 SW Macadam Ave
Portland, OR 97239-3640

22E30CA03802
Simy Properties LLC
21860 Willamette Dr
West Linn, OR 97068-3256

22E30CA04000
Margo Lee Rams
21895 Willamette Dr
West Linn, OR 97068-3260

22E30CA04100
John & Tracey Howell
21925 Willamette Dr
West Linn, OR 97068-3261

22E30CA04200
Dorothy Deline
5665 First Ct
West Linn, OR 97068-3216

22E30CA04400
David & Summer Buzza
5615 First Ct
West Linn, OR 97068-3216

22E30CA04500
Robert Lauer
Kayla Borgen
1721 Easy St
West Linn, OR 97068-3286

22E30CA04600
Steven & Julie Johnston
1725 Easy St
West Linn, OR 97068-3254

22E30CA04700
Larry & Judith Sather
1750 Easy St
West Linn, OR 97068-3218

22E30CA04800
E Louise Holladay
5585 Mckillican Ln
West Linn, OR 97068-3259

22E30CA04900
William Ward Campbell
5575 McKillican Ln
West Linn, OR 97068-3259

22E30CA04902
Sloan Mikael & Emily
5571 Mckillican Ln
West Linn, OR 97068-3259

22E30CA05100
Lorilynn & Charles Ferrell
1725 Mckillican St
West Linn, OR 97068-3350

22E30CA05200, 05300 & 05500
West Linn Strategies LLC
4703 SW Campbell Ct
Portland, OR 97239-1283

22E30CA05600
Merrill McNeil
Laura Yazzolino
5483 Amy St
West Linn, OR 97068-3320

22E30CA06000
David & Jill Renton
109 NW Fall Run Dr
Grants Pass, OR 97526-7103

22E30CA07900
Frank Dibenedetto
5507 First Ct
West Linn, OR 97068-3214

22E30CA08000
Margaret & Douglas Dickston
5533 First Court St
West Linn, OR 97068-0000

22E30CA08100
Ronald & Janet Chappell
5541 First Ct
West Linn, OR 97068-3214

22E30CA08200
Ken Harmon
5575 First Ct
West Linn, OR 97068-3214

22E30CA08300
Deana & Gregory Uhrig
1770 Easy St
West Linn, OR 97068-3218

22E30CA9000A thru 9000D
Dolores Eloise Heard
5555 Mckillican Ln
West Linn, OR 97068-3259

22E30DB02103
Ruth Grant
6824 Bel Mor Ct SW
Tumwater, WA 98512-1201

22E30DB03800
Mara Christensen
5540 Sinclair St
West Linn, OR 97068-3246

22E30DB03900
Michael & Lola Blevins
5542 Sinclair St
West Linn, OR 97068-3246

22E30DB04000
Patrick & Jennifer Oconnor
5546 Sinclair St
West Linn, OR 97068-3246

22E30DB04100
Gregory & Julia Williams
5550 Sinclair St
West Linn, OR 97068-3246

22E30DB04200
Thomas Henry Papst
5560 Sinclair St
West Linn, OR 97068-3246

22E30DB04300
Terry & Laura Kemnitz
5580 Sinclair St
West Linn, OR 97068-3246

22E30DB04400
Suzanne Dryden
5624 Sinclair St
West Linn, OR 97068-3248

22E30DB04500
Carl & Tina Gardner
5620 Sinclair St
West Linn, OR 97068-3248

22E30DB04600
Barry Hacker
Mary Tyner
5636 Sinclair St
West Linn, OR 97068-3248

22E30DB04700
Dawn & Kevin Kasowski
5640 Sinclair St
West Linn, OR 97068-3248

22E30DB04800
Randolph & Christy Valles
5633 Cascade St
West Linn, OR 97068-3217

22E30DB04900
Wayne & Gail Aldridge
5631 Cascade St
West Linn, OR 97068-3217

22E30DB05000
Robert & Janet Raes
5629 Cascade St
West Linn, OR 97068-3217

22E30DB05001
Joseph & Kelly Vetere
5625 Cascade St
West Linn, OR 97068-3217

22E30DB05002 & 05003
Richard & Janet Enger
Enger Richard E
5621 Cascade St
West Linn, OR 97068-3217

22E30DB05004
Jerome Couture
5614 Cascade St
West Linn, OR 97068-3204

22E30DB05005
Gary & Anita Olson
5618 Cascade St
West Linn, OR 97068-3204

22E30DB05006
Robert & Karen Miller
5610 Cascade St
West Linn, OR 97068-3204

22E30DB05100
Jeanette Hamel LLC
Po Box 461
West Linn, OR 97068-0461

22E30DB05200
Robert & Leann Curry
1550 Garden St
West Linn, OR 97068-3201

22E30DB05300
Nicolas & Laura Hamel
1544 Garden St
West Linn, OR 97068-3201

22E30DB05400
Roy & Ivy Burghardt
1540 Garden St
West Linn, OR 97068-3201

22E30DB05500
Wendy & Allan Mohr
1503 Holly St
West Linn, OR 97068-3326

22E30DB05600
Alfred Brown
Elaine Anne Spence
1513 Holly St
West Linn, OR 97068-3326

22E30DB05700
Hannah Berkowitz
1519 Holly St
West Linn, OR 97068-3326

22E30DB05800
Jennifer Roos & John Millar
5665 Hood St #492
West Linn, OR 97068-0805

22E30DB05900
Bruce & Elizabeth Bensen
1547 Holly St
West Linn, OR 97068-3326

22E30DB06100
Michelle & Allen Marsh
21470 Parkview Ter
West Linn, OR 97068-2924

22E30DB06200
Reed & Diana Harmon
1560 Holly St
West Linn, OR 97068-

22E30DB06300
Brady & Alison Housden
1570 Holly St
West Linn, OR 97068-

22E30DB06400
Falconeri-Gordon & Sons LLC
Po Box 574
West Linn, OR 97068-0574

22E30DB08600
Nicholas & Laura Hamel
1544 Garden St
West Linn, OR 97068-3201

WESTLAKE CONSULTANTS
Planning | Engineering | Surveying

Published: May 26, 2020

Attachment A
ONLINE Land Use Meeting Sign-In Details

5665 Hood Street Design Review Redevelopment
Tuesday June 16, 2020 7:00pm Start

The following is provided by Bolton Neighborhood Association:

We use the Zoom video conference software for our next Bolton Neighborhood Association (BNA) meeting. We will all learn as we continue to us it.

Zoom Meeting ID: 676 215 5916

Here is how to join our Zoom meeting:

1. *Using a computer, tablet, smart phone, or laptop, hopefully with a camera so we can see your face, go online. Then copy and paste:*

   https://us02web.zoom.us/j/6762155916

2. *At the top of the page, click Open Zoom Meetings and you will join us.*
   Once we are all in the meeting we will spend a few minutes getting familiar with how Zoom works.

3. *If you need to call in, find your local number:*
   https://us02web.zoom.us/u/kd6rsNdvAP

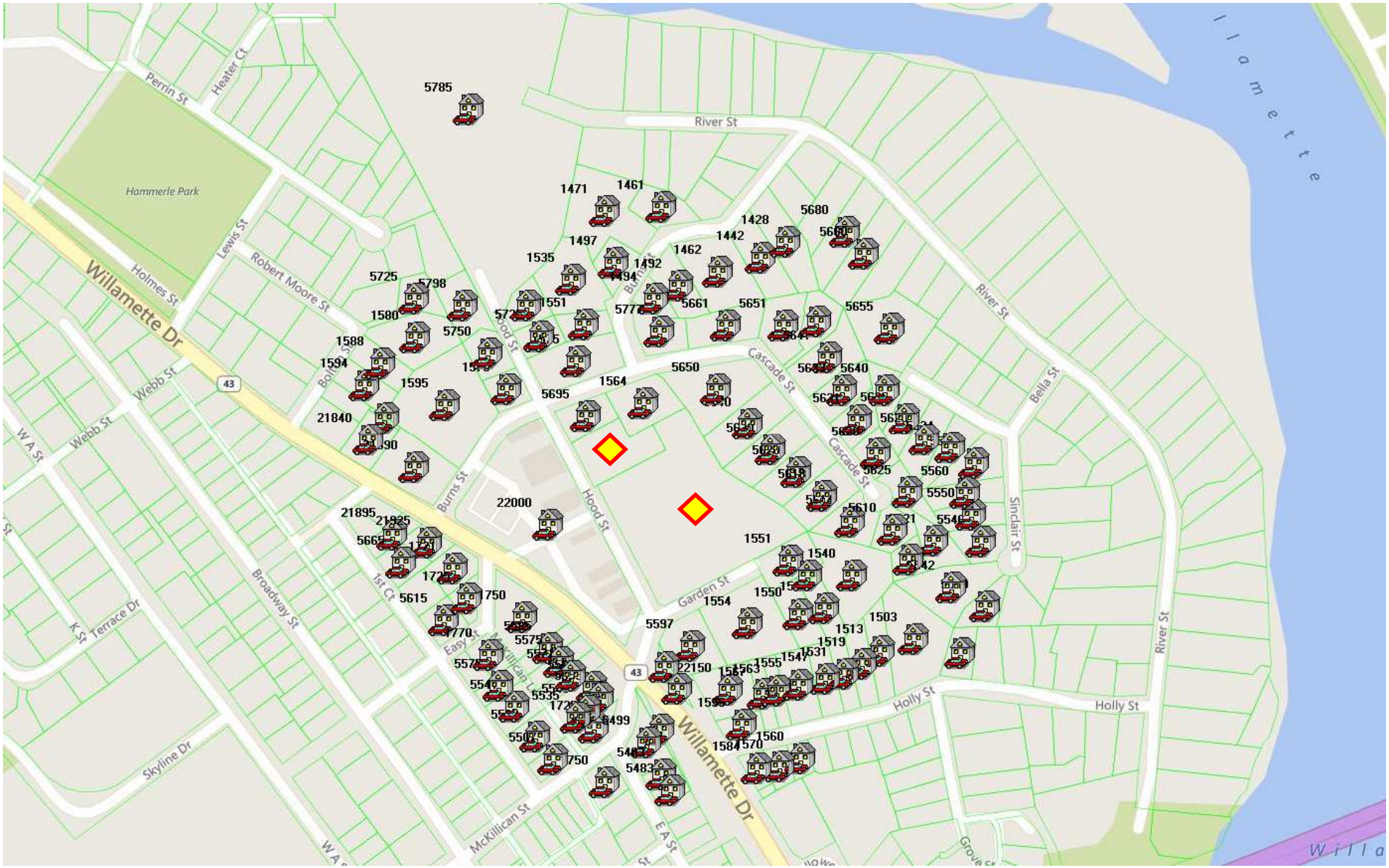
Please join the meeting 10 minutes early. This will give us time to check-in everyone and start on time. Once you have joined the meeting and been acknowledged by Bob, please mute your microphone so we can hear as others join us.

