



## Memorandum

**Date:** June 21, 2013

**To:** John Kovash, Mayor  
Members, West Linn City Council

**From:** Chris Jordan, City Manager 

**Subject:** Council Schedule and Meeting Information

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### June 24 Meeting

The City Council will meet at 6:00 on June 24 to interview applicants to fill the two vacant positions on the Citizens Budget Committee. Please note that one of the applicants, Erik Simshauser, is not available on this evening for an interview, however, Mr. Simshauser is currently serving on the Utility Advisory Board and is known to members of the City Council.

Members of the Council have also requested to further discuss the status of the police station.

### July 1 Meeting

The City Council has a Special Meeting and work session scheduled for July 1 beginning at 6:00. The main focus of the Special Meeting is for the Council to consider placing a bond measure before the voters in November to request approval of the sale of \$24 million in bonds to build an aquatic community center. Although a decision on this item is not required until later in July, it was decided during a work session in May that the Council would consider this item in early July to allow any campaign that might be initiated by this action to begin as soon as possible.

The only work session item scheduled for discussion is the Robinwood Station. We have invited members of the Friends of Robinwood Station (FORS) to participate in this discussion. Under Use and operations Agreement with the City, FORS has been utilizing the facility as a community center since July 2011. During this time, the City has paid utilities and insurance; contributed \$4,000 toward a Master Plan for the site; and paid for various maintenance and materials for improvements. FORS has been asked to provide a detailed budget, including:

- Two years income and expense statements;
- Two year income and expense forecast;
- Two year schedule of maintenance projects and costs;
- Five year schedule of capital projects and costs.

There are two main issues for the Council to discuss:

- 1) Land Use: the Robinwood Station has been approved to be used as a small community center on a temporary basis through June 23, 2013. (It was originally approved for a 12-month period on June 28, 2010. It received a second, one-year, temporary approval by the Council in July 2012, expiring on June 23, 2013.) The West Linn Community Development Code does not allow for any additional extensions of temporary uses because it has been determined that any timeframe greater than two years requires a permanent land use approval. Staff has not enforced the expiration of the temporary use pending the July 1 discussion.
- 2) Land owner: the City, as the owner of this property, has several options that could be pursued.
  - a. Continue the same arrangement with the City covering certain expenses
  - b. Agree to allow FORS to use the facility, but with no financial assistance from the City
  - c. Identify a different City use for this property and facility (note: the property is zoned R-10 and is 38,500 sq. ft.)
  - d. Ultimately, declare the property surplus and sell it for the development of single family homes in keeping with the rest of this part of the Robinwood neighborhood.

To assist with the discussion, the following documents are attached:

- Final Decision of the City Council for first temporary use permit
- Final Decision of the City Council for second temporary use permit
- Use and Operations Agreement
- Accounting of City expenses for the past three years

Please let us know if you need any additional information.

Attachment

**WEST LINN CITY COUNCIL**  
**FINAL DECISION**  
**MIS-10-08**

**IN THE MATTER OF FRIENDS OF ROBINWOOD STATION'S AND THE  
ROBINWOOD NEIGHBORHOOD ASSOCIATION'S APPLICATION FOR A  
TEMPORARY USE PERMIT FOR A COMMUNITY CENTER AT 3706  
CEDAROAK DRIVE**

At their regular meeting on June 28, 2010, the West Linn City Council held a public hearing to review Friends of Robinwood Station's and the Robinwood Neighborhood Association's application for a Temporary Use Permit for a community center at the City-owned former fire station building at 3706 Cedar Oak Drive.

Mayor Kovash opened the hearing. Tom Soppe, Associate Planner, gave the staff presentation. Tony Bracco and Thomas Boes presented for the applicants. Alice Richmond, Kevin Bryck, and Don Kingsborough testified in support of the application. Ole Olsen and Bob Thomas testified in opposition to the application. Mr. Bracco gave the applicant's rebuttal. Mayor Kovash closed the hearing.

The City Council approved the application with staff's conditions of approval, with three additional findings, and with three additional conditions of approval. The City Council adopted the staff report as the basis for its decision dated June 28, 2010.

The additional findings are as follows:

1. CDC 46.090(B)(9) requires 12 vehicle parking spaces for a community center with the square footage of the main building on site. To best provide parking for the temporary use and to best prevent overflow parking, 12 spaces should be required at the site.
2. Bicycle parking should be provided at the site to encourage and provide for bicycle trips to the site, and to further offset possible motor vehicle parking conflicts.
3. Conditions should specify that the Building Code's basic fire, life, and safety provisions necessary for temporary occupancy be met before temporary occupancy begins.

