

WEST LINN PLANNING COMMISSION

FINAL DECISION NOTICE

CUP-08-02/DR-08-09/VAR-08-06/07/08

IN THE MATTER OF A REQUEST TO CONSTRUCT A FIRE STATION AT THE BLOCK OF 6174 FAILING STREET REQUIRING A CONDITIONAL USE PERMIT, DESIGN REVIEW AND THREE VARIANCES

At their meetings of November 19 and December 3, 2008, the West Linn Planning Commission held a public hearing to consider the request by Tualatin Valley Fire and Rescue (TVFR) to approve the construction of a new fire station at the block of 6174 Failing Street to replace an adjacent fire station. This required a Conditional Use Permit, a Class II Design Review and three Class II Variances in the R-4.5 zone. The approval criteria for Conditional Use Permit are found in Chapter 60 of the Community Development Code (CDC). The approval criteria for Design Review are found in Chapter 55 of the CDC. The approval criteria for Variance are found in Chapter 75 of the CDC. The hearing was conducted pursuant to the provisions of CDC Chapter 99. Public testimony was heard.

Commissioner Martin made a motion to approve the application with the applicant' and staff's findings and with staff's conditions of approval. The motion was seconded by Commissioner Wood and passed unanimously.

The final conditions of approval are presented as follows:

1. The applicant shall obtain approval from the HRB to demolish the house at 1850 Buck Street or shall move the house to a suitable alternate location.
2. All exterior lighting shall be to dark sky design standards and shall not produce off site glare. Design and placement to be approved by Planning Director.
3. A six foot wide water permeable sidewalk shall connect the sidewalk on Elliot Street directly towards (at right angle) the main entrance through a landscaped area. Pedestrian access from Failing Street requires a marked walkway constructed of contrasting paving material across the parking lot from Failing Street sidewalk connecting with the sidewalk at the east end of the main entrance. This will entail the elimination of a landscaping island at the east end of the row of parking. Hardscape in the landscaped area shall be constructed with water permeable materials.

4. The applicant shall pay for and install and maintain a six foot high solid wood fence along the east side of 1912 Buck Street unless that property owner declines the fence in writing.
5. Interior sidewalks shall be six feet wide.
6. HVAC shall not exceed noise levels allowed by CDC Chapter 55.
7. The retaining walls on the north and east sides of the site shall be constructed of split or rough faced concrete or facsimile. The actual product must be reviewed and approved by the Planning Director prior to installation.
8. Deviations in the curb line on Buck Street shall be corrected to produce a straight curb line between Elliot and Failing Streets.
9. Street improvements shall be installed per City Engineer.
10. All existing power poles and anchor poles must be removed.
11. All utilities consisting of existing and new utilities must be placed underground.
12. Existing street light illumination level along the project frontages shall be analyzed. New street lights shall be required if there is a need. Specific light fixture type shall be reviewed and approved by Planning Director.
13. All designs, materials, workmanships and constructions shall be done per the existing City of West Linn Public Works Design and Construction Standards.
14. The applicant shall address ORS 358.653 by formalizing the mitigation for the removal/loss of the building(s) in writing to SHPO: explaining the project, the properties involved, the expected effects plus photographic and/or narrative documentation of the building before demolition or moving, unless that requirement is specifically waived in writing by SHPO.
15. The landscape plan shall be modified to add three rose bushes per the request by the West Linn Garden Club.
16. The site plan shall be modified to allow for the retention of two significant maple trees at the southwest corner of the parking lot. Three parking spaces will be lost. The modified plan shall be submitted to the Planning Director for review and approval.

This decision will become effective 14 days from the date of mailing of this final decision as identified below. Those parties with standing (i.e., those individuals who submitted letters into the record, or provided oral or written testimony during the course of the hearing, or signed in on the attendance sheet at the hearing, or who have contacted City Planning staff and made their identities known to staff) may appeal this decision to the West Linn City Council within 14 days of the mailing of this decision pursuant to the provisions of Chapter 99 of the Community Development Code. Such appeals would require a fee of \$2,500 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.

Michael D. Babbitt
MICHAEL BABBITT, CHAIR
WEST LINN PLANNING COMMISSION

12-8-08
DATE

Mailed this 10 day of DECEMBER, 2008.

Therefore, this decision becomes final at 5 p.m., DEC. 24, 2008.
MB