We can go over the rest of the Zoom rules once we start the meeting and this will minimize cross talk until we start.

Best to one and all,

Bob McCarthy, President
Bolton Neighborhood Association
BoltonNA@WestLinnOregon.gov

Clackamas County
22E30CA 700 & 900
500’



“This map is for your aid in locating your land with reference to streets and other parcels. While this map is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon”

*** UPDATE: Our June Online Meeting ***

Our Next BNA Meeting, June 16, 2020, at 7PM Will Be Using the Zoom Video Conference Tool

Dear Neighbors,

We use the Zoom video conference software for our next BNA meeting. We will all learn as we continue to us it.

The meeting ID: Meeting ID: 676 215 5916**.**

1. Using a computer, tablet, smart phone, or laptop, hopefully with a camera so we can see your face, go online. Then copy and paste Join Zoom Meeting https://us02web.zoom.us/j/6762155916. At the top of the page, click **Open Zoom Meetings** and you automatically will join us.
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We can go over the rest of the Zoom rules once we start the meeting and this will minimize cross talk until we start.

Please review our meeting minutes from May 19, 2020 which will be posted on our West Linn Web Page and print the June Agenda for your use.

Best to one and all,

Bob McCarthy, President
Bolton Neighborhood Association
BoltonNA@WestLinnOregon.gov

WEST LINN BOLTON MEETING 6.16.20 7:00 P.M.

- Greg Shelton's Contract - Included
- Concern about parking, loading, where employees will park
  How many employees?
  <M.G.> → How much are we treating them fairly? In Negotiations
  Postal ~~Water~~ parking on Reed/Street down.
  All service drivers are parking in Neighborhood.
  Not sure if it resolves our parking problem.
  Sees conflicts with truck loading.
  Others like it.
  Working well - wants the Post Office. More retail will add more competition.
  <MG> → Richard Sakelike - Cons. Step present to City Council. John Williams will reach out to us.
  Robert - Goal is to have a Post Office Here. We are making compromise.
  Linda Hammel. -
  Jan. -
  — — — —
  Alma likes P.O. Design the best
  Betsy - seconds this. Feels we don't need more retail
  Other People support this view. Sees spaces are not getting filled. Wants to see more houses

Past 8:30 pm.

Bolton Neighborhood Association
Draft Agenda for June 16, 2020
7:00-8:30 pm

A Zoom Meeting – Details Posted on the BNA Web Page

1. Welcome and get acquainted with Zoom.
2. Meeting norms with Zoom.
3. Review, revise, and approve May 19, 2020 minutes.
4. Review, revise and approve draft agenda.
5. Treasurer Report.
6. Gramor presentation of plans for Post Office site, Matt Grady.
7. Jaye Cromwell, ODOT plans for I205.
8. Future Agenda Items:
    a. Assessment of BNA interest in Bolton Fire House as Community Center, Jason Conn, Pres. West Linn Collaborative.
    b. Print new Bolton Neighborhood Walking Tour Booklet.
    c. Safe Route to School, Daniel'le DeVoss, City *Associate Engineer*
    d. Maddax Woods and proposed memorial for James Weaver.
9. Reflections on this meeting.
10. Adjourn.

June 16, 2020

Bolton Neighborhood Presentation Outline

A. Introduction

1. Matt Grady, Gramor Development / Ken Sandblast West Lake Consultants/ Frank Schmidt Tiland Schmidt Architects
2. Purpose – An update to the renovation project for the West Linn Central Village Center. Still in discussions with the PO working in earnest on a lease with them.

B. Post Office Plans

1. A year ago we met with your group (June 19, 2019). Subsequent to that, the Town Hall meeting (June 25, 2019) was held and resulted in , Gramor exploring with plans and pricing options attempting to fit the Post Office's 2-acre, 10,000 sf building with 65 parking spaces, loading ramp, drive through lane, fenced in service vehicle area. By taking over the two properties to the north (0.8 acres) of the existing site, it provided 1.5 acres and actually less than this due to the house lot having steep grades except where the house sits. The engineers and architects were unable to fit this expanded program into the limited space. Gramor concluded that we could accommodate a portion of the Post Office, that being the customer service retail portion. The Post Office finally came around to agreeing that this would work if they can locate another site to contain the "operations" portions of the business. They continue to look for another site, while at the same time working through a lease with Gramor for the past 5 months that would accommodate the "retail" portion. The lease has a long review and approval process which we are told takes more than 8-10 months.

2. Post Office has asked for more time to render a decision on what they plan to do. Gramor has extended a 6 month time to April of 2019 and

another extension to October 2019. **Now into October 2020, with another extension that will take them into early 2021.**

3. The mayor and city manager continue to be involved, with efforts put forth from your neighborhood association to inform the PO of the importance of its presence at Central Village.
4. While we reconstruct the parking area and new building (starting in Feb 2021).
   The Post Office would relocate to Gladtone or Wilsonville.
   If a lease is not secured with the Post Office by the summer of 2021, Gramor would proceed with an Alternate Retail building that utilizes the same access points and parking field.
   People can help out by:
   - Help provide listings of properties to the PO nearby Bolton that may be for sale or long term lease.
   - PO is looking for a West Linn site to accommodate the full 2 acre plan, or the smaller "operations" plan.

C. Proposed Plan – Preferred PO Plan and Alternate Retail Plan

1. Replace the existing Post Office building with a similar size 5,255 sf building in the corner of the lot.
2. Re-arrange the parking field between the new building and Market of Choice to eliminate the fencing and landscape strip between the two properties.
3. Utilize the area the PO had in gravel for part of the parking lot.
4. Results in 8 more parking spaces than what is already paved and used between the two structures.
5. The Preferred Post Office Plan includes a drive through for dropping mail, shared with a loading ramp to the north of the building.
6. Alternate plan of 6,550 sf retail building essentially adds building area to the preferred plan, to eliminate the loading ramp and drive through lane.
7. Plan is to commence site construction in Feb of 2021, followed by a new building that would commence in the mid to late summer of 2021, with an opening in early 2022.