The final approved conditions of approval, including new conditions 7-9, are as follows:

1. One-year approval period. The primary building at 3706 Cedar Oak Drive may be used as a community center for one year, beginning on the date that the Building Official issues the certificate of occupancy. At the end of the one-year period, the temporary use shall terminate.

2. Hours of operation. Hours of operation shall be limited to 7:30 AM - 10:00 PM Monday -Thursday and Sunday and 7:30 AM - 11:00 PM on Friday and Saturday.
3. Parking and walkway. Establish a van accessible parking space consistent with CDC Subsection 46.150B (6) and install a paved walkway at least 36 inches in width between the building entrance and the parking lot/van assessable parking space.
4. Site lighting. Any new site lighting shall be designed to prevent illumination and glare beyond property lines shared with residences.
5. Site plan. Submit for Planning Department approval a site plan in conformance with these conditions of approval.
6. Fire flow test. Provide a current fire flow test conforming to Tualatin Valley Fire and Rescue standards.
7. Vehicle Parking. The applicant shall provide 12 vehicle parking spaces on site, including the van accessible space discussed in condition of approval 3.
8. Bicycle Parking. The applicant shall provide a bicycle parking rack on site.
9. Building Code. The Building Code's basic fire, life, and safety provisions as required for temporary occupancy of a structure shall be fulfilled before the commencement of temporary occupancy.

This decision may be appealed to the Land Use Board of Appeals (LUBA) under its statutory provisions.

  
JOHN KOVASH, MAYOR

13 July 2010  
DATE

BEFORE THE WEST LINN CITY COUNCIL

FINAL DECISION

MISC-12-07

IN THE MATTER OF THE PROPOSED ONE-YEAR TEMPORARY USE PERMIT  
FOR CONTINUED COMMUNITY CENTER USE AT ROBINWOOD STATION BUILDING AT 3706  
CEDAROAK DRIVE

At their meeting of July 9, 2012, the West Linn City Council held a public hearing to consider a one-year temporary use permit for Friends of Robinwood Station, to extend their temporary use approval for a community center at 3706 Cedaroak Drive. The approval period of the permit would begin retroactively at the expiration date of the previous temporary use approval MISC-10-08, for the same use at the same site.

Associate Planner Tom Soppe gave the staff presentation. Randall Fastabend, Thomas Boes, and Mary Hill presented for the applicant. Alice Richmond and Curt Sommer testified in support of the application. No one testified neutrally or in opposition to the application. A motion was made, seconded, and approved to approve the application with staff's recommended conditions of approval, which are as follows:

1. One-year approval period. The primary building at 3706 Cedaroak Drive may be used as a community center for one additional year, beginning retroactively on June 23, 2012 and ending on June 23, 2013. The temporary use shall terminate on June 24, 2013.
2. Hours of operation. Hours of operation shall be limited to 7:30 AM - 10:00 PM Monday -Thursday and Sunday and 7:30 AM - 11:00 PM on Friday and Saturday.

This decision may be appealed to the Land Use Board of Appeals under the applicable rules and statutes.

  
JOHN KOVASH, MAYOR

July 16, 2012  
DATE

This decision was mailed on July 17, 2012.

## **Use and Operations Agreement between the City of West Linn and the Friends of the Robinwood Station**

The CITY OF WEST LINN, hereafter called the CITY, and the Friends of the Robinwood Station hereafter called the FRIENDS, do hereby establish this agreement for the operation, maintenance and development of the Robinwood Fire Station property located at 3706 Cedaroak Drive known as the Robinwood Station, to be used as a public meeting space for the benefit of West Linn Citizens.

1. The FRIENDS shall operate the facility as a public event, meeting and recreation space for the benefit of all citizens of West Linn for a period of one year commencing with a valid certificate of occupancy. Priority shall be given to official civic groups, non-profits, educational programs and youth programs.
2. The FRIENDS shall form a non-profit corporation dedicated to the operation, maintenance and development of the Robinwood Station. In addition, the FRIENDS will develop a budget based on available funds, revenues and funds raised by the FRIENDS.
3. The FRIENDS will work with the CITY to develop a master plan for facility repairs and future development.
4. The City shall provide insurance coverage for the building and its operations.
5. Representatives of the CITY and the FRIENDS shall meet on a regularly scheduled basis to discuss duties, projects and items of interest.
6. The FRIENDS shall be responsible for daily operation of the public facility and shall be responsible for all scheduling and activities.
7. The FRIENDS shall produce procedures for operation subject to approval by the CITY. The FRIENDS and THE CITY shall work out a set of Facility Use Rules and Regulations and a Facility Use Application and Agreement. All users shall complete a Use Agreement. Fees for use of the facility shall be incorporated into the City's Annual fee schedule.
8. The FRIENDS shall operate the facility in compliance with the procedures and the regulations and restrictions of the CITY and as set forth in the temporary use permit.
9. The CITY shall perform the mowing of the grounds and the FRIENDS shall assist in the maintenance and upkeep e.g. watering and weeding of the grounds whenever possible.
10. The FRIENDS shall redecorate, refurbish, and furnish the building. Improvements requiring building permits shall have prior written approval of the City before they are performed.

