CITY OF West Linn

22500 Salamo Road
West Linn, OR 97068

STAFF REPORT
FOR THE PLANNING COMMISSION

FILE NUMBER:	CUP-12-01/DR-12-03
HEARING DATE:	April 4, 2012
REQUEST:	Conditional Use and Class II Design Review approval for construction of a pump station at the Bland Reservoir site at 23120 Bland Circle
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 12, Single-family Residential Detached and Attached, R-7; Chapter 55, Design Review; and, Chapter 60, Conditional Uses.
STAFF REPORT PREPARED BY:	Tom Soppe, Associate Planner

Planning Director's Initials _____ City Engineer's Initials KQL

EXECUTIVE SUMMARY

The West Linn Public Works Department requests Conditional Use and Class II Design Review approval for a new water pump station on a site containing the existing Bland Reservoir at 23120 Bland Circle in the Savanna Oaks neighborhood of West Linn. The City's 2008 Water Master Plan identifies the need for a water supply and pressure supplement for the Rosemont Zone 9 (See Map on page 6). This need is best satisfied for at the Bland Reservoir site with the installation of the proposed pump station (see Finding 5).

The applicant proposes to house the pump station equipment inside a proposed 15.5 foot tall, 16-foot by 22-foot concrete block building located near the southeast corner of the site (see Exhibit PC-3, Proposed Site Plan, page 113). New water lines would connect the pump to the reservoir and distribute water to the Rosemont Water Pressure Zone.

The site appears to have sufficient space for the existing reservoir, the building proposed for the pump station, and associated landscaping. Both the existing reservoir and the proposed pump station building are at least 20 feet from any property line. The applicant proposes to screen the proposed structure with Arbovitae (see Exhibit PC-3, Landscaping Plan, page 119). A proposed 6-foot tall cyclone fence would separate the site from the adjoining

residences (see Exhibit PC-3, Proposed Site Plan, sheet 6, page 114). Proposed Condition of Approval 6 calls for the fence to be located behind the proposed arborvitae.

Two ash trees, 8 and 12 inches in diameter respectively (not significant trees), are proposed be removed, but at least one shade tree will be planted by the gravel parking area per proposed Condition of Approval 2 (see Finding 19).

Potential sound impacts are addressed (see findings 9 and 33).

Staff has reviewed the applicant's proposal relative to all applicable CDC requirements and finds that there are sufficient grounds for approval, subject to the proposed conditions listed on page 13.