D. **Market of Choice** is planning to renovate the interior of the Store
   1. Anticipated Fall of this year.

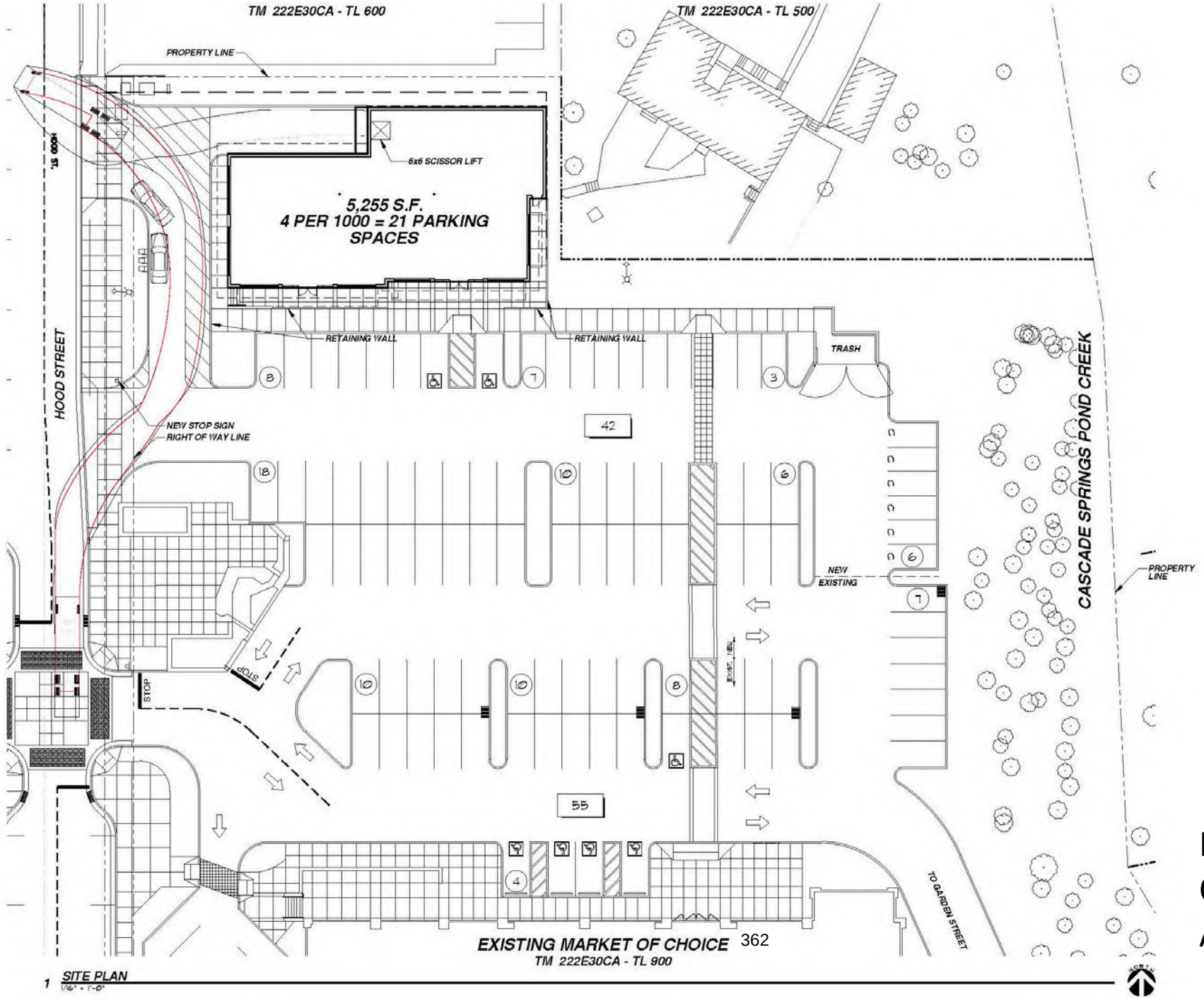
May 21, 2019 – PO hires brokers JLL. Posts flyer on web for wanting to lease or buy 9,000 – 10,500 sf building max price of $3.0 million. Immediate need for 10,000 sf on 2 acres in West Linn. We are exploring all options up on the hill and along Hwy 43, 1-205, etc. Royce Reinhard 503-972-8000

WEST LINN CENTRAL VILLAGE

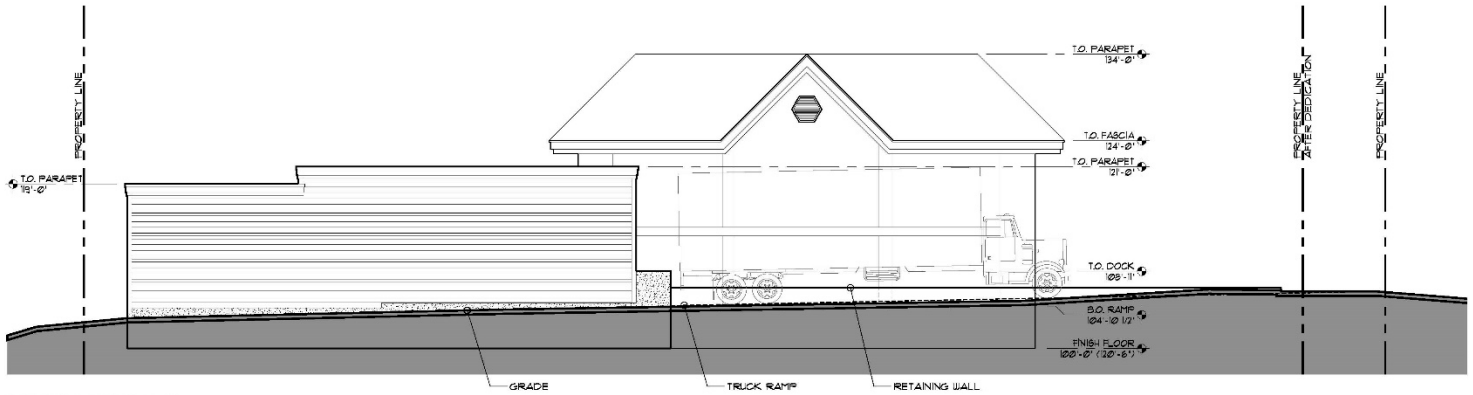
POST OFFICE REPLACEMENT PROJECT

June 16, 2020

EXISTING CONDITIONS LOCATION MAP



PREFERRED OPTION – POST OFFICE WITH DROP BOX AND LOADING RAMP

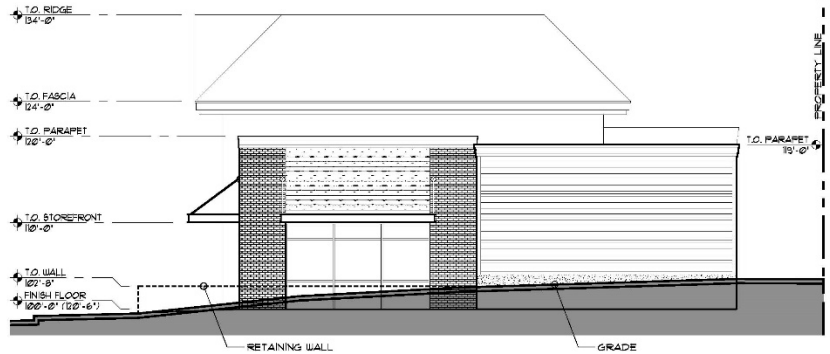


1 **NORTH ELEVATION**

1/8" = 1'-0"

2 **WEST ELEVATION**

1/8" = 1'-0"



3 **EAST ELEVATION**

1/8" = 1'-0"

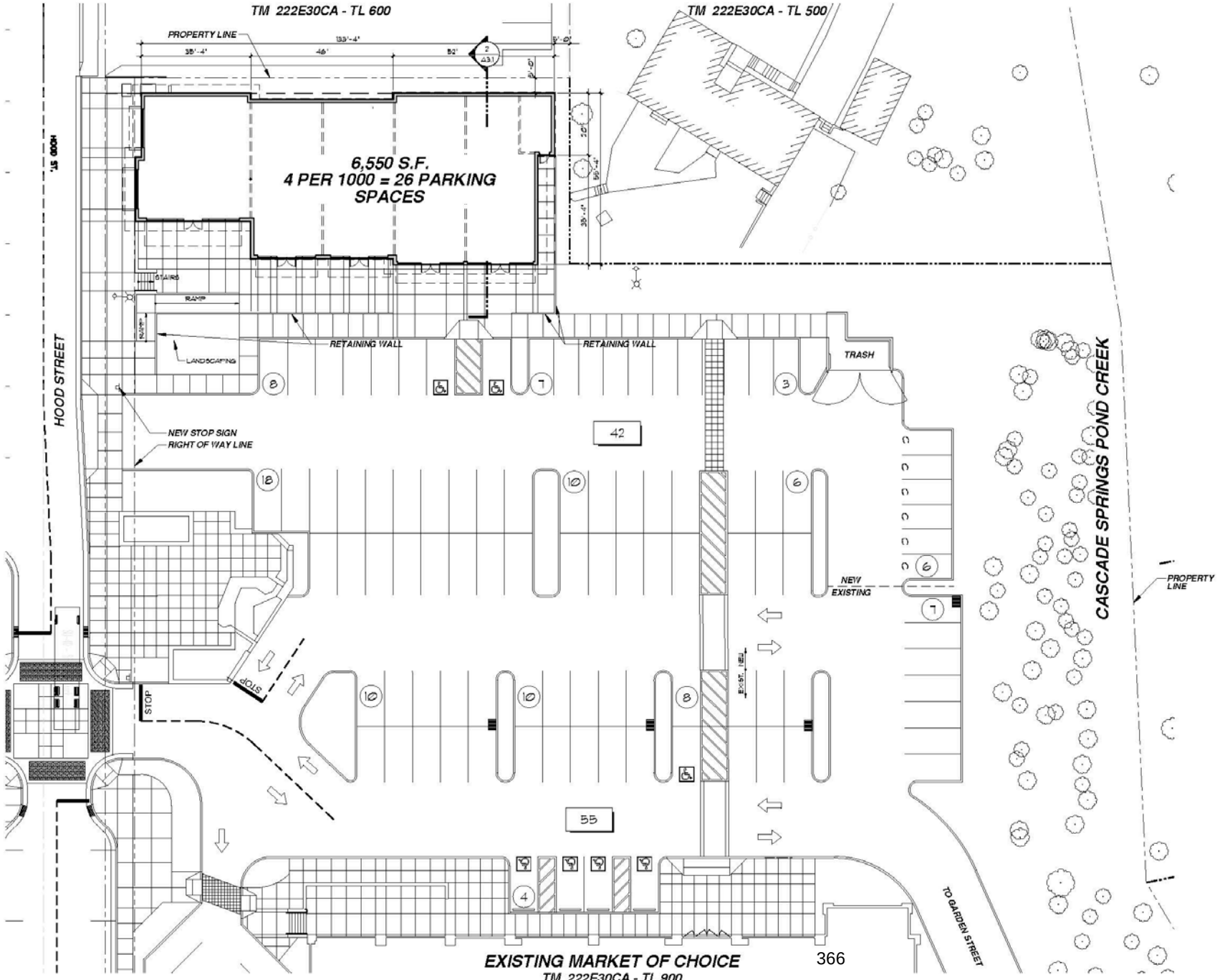
4 **SOUTH ELEVATION**

1/8" = 1'-0"