11. The FRIENDS shall pursue funding through memberships, grants, donations and fund raising activities to assist in the development of the property.

12. Since the CITY is ultimately the owner, the CITY shall have the final decision in all matters. It shall be understood that the CITY shall attempt to follow the recommendations of FRIENDS except in those instances where the CITY feels that it is not in the Public's best interest to do so.

13. The FRIENDS hereby agrees to indemnify, defend, and protect the City of West Linn against, and hold and save harmless from, any and all claims, demands, suits, liability, damages, loss, costs, attorney's fees and expenses of whatever kind or nature, which may arise out of any action or failure to act of the FRIENDS. Including, but not limited to claims of damage to the person or loss to the property of any person invited by or permitted by the FRIENDS upon or off the premises or from or out of any damage loss harm or injury to the person or any property of FRIENDS or any of its representatives

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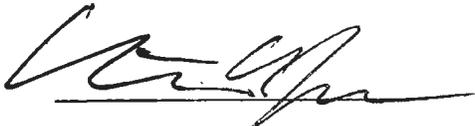
Dated this 29<sup>th</sup> day of July, 2010



Randail Fastabend, President  
Friends Robinwood Station



Tony Bracco, Vice President Tony Bracco  
Friends Robinwood Station



Chris Jordan, City Manager  
City of West Linn

City of West Linn

Summary of Expenses paid for Robinwood Station Improvements

Description	Date	Amount
1 Reimbursements for cost of various materials (labor is volunteered)	9/23/10	\$ 396.11
2 Reimbursements for cost of various materials (labor is volunteered)	9/25/10	\$ 1,125.90
3 Reimbursements for cost of various materials (labor is volunteered)	10/15/10	\$ 1,366.08
4 Reimbursements for cost of various materials (labor is volunteered)	10/19/10	\$ 119.04
5 Seal around drain	10/22/10	\$ 225.00
6 Reimbursements for cost of various materials (labor is volunteered)	11/19/10	\$ 383.30
7 Reimbursements for cost of various materials (labor is volunteered)	11/25/10	\$ 486.63
8 Reimbursements for cost of various materials (labor is volunteered)	1/18/11	\$ 91.25
9 Reimbursements for cost of various materials (labor is volunteered)	1/25/11	\$ 267.89
10 Reimbursements for cost of various materials (labor is volunteered)	2/1/11	\$ 726.61
11 Water storage tank	2/16/11	\$ 1,518.81
12 Replace garage doors	7/16/11	\$ 3,670.00
13 Cost of window replacement	7/22/11	\$ 550.00
14 Garage door switches	8/2/11	\$ 416.81
15 Various: Parking light pole, ext paint, ext sign, lights, trim around garage doors	9/13/11	\$ 1,431.82
16 Module and thermostat	11/15/11	\$ 513.31
17 Carpet for 2 rooms	1/17/12	\$ 805.05
18 Seal around pipe and vent	10/31/12	\$ 475.00
19 ABC Roofing - Roof repairs	11/17/11	\$ 225.00
20 Arjae Sheet Metal - repair heating system	11/9/11	\$ 640.81
21 PGE - 2010-2012		\$ 651.14
22 West Linn Utilities - 2010-2012		\$ 2,594.57
23 Irrigation materials for the garden	7/3/05	\$ 550.00
24 NW Natural Gas - 2010-2012		\$ 1,500.00
25 Community Grants 2011 - 2012		\$ 3,900.00
		<u>\$ 24,630.13</u>
25 Gerber+Boes: Master Plan Development	10/9/12	\$ 1,125.00
26 Gerber+Boes: Phase I of Master Plan Report received	10/30/12	\$ 1,125.00
27 Gerber+Boes: Phase II of Master Plan Report received	12/4/12	\$ 2,025.00
28 Gerber+Boes: Preliminary Engineering Review	12/24/12	\$ 675.00
		<u>\$ 4,950.00</u>
		<u><u>\$ 29,580.13</u></u>