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GENERAL INFORMATION

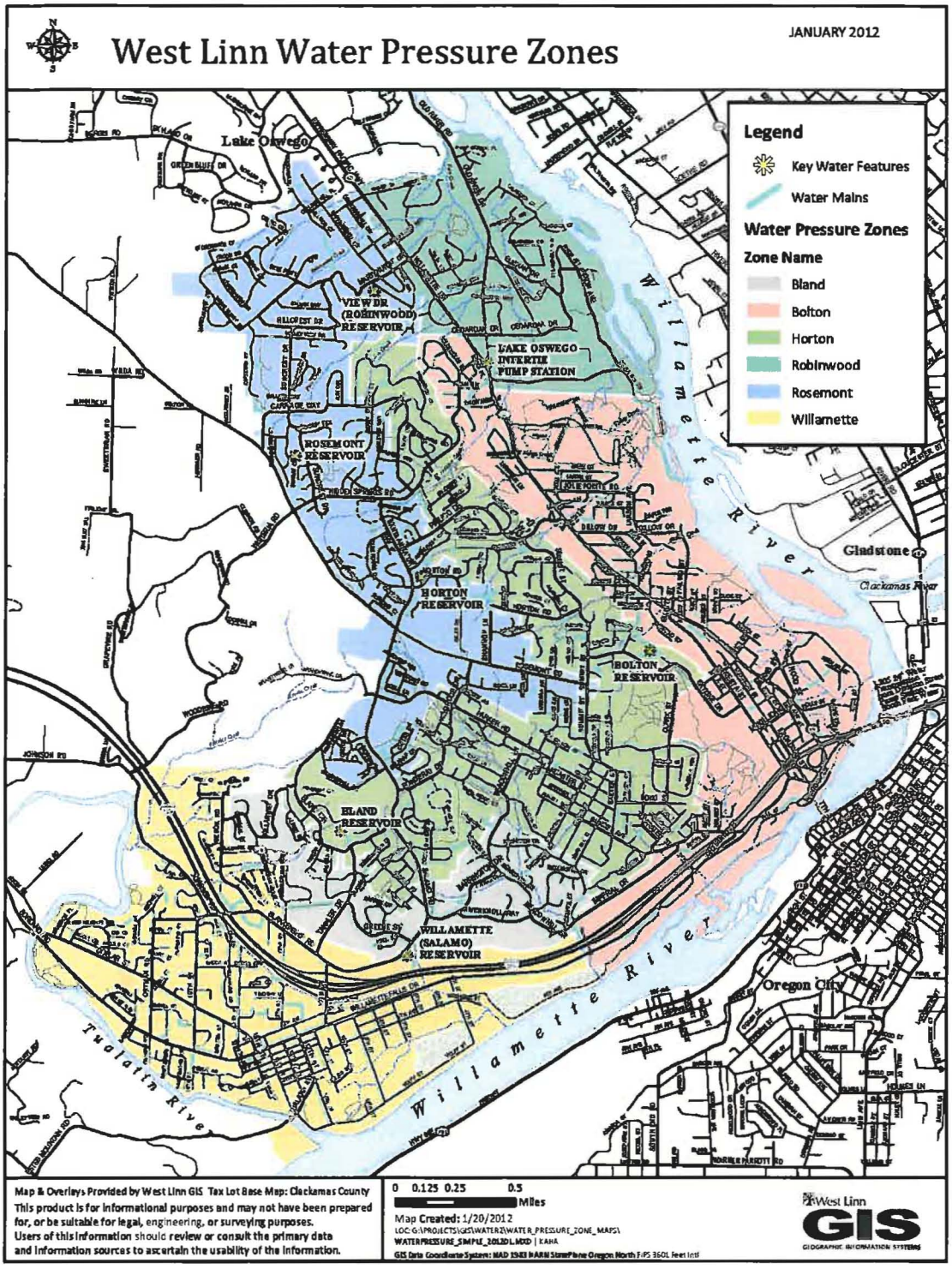
APPLICANT:	City of West Linn Public Works Department 22500 Salamo Road, West Linn, OR 97068
CONSULTANT:	Adam Butts, Ed Butts, and Brooke Saltarello 4B Engineering & Consulting, LLC 3700 River Rd. N., Ste. 2 Keizer, OR 97303
SITE LOCATION:	23120 Bland Circle (Bland Reservoir site)
LEGAL DESCRIPTION:	Clackamas County Assessor's Map 2-1E-35B, tax lot 504
SITE SIZE:	Approximately 1.0 acres
ZONING:	R-7, Single-family Residential Detached and Attached
COMP PLAN DESIGNATION:	Low-Density Residential
120-DAY PERIOD:	This application was resubmitted complete on January 26, 2012. The applicant having subsequently granted a 60 day extension of the original 120-day period, the 120-day maximum application-processing period ends on July 24, 2012.
PUBLIC NOTICE:	Public notice was mailed to the Savanna Oaks and Willamette neighborhood associations and to affected property owners on March 14, 2012. The property was posted with a sign on March 15, 2012. In addition, the application has been posted on the City's website and was published in the West Linn Tidings on March 22, 2012. The notice requirements have been satisfied.

BACKGROUND

The site, which was annexed to West Linn in 2006, has contained the City's Bland Reservoir facility since 1980. The reservoir is a cylindrical above-ground tank approximately 3 stories tall and 42 feet in diameter. The property does not directly front on a street and has vehicular access only to Bland Circle via an easement containing a driveway on the parcel to the south, 23128 Bland Circle (see Exhibit PC-3, Proposed Site Plan, sheet 6, page 114) This adjacent parcel is an unincorporated "county island" surrounded by the City. The Public Works Department proposes this water pump station at this site at this time due to an item in the City's 2008 Water Master Plan which states, in part, the following:

> Bland Intertie Supply to Rosemont: The storage and pumping analysis identified a deficiency in supply to the Rosemont pressure zone under future conditions. Construction of a third pump station to boost water from a lower pressure zone into the Rosemont pressure zone is recommended. Through discussions with City staff it was determined that the best location for this pump station is at the Bland Reservoir site. Siting the pump station at this location provides a geographical distribution of the supply to the Rosemont pressure zone, is a hydraulically suitable location with adequate suction supply to the pump station and is located relatively close (approximately one-half mile) from an existing 12-inch diameter transmission main in the Rosemont pressure zone.