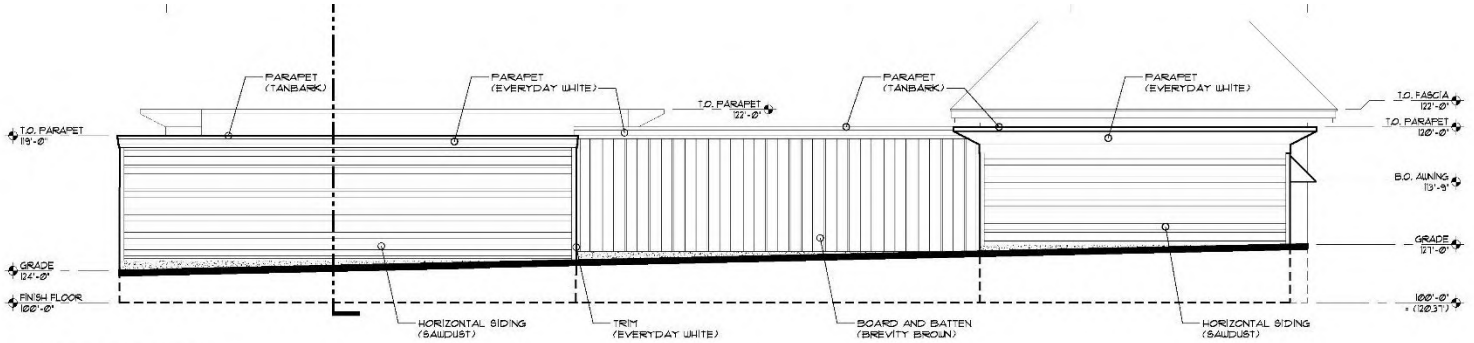
PREFERRED OPTION – BUILDING ELEVATIONS

Post Office
Tenant
VIEW FROM MARKET OF CHOICE

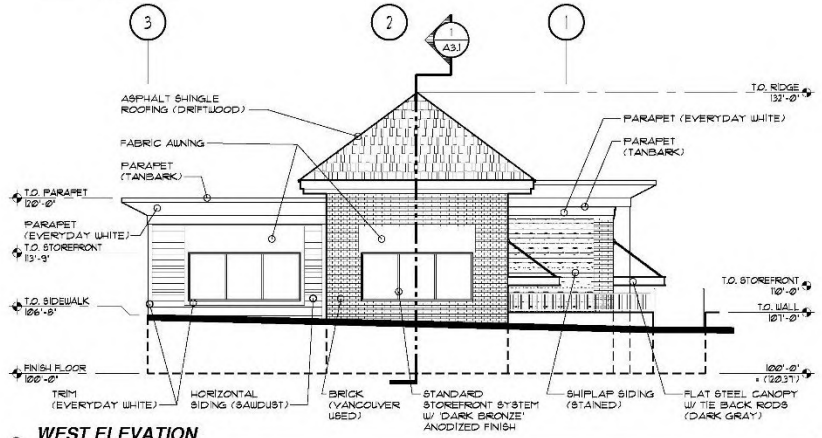
VIEW FROM HOOD STREET



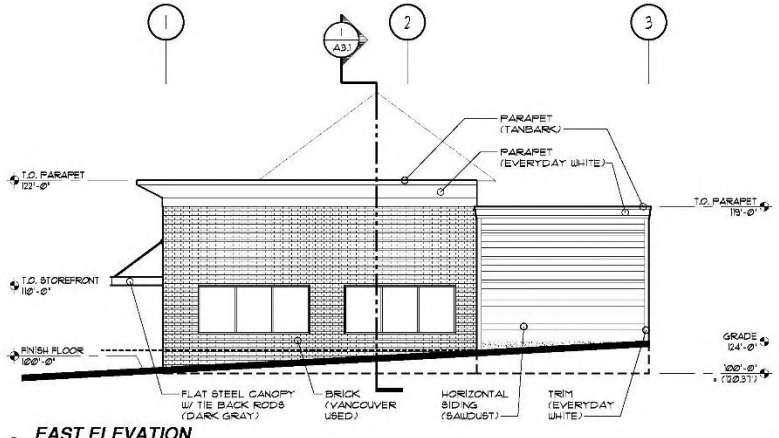
ALTERNATE OPTION – RETAIL BUILDING



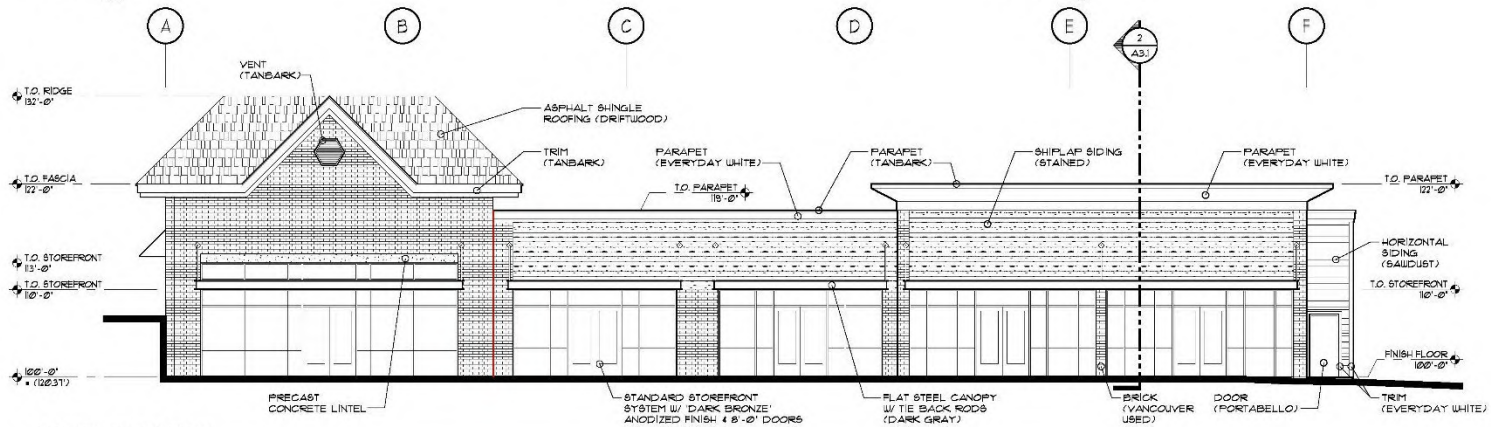
1 **NORTH ELEVATION**
1/8" = 1'-0"
0 4' 8 16'
1 = 8'



2 **WEST ELEVATION**
1/8" = 1'-0"
0 4' 8 16'
1 = 8'



3 **EAST ELEVATION**
1/8" = 1'-0"
0 4' 8 16'
1 = 8'



4 **SOUTH ELEVATION**
1/8" = 1'-0"
0 4' 8 16'
1 = 8'

ALTERNATE OPTION – BUILDING ELEVATIONS

VIEW FROM MARKET OF CHOICE

VIEW FROM HOOD STREET

City of West Linn

PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES

May 2, 2019

SUBJECT:	Proposed Class II Design Review for a new single-story commercial building and Parking lot reconfiguration
FILE:	PA-19-09
ATTENDEES:	Applicant: Matt Grady (Gramor) and Kenneth Sandblast (Westlake Consultants) Staff: Jennifer Arnold, (Planning) Amy Pepper (Engineering) Other Attendees: Kathie Halicki, Gail Holmes, Alma Coston, and Claudia Davis

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Project Details

Site Address:	5665 Hood Street
Tax Not No.:	tax lots 700 and 900 of Assessor's Map 21E30CA
Site Area:	0.62 acres (27,016 sq. ft.)
Neighborhood:	Bolton
Comp. Plan:	Commercial
Zoning:	GC (General Commercial)
Environmental Overlays:	WRA
Applicable CDC Chapters:	Chapter 19, General Commercial Chapter 32, Water Resource Area Protection Chapter 55, Design Review

Summary

The applicant proposes to construct a single-story commercial building in the north western corner of the post office parcel (TL 700). The applicant is also proposing to reconfigure the existing parking lot on tax lot 700. This reconfiguration will not adjust a common property line between TL 700 and 900 (5665 Hood Street and 5639 Hood Street), but assign an easement for parking. This parking easement allows those using services offered at commercial business on TL 700 or 900 to share the area for parking. This project will be completed in two phases with the parking lot reconfiguration being phase one. Phase two will be the actual construction of a new commercial building at 5665 Hood Street.

The applicant should contact Amy Pepper of the Engineering Department to determine required improvements and stormwater requirements at apepper@westlinnoregon.gov. Also, contact Jason Arn of TVFR at jason.arn@tvfr.com for comments.

Process

The Class II Design Review application will be a Planning Commission Decision with a public hearing. The Class II Design Review fee depends on the construction value of the project. Fee example: project construction value less than $100,000 the fee is 4% of the construction value (minimum deposit of

$2,000). This application requires a neighborhood meeting per Community Development Code 99.038. The applicant must address the submittal requirements of the CDC from Chapters 19 and 55.
The water resource area protection (WRA) application fee is $2,650 and requires $250 re-vegetation plan/inspection fee. There is no neighborhood meeting required per CDC 99.038. The applicant must address the submittal requirements of CDC Chapters 32 and 85. The applicant can apply for the WRA permit as part of phase one, which is reviewed by the Planning Manager. Another option is to apply for the design review and the WRA permits together and have all applications reviewed by the Planning Commission.

The community development code can be found at http://www.codepublishing.com/OR/WestLinn/CDC.html . A right-of-way permit will be required for any sidewalk or road work within the public right-of-way.

