

**WEST LINN PLANNING COMMISSION**

**FINAL DECISION NOTICE**

**CUP-09-02/DR-09-07**

**IN THE MATTER OF A CONDITIONAL USE PERMIT AND CLASS II DESIGN REVIEW  
TO PERMIT A TEN-FOOT ADDITION TO A STEALTH CELLULAR TOWER AT 19200  
WILLAMETTE DRIVE**

At their meetings of March 17, 2010 and May 5, 2010, the West Linn Planning Commission held public hearings to consider the request by the Goodman Networks to construct a ten-foot addition to existing 80-foot tall wireless communication facility (WCF) tower at 19200 Willamette Drive plus the installation of some equipment in a fenced and screened area at the base of the tower requiring a Conditional Use Permit (CUP) and a Class II Design Review. The approval criteria for CUP and Design Review are found in Community Development Code (CDC) Chapter 60 and 55 respectively. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Peter Spir, Associate Planner. Vanessa Meyer testified on behalf of the applicant. Public testimony was heard.

At the May 5, 2010 hearing, the Planning Commission made note of the fact that the owner of the property: Emmanuel Presbyterian Church, represented by Pastor Paul Quackenbush, had submitted into the record the church's support of the application.

In the Planning Commission discussion phase, the finding was made that if some of the trees around the tower site died or were removed due to disease, then the buffering and screening of the tower, which the existing trees provide and is so critical to meeting the compatibility and screening requirements of CDC 55.100(C), might not be met. To address this concern, Planning Commission proposed that the applicant shall be responsible for replanting any dead or diseased trees within a 50-foot radius. A motion was made, seconded, and passed to approve the application with conditions of approval as recommended in the staff report as follows:

1. All designs, materials, workmanships and construction shall be done per the existing City of West Linn Public Works Design and Construction Standards and per the site plan (sheet A-2) as shown on page 56 of the staff report.
2. No more vertical additions to this tower shall be allowed.
3. The dripline of existing trees shall be protected by chain link fencing from preliminary site clearing grading through completion of the project.

4. The applicant shall be responsible for the replacement of any dying or diseased trees or vegetation within a 50 foot radius of the tower during the construction and through the duration of the lease and shall replace trees "in kind" under the supervision of the City Arborist.

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 hearings, or signed in on an attendance sheet or testimony form at either of the hearings, 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 \$400 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.

  
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ROBERT MARTIN, CHAIR  
WEST LINN PLANNING COMMISSION

5/11/2010  
\_\_\_\_\_  
DATE

Mailed this 12 day of May, 2010.

Therefore, this decision becomes effective at 5 p.m., May 26, 2010.