

**CITY OF WEST LINN
CITY COUNCIL MEETING
PUBLIC HEARING
FILE NO. AP-08-01**

The West Linn City Council, at a hearing date of **Monday, December 22, 2008** starting at **6:30 p.m.** in the Council Chambers of City Hall (located at 22500 Salamo Road, West Linn, OR), will hold a public hearing to respond to a remand from the Oregon Land Use Board of Appeals (LUBA). The remanded decision was an approval of a 4,200 square foot office building on property located at 5750 Hood Street, north of Burns Street (DR 07-10 and NDW 07-08). The approval criteria of Chapters 55 (Design Review) and Chapter 32 (Water Resource Areas) of the Community Development Code apply to this decision. However, the revised hearing is limited to discussion of the two issues upon which LUBA remanded the decision:

- 1) Determination of whether the project, with minor revisions proposed by the applicant, satisfies CDC 32.090(A), which allows up to 5,000 square feet of the site within a water resource area to be developed, and
- 2) Determination of whether the outdoor parking area and retaining wall, with minor revisions proposed by the applicant, satisfy all applicable rear yard setback requirements, including CDC 21,070(A)(4)(c) and 34.060.

The Council will consider any other issues related to the approval criteria ONLY if the applicant's specific minor changes to the project call into question compliance with any other relevant approval criterion. The Council will NOT consider testimony on any issue that was resolved by the City in its previous decision on the project and was sustained by LUBA in its decision.

Subject property located at tax lot 2401 of Clackamas County Assessor's 2S-2E-30DB.

All documents and applicable criteria in the above-noted file are available for inspection at no cost, or copies can be obtained for a minimal charge per page. At least 10 days prior to the hearing, a copy of the staff report will be available for inspection. For further information, please contact Bryan Brown, Planning Director, at City Hall, 22500 Salamo Road, #1000, West Linn, OR 97068 (please e-mail at bbrown@westlinnoregon.gov or phone 503-656-4211).

The hearing will be conducted in accordance with the rules of Section 99.170 of the Community Development Code. Persons who wish to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the City Council will receive a staff report presentation and invite both oral and written testimony. The City Council may continue the public hearing to another meeting to obtain additional information, or close the public hearing and take action on the application. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals based on that issue.

TERESA ZAK

Planning Commission Administrative Asst.