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99. Appeals of the Planning Commission's decision are heard by City Council and subsequently by the Land Use Board of Appeals.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Public Comments/Concerns: A member of the Bolton Neighborhood Association was concerned about design and screening between the back of the new commercial building and adjacent properties. A member of the Willamette Neighborhood Association wanted to note the neighborhood's desire to keep the Post Office in West Linn.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application ***or provide any assurance of potential outcomes***. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. ***A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.***

PC-2 COMPLETENESS LETTER

October 20, 2020

Matt Grady
19767 SW 72nd Ave, Suite 100
Tualatin, OR 97062

SUBJECT: DR-20-07/VAR-20-02/WAP-20-03 application to replace the existing Post Office Building with a new Commercial Building for a Post Office or Retail Building with a Shared Parking Area

Dear Mr. Grady:

You submitted this application on August 5, 2020. The Planning and Engineering Departments found that this application to be incomplete on September 3, 2020**.** Additional information was submitted on September 18, 2020 and again on October 18, 2020, the Planning and Engineering Departments find that this application is now **complete.** The city has 120 days to exhaust all local review; that period ends February 15, 2021.

Please be aware that the determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Commission to render a decision on your proposal.

A 20-day public notice will be prepared and mailed. Tentatively, this item is scheduled to be heard by the Planning Commission at their December 2, 2020 regular meeting.

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

Sincerely,

Jennifer Arnold
Associate Planner

PC-3 AFFIDAVIT AND NOTICE PACKET

CITY OF West Linn

AFFIDAVIT OF NOTICE
Type A

We, the undersigned do hereby 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-20-07/VAR-20-03/WAP-20-03 Applicant's Name: Matt Grady
Development Name: 5665 & 5639 Hood Street
Scheduled Decision Date: Planning Commission Decision on December 2, 2020

MAILED NOTICE
Notices were mailed at least 20 days prior to the decision date per Section 99.080 of the Community Development Code to:

1	**Matt Grady, Applicant**	**11/12/20**	*Lynn Schroder*
2	**Westlake Consultants, Applicant Consultant**	**11/12/20**	*Lynn Schroder*
3	**ODOT**	**11/12/20**	*Lynn Schroder*
4	**Property Owners within 500 feet**	**11/12/20**	*Lynn Schroder*
5	**All Neighborhood Associations**	**11/12/20**	*Lynn Schroder*
6	**COWL Engineering**	**11/12/20**	*Lynn Schroder*

TIDINGS
Notice was posted in the West Linn Tidings at least 10 days prior to the decision date.

11/18/20	*Lynn Schroder*

WEBSITE
Notice was posted on the City's website at least 10 days prior to the decision date.

11/10/20	*Lynn Schroder*

SIGN
At least 10 days prior to the decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

11/19/20	Jennifer Arnold

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the decision date.

~~**11/19/20**~~	11/30/20	Jennifer Arnold

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

12/23/2020	Lynn Schroder

CITY OF WEST LINN PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. DR-20-07/VAR-20-02/WAP-20-03

The West Linn Planning Commission will hold a virtual public hearing on **Wednesday, December 2, 2020 at 6:30 pm** to consider a site Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street.

The Planning Commission will decide the application based on criteria applicable to Subdivision Review in Chapters 19: General Commercial, Chapter 32: Water Resource Area Protection, Chapter 46: Off-Street Parking, Loading and Reservoir Areas, Chapter 48: Access, Egress and Circulation, Chapter 55: Design Review, Chapter 75: Variances and Special Waivers, Chapter 92: Required Improvements, and Chapter 99: Procedures for Decision Making of the Community Development Code (CDC).

You have been notified of this proposal because County records indicate that you own property within 500 feet of the property (Clackamas County Assessor's Map 2S-2E-30CA, tax lots 700 & 900), or as otherwise required by CDC Chapter 99: Procedures for Decision Making: Quasi-Judicial.

The complete application is posted on the City's website, https://westlinnoregon.gov/planning/5665-5639-hood-street-class-ii-design-review-new-retail-building-shared-parking. Alternatively, the complete application is available for inspection at no cost at City Hall, or copies can be obtained for a minimal charge. The staff report will be posted on the City's website and available for inspection at City Hall ten days before the hearing.

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 by written comment or at the hearing, or failure to provide sufficient specificity to respond to the issue, precludes raising the issue on appeal before the Land Use Board of Appeals.

The hearing will be conducted following the rules of CDC Section 99.170. **Anyone wishing to present written testimony for consideration shall submit all material before noon on December 2, 2020.** Persons interested in party status should submit a letter outlining all concerns about the proposal by the comment deadline to jarnold@westlinnoregon.gov.

To testify at the hearing, go to https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup to **complete the speaker sign-up form before noon on the day of the meeting.** Instructions on how to access the virtual meeting will be emailed before the meeting. If you do not have email access, please call 503-742-6061 for assistance 48 hours before the meeting.

The final decision will be posted on the website and available at City Hall. Persons with party status can appeal the decision by submitting an appeal application to the Planning Department within 14 days of the date of the mailing the final decision date.

Contact Jennifer Arnold, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6057 for additional information.

Notification Map for a New Retail Building at 5665 Hood Street

City of West Linn

Legend

- City Limit
- Unimproved ROW
- Parks and Open Space
- City Owned Property

0 0.06 0.11 Miles

1: 4,514

Notes

This map was automatically generated using Geocortex Essentials.

CITY OF West Linn
COMMUNITY DEVELOPMENT

NOTICE OF UPCOMING
PLANNING COMMISSION DECISION

PROJECT # DR-20-07/VAR-20-03/WAP-20-03
MAIL: 11/12/200 TIDINGS: 11/18/200

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.

Pamplin MediaGroup

6605 SE Lake Road, Portland, OR 97222
PO Box 22109 Portland, OR 97269-2169
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Clackamas, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of the **West Linn Tidings**, a newspaper of general circulation, serving West Linn in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

City of West Linn
CITY OF WEST LINN PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. DR-20-07/VAR-20-02/WAP-20-03

Ad#: 184188

A copy of which is hereto annexed, was published in the entire issue of said newspaper(s) for 1 week(s) in the following issue(s):
11/18/2020

Charlotte Allsop

Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this 11/18/2020.

Kristin C. Olson

NOTARY PUBLIC FOR OREGON

Acct #: 106380
Attn: Lynn Schroder
WEST LINN, CITY OF
22500 SALAMO RD STE 600
WEST LINN, OR 97068

OFFICIAL STAMP
KRISTIN C. OLSON
NOTARY PUBLIC - OREGON
COMMISSION NO. 997532
MY COMMISSION EXPIRES MARCH 10, 2024

CITY OF WEST LINN PLANNING COMMISSION PUBLIC HEARING NOTICE FILE NO. DR-20-07/VAR-20-02/WAP-20-03

The West Linn Planning Commission will hold a virtual public hearing on **Wednesday, December 2, 2020 at 6:30 pm** to consider a Class 2 Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street.

The Planning Commission will decide the application based on criteria applicable to General Commercial, Chapter 32: Water Resource Area Protection, Chapter 46: Off-Street Parking, Loading and Reservoir Areas, Chapter 48: Access, Egress and Circulation, Chapter 55: Design Review, Chapter 75: Variances and Special Waivers, Chapter 92: Required Improvements, and Chapter 99: Procedures for Decision Making of the Community Development Code (CDC).

The complete application is posted on the City's website, https://westlinnoregon.gov/planning/5665-5639-hood-street-class-ii-design-review-new-retail-building-shared-parking. Alternatively, the complete application is available for inspection at no cost at City Hall, or copies can be obtained for a minimal charge. The staff report will be posted on the City's website and available for inspection at City Hall ten days before the hearing.

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 by written comment or at the hearing, or failure to provide sufficient specificity to respond to the issue, precludes raising the issue on appeal before the Land Use Board of Appeals.

The hearing will be conducted following the rules of CDC Section 99.170. **Anyone wishing to present written testimony for consideration shall submit all material before noon on December 2, 2020**. Persons interested in party status should submit a letter outlining all concerns about the proposal by the comment deadline to jarnold@westlinnoregon.gov.

To testify at the hearing, go to https://westlinnoregon.gov/city-council/meeting-request-speak-signup to **complete the speaker sign-up form before noon on the day of the meeting**. Instructions on how to access the virtual meeting will be emailed before the meeting. If you do not have email access, please call 503-742-6061 for assistance 48 hours before the meeting.

The final decision will be posted on the website and available at City Hall. Persons with party status can appeal the decision by submitting an appeal application to the Planning Department within 14 days of the date of the mailing the final decision date.

Contact Jennifer Arnold, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6057 for additional information

Publish November 18, 2020 WLT184188

EXHIBIT CC-3 PLANNING COMMISSION DRAFT MEETING NOTES

PLANNING COMMISSION
Draft Meeting Notes of December 2, 2020

Commissioners present:	Gary Walvatne, Charles Mathews, Lamont King, Joel Metlen, and Margot Kelly, Carrie Pellett
Public Present:	Bob McCarthy, Bolton Neighborhood Association, Erich Kunrath
Staff present:	Darren Wyss, Acting Planning Manager, Jennifer Arnold, Associate Planner, Bill Monahan, City Attorney, and Lynn Schroder, Administrative Assistant

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1. **Call to Order**
   Chair Walvatne called the virtual meeting to order at 6:36 pm.

2. **Public Comment Related To Land Use Items Not On the Agenda**
   None.

