



Clackamas County Design Review Committee (DRC)
September 16, 2024

RE: Staff response revisions dated Sept. 5, 2024 for Design Review file number: Z0151-24. Staff now recommends **approval** subject to several factors noted below.

Clackamas County DRC,

In response to staff's initial recommendation of denial of Z0151-24-D, the applicant provided detailed application revisions dated September 5, 2024. These documents shall be included with this memorandum and are labelled Exhibits 9-13. Exhibit 13 provides a direct responses to the six Zoning and Dev. Ordinance (ZDO) criteria not presently met. Staff reviewed Exhibit 13 in conjunction with the other revisions, and now recommends the application be approved subject to conditions, and subject to a detailed review by the DRC. This recommendation is subject to change pending the DRC meeting September 24, 2024.

Below is a brief response to the ZDO criteria not met in the original staff recommendation (See Exhibit 8). Updating the original staff recommendation is not necessary at this point because the document must be converted to a staff decision after the DRC meeting, and making three revisions is not an efficient use of staff or County time.

Staff response to Exhibits 9-13:

1. ZDO Sec. 513.03, Permitted Uses: Exhibit 13 provides a detailed response readdressing "Drive-Thru Window Service", and confirms it is an accessory use with the restaurant (Food and Beverage Services) as the primary use. Staff agrees with the applicant's narrative. This standard is met.
2. ZDO Sec. 1005.02(B), Section 1005.02(E)(1), and Section 1005.03(C): For these site and design standards the applicant has proposed Design Modifications pursuant to ZDO Sec. 1005.06. The applicant cites multiple factors for consideration. First, the applicant points out that SE McLoughlin is aligned at skew (Not a typical grid), which makes it difficult to align the building to the minimum front setback while also allowing for drive-thru lanes. The applicant also cites that pedestrian connectivity may be affected by full compliance, given the site's constrained location on a busy arterial road and state highway. The applicant also notes that drive-thru window services and landscaping elements will block views into the building, and that since the building is primarily a kitchen, transparent windows are not critical. Staff reviewed the request in conjunction with ZDO Sec. 1005.01 "Purpose". Staff agrees the site is constrained and that drive-thru design and circulation are complicated by the skew inherent in SE McLoughlin

Blvd. However, staff is unclear as to whether the site can be redesigned to accommodate the proposed use whilst also complying with applicable ZDO standards. To that end, staff appreciates any professional feedback the DRC can provide. At present, staff recommends these design modifications be approved. These criteria can be met.

3. ZDO Sec. 1015.02(C), Parking maximums: The applicant prepared revised parking calculations including the exterior seating area. The outdoor seating area can be considered a portion of "Gross leasable space". Staff confirmed the applicant's calculations comply with ZDO Sec. 1015, Tale 1015-2. This standard can be met.
4. ZDO Sec. 1021, Trash Enclosure: The applicant provided a revised trash enclosure plan, addressing some concerns noted by County staff. Unless the Sustainability division of Clackamas County has additional concerns, this standard can be met.

To summarize, Staff finds the applicant's revisions can comply with the ZDO. However, with respect to the Design Modifications requested pursuant to ZDO Sec. 1005.06, staff must consider any feedback or concerns identified by you, the DRC, at the September 24 meeting. Therefore, these recommendations are subject to change. Thank you again for your time and feedback

Sincerely,

Ben Blessing

Sr. Planner, CFM