

WEST LINN PLANNING COMMISSION

FINAL DECISION NOTICE

CUP-11-01/DR-11-06

IN THE MATTER OF THE PROPOSAL OF A CONDITIONAL USE PERMIT AND CLASS I DESIGN REVIEW FOR MULTIPLE PROPOSED AND EXISTING MODIFICATIONS AT THE CITY OF WEST LINN PUBLIC WORKS OPERATIONS CENTER AT 4100 NORFOLK STREET

At their meeting of July 20, 2011, the West Linn Planning Commission held a public hearing to consider the request by the City of West Linn Public Works Department to approve a proposed shed, proposed carport, and proposed new fuel tanks, and to approve existing unpermitted walls and fill at the Department's operations site at 4100 Norfolk Street. This required a Conditional Use Permit and Class I Design Review permit. The approval criteria for Conditional Use Permit are found in Chapter 60 of the CDC. The approval criteria for Design Review are found in Chapter 55 of the CDC. The approval criteria for the R-10 zone are found in Chapter 11 of the CDC. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Tom Soppe, Associate Planner. Mike Cardwell of the Public Works Department presented for the applicant. Lisa Cozzi spoke neutrally on the application. Nobody spoke in favor of or opposed to the application. Mr. Cardwell provided further comments for the applicant.

A motion was made, seconded, and passed to approve the application with two new findings, and with modification to staff's proposed conditions of approval 2 and 3. The additional findings are as follows:

Additional Finding 1:

Some of the existing arbor vitae screening the site are in poor condition. Also, there should be a guarantee of appropriate maintenance to ensure the continued health and life of the arbor vitae required to be planted by Condition of Approval 2. Therefore the condition should address the replacement of dead or dying existing vegetation and should address the continued maintenance of new and existing vegetation.

Additional Finding 2:

Staff's proposed Condition of Approval 3 is correct to remove the arbor vitae within the clear vision areas of site driveways off of Sussex Street. However to ensure the most screening possible while meeting clear vision area provisions, these shall be replaced with other vegetation that will not grow over 3 feet high.

The approved conditions of approval are as follows:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the site plan labeled "Proposed Building Location and Landscape Buffer" located on Page 81 of Exhibit PC-3.

2. Vegetative Screening. The area along the Sussex Street right-of-way between the existing arbor vitae and the south property line shall be planted with arbor vitae at the same spacing as the existing arbor vitae along the remainder of the site's west edge. The area along the diagonal wall of the materials storage area facing the corner of Norfolk Street and the site driveway shall also be planted with arbor vitae at the same spacing as the vegetative screen on the adjacent wall to the south. Existing vegetative screening that is dead or dying shall be replaced. Existing and new vegetative screening shall be maintained in a healthy condition.

3. Arbor Vitae in Clear Vision Areas. The applicant shall remove all arbor vitae that are within the clear vision areas for the site driveways along Sussex Street, as determined by CDC 42.050, and replace these with a limited-growth shrub recommended by 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.



 ROBERT MARTIN, CHAIR
 WEST LINN PLANNING COMMISSION

7/22/2011

 DATE

Mailed this 22nd day of July, 2011.

Therefore, this decision becomes effective at 5 p.m., August 5, 2011.

Devrev/projects folder/projects 2011/cup-11-01 4100 Norfolk Street/CUP-11-01 final decision