3. **Approval of Meeting Notes: October 7, 2020**
   Commissioner Pellett moved to approve the meeting notes for October 7, 2020. Commissioner Walvatne seconded. **Ayes: Commissioners Metlen, King, Kelly, and Walvatne. Nays: None. Abstentions: None. The motion passed 4-0-0.**

4. **Public Hearing:** DR-20-07/VAR-20-02/WAP-20-03 a request for approval of a Class 2 Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street

   Chair Walvatne called the public hearing to order to consider the request by Matt Grady, applicant on behalf of West Linn Shopping Center Assoc. LLC (owner), to approve construction/replacement of the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street (DR-20-07/VAR-20-02/WAP-20-03). Chair Walvatne summarized the hearing rules.

   City Attorney Monahan addressed legal standards and appeal rights. The substantive criteria that are applicable to the application are Community Development Code (CDC) Chapter 19, Chapter 32, Chapter 46, Chapter 48, Chapter 54, Chapter 55, Chapter 75, Chapter 92, and Chapter 99.

   Mohohan addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. There were no objections to the Commissioners' jurisdiction or impartiality on the application.

   Associate Planner Jennifer Arnold stated that the City had technical difficulties and could not post the staff report for DR-20-07/VAR-20-02/WAP-20-03 ten days before the hearing as required by CDC 99.040.D. Consequently, the public hearing for this application should be continued to a date certain to allow for the staff report's proper posting.

DRAFT

Chair Walvatne asked for a motion of continuance to a date certain. Commissioner King moved to continue the public hearing for DR-20-07/VAR-20-02/WAP-20-03 to December 16, 2020, at 6:30 pm by Webex. Commissioner Pellett seconded**. Ayes: Pellett, Metlen, Kelly, King, Mathews, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

5. **Discussion: PC Annual Report**
   Commissioner Metlen noted that the challenge is completing the items on the docket. Commissioner Pellett asked to add the status of the July 2018 Report to Council regarding the CCI recommendations to engage citizens more in the application process. Wyss noted that the July 2018 Report is a prioritized item on the docket. Pellett asked if the PC's key priorities are highlighted in the annual report.

   Chair Walvatne asked for a motion. Commissioner Pellett moved to approve the draft annual report as amended. Commissioner Mathews seconded**. Ayes: Pellett, Metlen, Kelly, King, Mathews, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

6. **Items of Interest From The Planning Commission**
   Chair Walvatne has asked the Public Works Director to come to a work session in early 2021 to discuss the role of engineering in the land use process.

   Walvatne noted that the PC Major/Minor Utility Subcommittee had met once. A second meeting has not been set yet.

   Walvatne requested that the project update be provided at a meeting at the beginning of the year.

7. **Items of Interest from Staff**
   Acting Planning Manager announced land use process training work session for the PC in January. Wyss will email the private streets and clear and objective standards memos to Commissioners this week.

8. **Adjourn**
   Chair Walvatne adjourned the meeting at approximately 7:05 pm.

PLANNING COMMISSION
Draft Meeting Notes of December 16, 2020

Commissioners present:	Gary Walvatne, Charles Mathews, Lamont King, Joel Metlen, and Margot Kelly, Carrie Pellett, and Scott Erwin
Applicant Representatives:	Matt Grady, applicant, Ken Sandblast, applicant consultant, and Frank Schmidt, applicant architect
Public Present:	Diane Cubbage, Erich Kunrath, and Bob McCarthy
Staff present:	Darren Wyss, Acting Planning Manager, Jennifer Arnold, Associate Planner, Bill Monahan, City Attorney, and Lynn Schroder, Administrative Assistant

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1. **Call to Order**
   Chair Walvatne called the virtual meeting to order at 6:30 pm.

2. **Public Comment Related To Land Use Items Not On the Agenda**
   None.

3. **Approval of Meeting Notes: November 4, 2020**
   Commissioner King asked that his objections to SUB-20-01 be added to the meeting notes. He will provide specific language for inclusion. Gary Walvatne requested a correction to his remarks about speed limits on Salamo Road in the Planning Commissioner Comments. The meeting notes will be updated as requested and return to the Commission for approval.

4. **Continued from December 2, 2020 Meeting: Public Hearing:** DR-20-07/VAR-20-02/WAP-20-03 a request for approval of a Class 2 Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street

   Chair Walvatne called the public hearing to order to consider the request by Matt Grady, applicant on behalf of West Linn Shopping Center Assoc. LLC (owner), to approve construction/replacement of the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street (DR-20-07/VAR-20-02/WAP-20-03). The December 16, 2020 public hearing was the initial evidentiary hearing because no information or testimony was given at the December 2, 2020 hearing. Chair Walvatne summarized the hearing rules.

   City Attorney Monahan addressed legal standards and appeal rights. The applicable substantive criteria that apply to the application are Community Development Code (CDC) Chapter 19, Chapter 32, Chapter 46, Chapter 48, Chapter 54, Chapter 55, Chapter 75, Chapter 92, and Chapter 99.

   Mohohan addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. Commissioner Erwin stated that he would abstain from voting on this decision because he was only recently appointed to the Commission and was not familiar with the application. No Commissioner declared a conflict of interest, bias, or ex parte contact. Chair Walvatne, Mathews, and Kelly noted that they have been to the site as customers of the post office and grocery store. Commissioner Pellett

declared that she attended the Hidden Spring Neighborhood Association meeting on December 15, 2020 where the project was brought up. At the neighborhood meeting, Pellett was asked about the project; she stated that she could not talk about the project until after this hearing. Commissioner Metlen has visited the site. There were no objections to the Commissioners' jurisdiction or impartiality on the application.

Associate Planner Jennifer Arnold presented a staff report. The applicant proposed to remove the existing Post Office building and replace it with a single-story commercial building. They presented two options for the new building. Option A would be a 5,255 square foot commercial building exclusively for a new Post Office. Option B would be a 6,550 square foot mixed-use, commercial building. Both options would use the same parking configuration. The two options were proposed due to the Post Office's uncertainty securing a lease for the new space. The applicant requested a Class I Variance to add two parking spaces under Option A to the shared parking area. No variance is proposed for Option B. A portion of the property is within the current Water Resource Protection Area (WRA). The applicant requested a reduction in the WRA buffer. Staff recommended approval of the application with proposed conditions.

Applicant Matt Grady with Gramor Development and the applicant Planning Consultant Ken Sandblast presented their proposal. Grady provided background on Option A and B's development and efforts to work with the Post Office to develop plans to accommodate the Post Office on the redeveloped property. He stated that Gramor would like the Post Office to continue to lease the property after redevelopment. However, the Post Office has not committed to staying at the property. Ken Sandblast outlined the site design proposals.

Diana Cubbage, Erich Kunrath, and Bob McCarthy presented oral testimony. Bob McCarthy presented on behalf of the Bolton Neighborhood Association. The primary concerns raised during testimony included:

- The desire of citizens to retain a post office location in the City,
- Adjacent property future development,
- Traffic circulation, and
- Parking.

The Bolton NA supported the development of a new Post Office. However, they objected to piece-meal development in the commercial area. The Bolton NA requested a transportation connection to a future 4-way intersection at Burns St. and Cascade St. and better access to parking as a criterion for approval.

Matt Grady rebutted that site redevelopment would improve the parking issues in the area. Other traffic issues are problems systemic to the area that Gramor does not control.

Chair Walvatne reopened public testimony to take a question from Erich Kunrath from the Bolton NA. Kunrath asked if the Post Office could use the adjacent commercial space that is becoming vacant when businesses move to their new building on Burns Street. Grady replied that the Post Office has already rejected that proposal.

The hearing was closed, and Commissioners deliberated. Commissioner Pellett moved to approve DR-20-07/VAR-20-02/WAP-20-03 as presented with the staff proposed conditions of approval and direct staff to prepare a Final Decision and Order based on the findings in the December 2, 2020 Staff

Report. Vice Chair Mathews seconded. **Ayes: Pellett, Metlen, Kelly, King, Mathews, and Walvatne. Nays: None. Abstentions: Erwin. The motion passed 6-0-1.**

5. Items of Interest From The Planning Commission

Vice Chair Mathews requested an agenda for the upcoming Planning Commission training in January. Wyss outlined the training topics. Mathews asked that a component of the training be provided by the City Attorney.

Chair Walvatne asked that the final Planning Commission annual report be sent to Commissioners. He also asked for the project update at the next meeting.

6. Items of Interest from Staff

Acting Planning Manager Wyss announced that Associate Planner Arnold is leaving the City at the end of December. He thanked Jennifer for her dedication to the City and wished her well.

Because there are no land use applications for PC consideration at the January 6, 2021 meeting, Wyss requested that the meeting be canceled. The next meeting will be on January 20, 2021. The next quasi-judicial hearing is targeted for February.

Wyss noted that the online zoning map will be updated by the GIS specialist. The paper maps in the Council Chambers will be updated before City Hall opens again.

7. Adjourn

Chair Walvatne adjourned the meeting at approximately 8:55 pm.

EXHIBIT CC-4 AFFIDAVIT AND NOTICE PACKET

CITY OF West Linn

AFFIDAVIT OF NOTICE
Type A

We, the undersigned do hereby 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.: AP-21-01 Appellant's Name: Bolton NA
Development Name: 5665 & 5639 Hood Street
Scheduled Decision Date: City Council Hearing on 2/8/21

MAILED NOTICE
Notices were mailed at least 20 days prior to the decision date per Section 99.080 of the Community Development Code to:

1	**Matt Grady, Applicant**	**1/19/21**	*Lynn Schroder*
2	**Westlake Consultants, Applicant Consultant**	**1/19/21**	*Lynn Schroder*
3	**Bolton NA c/o Erich Kunrath, Appellant**	**1/19/21**	*Lynn Schroder*
4	**Property Owners within 500 feet**	**1/19/21**	*Lynn Schroder*
5	**Michael Robinson, Schwabe Williamson**	**1/19/21**	*Lynn Schroder*
6	**Parties of Record for DR-20-07**	**1/19/21**	*Lynn Schroder*
7	**All Neighborhood Associations**	**1/19/21**	*Lynn Schroder*
8	**CLACKAMAS COUNTY**	**1/19/21**	*Lynn Schroder*

TIDINGS
Notice was posted in the West Linn Tidings at least 10 days prior to the decision date.

1/27/21	*Lynn Schroder*

WEBSITE
Notice was posted on the City's website at least 10 days prior to the decision date.

1/19/21	*Lynn Schroder*

SIGN
At least 10 days prior to the decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

1/28/21	*Chris Myers*

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the decision date.

1/28/21	*Chris Myers*

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

CITY OF WEST LINN
NOTICE OF CITY COUNCIL HEARING
FILE NO. AP-21-01

The West Linn City Council will hold a virtual public hearing on **Monday, February 8, 2021, at 6:00 pm** to consider an appeal by the Bolton Neighborhood Association of the West Linn Planning Commission approval of DR-20-07/VAR-20-02/WAP-20-03, a Class II Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street.

The City Council will decide the appeal based on the applicable criteria in Community Development Code (CDC) Chapters 19, 32, 46, 48, 55, 75, 92, and 99.

The appellant stated grounds for appeal are lack of a traffic and parking study/plan, lack of connectivity to Burns Street from the property, additional street improvements required, and lack of consideration of the Bolton Neighborhood Plan.

The appeal is a de novo hearing and not limited to the stated grounds for the appeal. All relevant issues may be considered. All evidence presented to the lower approval authority shall be considered and given equal weight as evidence presented on appeal. The approval authority may affirm, reverse, or modify the December 16, 2020 decision.

The appeal application, all evidence relied on by the applicant, and staff report will be posted 10 days before the hearing on the City's website, https://westlinnoregon.gov/planning/5665-5639-hood-st-appeal-dr-20-07-class-ii-design-review-new-retail-building-shared-parking. Alternatively, the complete record and criteria are available for inspection at no cost, and copies at a reasonable cost, at City Hall 10 days before the hearing.

It is important to submit all testimony in response to this notice. All comments submitted for consideration of this appeal should relate specifically to the applicable criteria. Failure to raise an issue by written comment or at the hearing, or failure to provide sufficient specificity to respond to the issue, precludes raising the issue on appeal before the Land Use Board of Appeals.

The hearing will be conducted following the rules of CDC Section 99.170. **Anyone wishing to present written testimony for consideration shall submit all material before 12:00 pm on February 8, 2021.** Persons interested in party status should submit a letter outlining all concerns about the proposal by the comment deadline. Written comments may be submitted to dwyss@westlinnoregon.gov or mailed to City Hall. All comments must be received before 12:00 pm on the meeting day.

To testify at the hearing, go to https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup to **complete the speaker sign-up form before noon on the day of the meeting.** Instructions on how to access the virtual meeting will be emailed before the meeting. If you do not have email access, please call 503-742-6061 for assistance 48 hours before the meeting.

Contact Darren Wyss, Planning Manager, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6064 for additional information.

Notification Map for AP-21-01, an appeal of DR-20-07 at 5665 & 5639 Hood Street

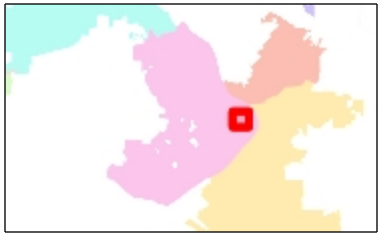
City of West Linn

Legend

- City Limit
- Unimproved ROW
- Parks and Open Space
- City Owned Property

0 0.06 0.11 Miles

1: 4,514



Notes

This map was automatically generated using Geocortex Essentials.

CITY OF West Linn

COMMUNITY DEVELOPMENT

NOTICE OF UPCOMING
CITY COUNCIL DECISION

PROJECT # AP-21-01
MAIL: 01/19/21 TIDINGS: 01/27/21

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.

CITY HALL 22500 Salamo Rd, West Linn, OR 97068 Telephone: (503) 742-6060 Fax: (503) 742-8655

City of West Linn

Memorandum

Date: January 28, 2021

To: West Linn City Council

From: Chris Myers, Associate Planner

Subject: Public Comments Received for AP-21-01

Dear Mayor Walters and Members of City Council,

The Planning Department has received two letters since the completion of the staff report for AP-21-01. The first letter is from Matt Grady of Gramor Development on behalf of West Linn Shopping Center Associates LLC. The second letter is from Ms. Alice Richmond, West Linn citizen. The letters are attached.

Respectfully,
Chris Myers

GRAMOR
DEVELOPMENT

January 26, 2021

City of West Linn
Planning and Development
22500 Salamo Road, #1000
West Linn, OR 97068
Attention: Darren Wyss, Planning Department
Mayor Jules Walters

RE: Bolton Neighborhood Association Appeal AP-21-01 of DR -20-07/VAR-20-02/WAP - 20 - 03 located at 5665 and 5639 Hood Street, West Linn, Oregon; Letter on Behalf of the Applicant Requesting that the City Council Affirm the Planning Commission Decision

Dear Mayor Walters and Members of the City Council:

West Linn Shopping Center Associates LLC is the owner/operator of the West Linn Central Village Shopping Center, as well as the applicant of the above referenced land use application. The public hearing for the project identified above was held on December 16, 2020 and was unanimously approved by the Planning Commission with the exception of Commissioner Erwin, who abstained. The Commission agreed with the staff report that recommended approval, stating the application has satisfied all the applicable criterion of approval.

The application appealed will be replacing the existing Post Office building with either a similar sized postal building (5,255 sf) or a retail building (6,550 sf) with a shared parking field for the existing Market of Choice. Both building options utilize the same parking configuration. The two options proposed are due to the uncertainty of the Post Office securing a lease in the new space in addition to finding a secondary location to accommodate the service and delivery trucks that deal with sorting and delivery of all the incoming mail. The West Linn Community Development Code (the "CDC") does not prohibit two alternative plans and the applicant provided two alternatives for the Planning Commission's consideration in order to provide the widest possible alternatives for site development.

After reading the Bolton Neighborhood Association (BNA) appeal letter, it was our interpretation that this appeal is not filed to contest the Planning Commission approval or specific conditions of our design review land use application. Instead, BNA appears to have filed this appeal for the available opportunity it provides to gain direct City Council attention in addressing BNA's long-standing effort to improve overall existing circulation and safety issues, now and into the future, within the Bolton Neighborhood and more specifically in the Bolton Village area. This interpretation was confirmed by a discussion I had with Robert McCarthy of the Bolton Neighborhood Association (BNA) on January 18, 2021. I now understand that prior Councils may have ignored requests by the BNA to address the broader transportation system issues raised in this appeal letter.

We offer the following responses to several specific issues raised in the BNA appeal:

Need for a Traffic Impact Assessment

We have no control as an applicant over the Planning Commission's approvals of developments as it relates to a land use application and the applicable criterion of approval. The Design Review, Variance and Water Resources Permit did not require a traffic study, based on City staff's review of Chapter 55.125 and Chapter 85.170 (B) (2). We voluntarily provided a trip generation for this redevelopment project to ensure there was a record of the trips being generated today from the postal building versus the two replacement buildings that would not include the delivery operations portion nor include the associated 19 delivery vehicles. The Trip Generation Memorandum by Kittelson dated June 4, 2020, in the application, contains an informative footnote on page 2 quoted below:

> "The Trip Generation Manual, 10th Edition trip rates offer data for a single US Post Office facility. The available data do not differentiate between US Post Office sites with customer service as well as service truck and delivery operations versus sites that only provide customer service. Presumably, a reduction in site trips at the West Linn site could be realized with the planned new building due to the associated relocation of approximately 50 percent of the postal delivery operations off-site (estimated to reduce delivery trips by approximately 18 trips per day related to 9 fewer delivery vehicles each entering and leaving per day) along with elimination of freight service trucks that shift to an alternate location (estimated to reduce delivery trips by approximately 16 trips per day related to 8 fewer trucks each entering and leaving the post office site.)"

Application at 1575 Burns Street

This application on property zoned as Office Business Center (OBC) was not prepared or submitted by the applicant, therefore we have no comments.

Proposal of a Street and Traffic Plan in the Bolton Neighborhood

The applicant would like to participate in such a planning effort when it is initiated by the City. We believe such a study should include trip counts on surrounding roads and the key intersections along Highway 43 at Burns Street and Hood Street. The appellants identify additional properties that when developed need to be part of an overall plan. The applicant does not support adding a condition of approval to the current land use application that requires conducting this circulation study or any associated physical improvements that may be identified from such a study. Furthermore, we find there is no nexus of the postal replacement project for a requirement to build a street along the east property line, through another sloped property (not in the applicant's ownership) and which would be located within the Water Resources Area buffer zone, to provide a future connection to a 4-way intersection at Burns and Cascade Streets.

Deficiencies of Hood Street Gradients

The observations made are ones that the City should investigate and address in the requested plan. Oregon Department of Transportation should be included in the planning efforts

to gain support for re-timing the Hood Street/ Hwy. 43 signal and the installation of a new signal at Burns Street/ Hwy. 43.

Community Development Code (CDC) Chapter 99.110

First, the letter cites CDC 99.110.B.2, which is an approval standard but it is not so much a substantive approval standard as a requirement that the City Council consider such testimony. However, the testimony must relate to a substantive approval standard contained in subsection C cited below:

> "In all cases, the decision shall include a statement in a form which includes findings as to whether or not the application meets the approval criteria of the applicable Community Development Code sections."

Second, the letter does not otherwise cite a relevant substantive approval standard.

Third, the subject application is defined as a "limited land use" application under Oregon Revised Statutes (ORS) 197.015(12) because it requests design review approval for a use permitted outright on property within the Urban Growth Boundary (UGB). ORS 197.195(1) provides that limited land use applications are subject only to approval criteria in a city's land use regulations, including properly incorporated Comprehensive Plan policies. Paterson v City of Bend (Oregon Court of Appeals)(2005) and Oster v City of Silverton (LUBA)(2018). We don't see any issues in the letter that relate to relevant Community Development Code standards.

Consider the Bolton Neighborhood Plan

The Bolton Neighborhood Plan adopted by Ordinance No. 1536 on April 10, 2006 supplements the goals and policies of the West Linn Comprehensive Plan. The application was not subject to addressing the goals and policies of the Comprehensive Plan or the Bolton Neighborhood plan as demonstrated in CDC Chapter 55, Design Review.

We conclude that the application meets all the applicable criterion of approval and that the staff recommendation and Planning Commission's decision for approval is valid. We ask you to deny the appeal and affirm the Planning Commission's decision. In addition, we desire your support to address the BNA request to carry out a circulation plan with implementing measures, that do not require additional conditions of approval for the current application in any manner.

Sincerely,
Gramor Development, Inc.,
On Behalf of West Linn Shopping Center Associates LLC

Matt Grady

Matt Grady, AICP
Vice President - Director of Development

cc: Ken Sandblast/ West Lake Consultants
Michael C. Robinson/ Schwabe Williamson & Wyatt

This plot where a post office stand since 2005 is a commodity which belongs to our federal U.S. goverment. only, the land which this building operates belongs to a private corporation, which was built in 2005, when federal post Master from D.C. chose to lease it for its convenience uses, then.

16 years laiter the last leases reached terms and at the same time other world necessities advance their technologies communication/services and "pony express" becomes once again a thing of the past. letters, packages and other amenities (post office boxes) no longer hold their needs because they are replaced by: E Mail/faxes/tweeters/etc. — packages are delivered by own services or Amazon and others facilities — this also includes banking programs. All businesses (offices - shops - stores -) and from home are connected and done by internet which (also) is provided by several services. All these current and future ways of life style cause the last 20 years progess a faded era. consequently post office building are replaced by much contemporary tech. system.

That said - 2 question Bolton N.A. manifesto, today, for their change of sentiment, when in 2005 they were objecting the whole of central Village facilities. My point is that even them they like (now) present commodities — which is here anyway —

Thank you for stating my view: let's the site corporation owner bring forward a solution necessary to ease parking and the businesses in this site.

alice Richmond 503 7230101.
3939. Parker Rd.
January

CITY HALL 22500 Salamo Rd, West Linn, OR 97068 Telephone: (503) 742-6060 Fax: (503) 742-8655

City of West Linn

Memorandum

Date: February 8, 2021

To: Mayor Walters
West Linn City Council

From: Chris Myers, Associate Planner

Subject: Public Comments Received for AP-21-01

Two additional public comments were received today, Monday, February 8, 2021 regarding AP-21-01. The comments are attached.

The first letter is from Leann and Robert Curry. Several issues/challenges are listed, with the most prominent being that Garden Street should not be utilized as a connection to Burns and Cascade Streets. They would like to see no further commercial traffic guided towards Garden Street.

The second comment is from Robert Wells and calls upon City Council to require a change in the approved pedestrian infrastructure to ensure the pedestrian walkway through the proposed shared parking lot at Market of Choice meets criteria in Community Development Code Chapter 46.150.A(20). Staff recommends City Council adopt the updated finding below and if the Planning Commission approval is upheld, to add the Condition of Approval also found below.

46.150.A(20) Pedestrian walkways shall be provided in parking areas having 20 or more spaces. Walkways or sidewalks shall be constructed between major buildings/activity areas (an example in multi-family housing: between recreation center, swimming pool, manager's office, park or open space areas, parking lots, etc.) within a development, between adjacent developments and the new development, as feasible, and between major buildings/activity areas within the development and adjacent streets and all adjacent transit stops. Internal parking lot circulation and design should maintain ease of access for pedestrians from streets and transit stops. Walkways shall be constructed using a material that visually contrasts with the parking lot and driveway surface. Walkways shall be further identifiable to pedestrians and motorists by grade separation, walls, curbs, surface texture (surface texture shall not interfere with safe use of wheelchairs, baby carriages, shopping carts, etc.), and/or landscaping. Walkways shall be six feet wide. The arrangement and layout of the paths shall depend on functional requirements.

Staff Finding: The applicant proposes to partially stripe the pavement for the seven-foot wide pedestrian walkway through the parking lot between Market of Choice and the proposed new

development per Preliminary Site Plan Sheet P301-A. This proposal does not meet requirements that 1. *"walkways shall be constructed using a material that visually contrasts with the parking lot and driveway surface"* nor 2. *"further identifiable to pedestrians and motorists by grade separation, walls, curbs, surface texture (surface texture shall not interfere with safe use of wheelchairs, baby carriages, shopping carts, etc…), and/or landscaping."*

To meet the two requirements above, the proposal must be modified to construct the seven-foot wide pedestrian walkway using a visually contrasting material. The seven-foot wide pedestrian walkway must also be grade separated or use a surface texture that does not interfere with its use. The pedestrian walkway must be continuous from its beginning at the Market of Choice pedestrian front entryway to its termination at the sidewalk for the new development. Subject to Condition of Approval 7, the criteria are met.

<u>Proposed Condition of Approval 7:</u>
Pedestrian Walkway. The seven-foot pedestrian walkway from Market of Choice to the new development shall be continuous, be constructed with a visually contrasting material, and be either grade separated or textured.

Darren Wyss

Planning Manager,

City of West Linn

Regarding File no. AP-21-01

As residents of the area bounded by the Central village commercial area, we submit this comment regarding the Bolton Neighborhood Association appeal to the West Linn City approval of the proposed development at the site of the current Post Office.

We are long time property owners of one of the four residences remaining at the end of Garden Street. The residents of Garden Street have long endured the encroaching commercial development in this area, starting (at least) with the construction of the former Thriftway adjacent to Garden Street. This was followed more recently by the Gramor development in the area, specifically the demolition of five of the houses on Garden Street and the development of the commercial building at 1554 Garden Street, currently occupied by three businesses.

Both Hood Street and Garden Street traffic has increased exponentially in the last few years. As residents, it can be quite problematic to exit and enter Garden Street either by vehicle or as a pedestrian. Not long ago, one of our residents was struck by a pick-up truck exiting Market of Choice while walking on a sidewalk. With increasing traffic there is also an increase in careless driving.

Although we definitely support any proposal that maintains a USPS presence on Hood Street, an increase in commercial density in the area is only going to exacerbate an already very difficult situation. Such development seems to be well on its way, however.

Our main concern today is that there is a reference in the Bolton Neighborhood Association appeal to the Gramor development proposal suggesting that Garden Street be used to direct more of the already heavy Central Village traffic away from Hood Street and/or Burns Street. Although I believe the suggestion to make Garden Street a through street has many barriers to serious consideration, I wish to make it clear, as residents in the commercially locked Garden Street residential area, more traffic on Garden Street will be untenable.

We support the Bolton Neighborhood Association position that there needs to be a much better analysis of traffic in the Central Village shopping center, although such analysis must consider the residents of Garden Street.

Thank you,
Leann Curry
Robert Curry
1550 Garden Street
West Linn, OR

Please submit this written material to the public hearing tonight February 8, 2021 at 6:00pm.

Thanks for your help,
Bob

To: City of West Linn City Council
Subject DR-20-07/VAR-20-02/WAP-20-03 Appeal

Here is my statement to the city planning commission for DR-20-07 February 8 2021.

My name is Robert Wells at 5651 Cascade Street, West Linn, Oregon. This statement is to address the development of the new retail building at 5665 Hood Street.

First, thank you very much for the opportunity to appeal this decision. Here is my statement to the city planning commission for DR-20-07 December 16 2020.

The pedestrian crossing proposed in this development is inadequate and should not be allowed. Item 20 and Staff Finding 40 of the Developer Review application plus the drawing on Page 77 of the applicant's submission propose a walking section in the middle of the parking lot going between Market of Choice and the new building. This is a tremendous hazard due to difficult site lines and vehicle behavior as I've observed in the current parking and walking flows. The proposal only increases the pedestrian activity in the middle of this difficult and dangerous parking area. I spend a good deal of my day in this area and have observed many people including myself and including postal workers themselves nearly be hit by vehicles not noticing them walking between cars into driving lanes throughout the day.

I've brought this concern to Gramor representatives at prior meetings but see there has been no change to their proposal. In addition, the West Linn Planning Commission approved the development plan that endangers our citizens.

I urge the City Council to act responsibly for the safety of West Linn citizens by not approving these plans until an alternate walkway or solution can be implemented. This will help keep pedestrians safe and encourage all in the area to use these businesses.

Thank you for your time and consideration.

Robert Wells
5034599891
bob@wellsmuro.com
wrobertwells@gmail.com
5651 Cascade Street
West Linn, OR 97068