The following map shows the location of the pressure zones of the City including the Rosemont zone, in relation to the location of the site.

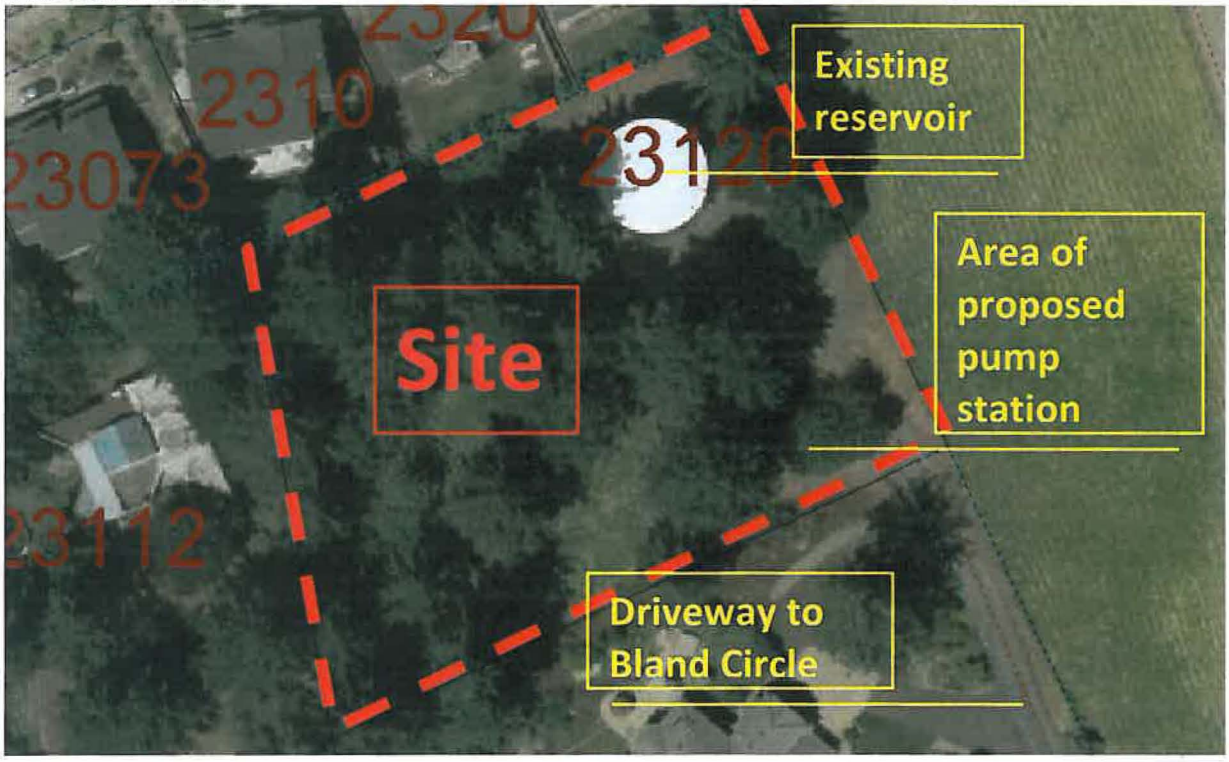


City of West Linn Water Pressure Zones Map. "Bland Reservoir" denotes the site, which is in the Horton Zone. The reservoir on site serves the Bland Zone (gray) and the pump station would serve the Rosemont Zone (blue).

Site Conditions:

As the photograph below shows, the 1-acre City-owned water reservoir site is heavily wooded, with the cylindrical above-ground reservoir tank surrounded by a fence in its northeast corner. The site does not directly front on a street. South of the reservoir is a gravel parking and turnaround area that accesses only to Bland Circle, through an easement along the eastern edge of the unincorporated property to the south. This property to the south also contains a single-family residence, which shares the access to Bland Circle. The driveway shared by the house to the south and the project site itself is gravel. The site slopes gently to the south and west and becomes more wooded and thick with vegetation further west.

Site Aerial View



Source: West Linn GIS, 2012

Existing reservoir on site, as seen from the south, from the area where pump station is proposed. The pump station is proposed to match the "forest green" color of the reservoir.

Project Description:

The City of West Linn Public Works Department requests Conditional Use and Class II Design Review approval for a new water pump station on the site of the existing Bland Reservoir. The pump station is called for by the City's current 2007 Water Master Plan (see "Background" section above) to serve the Rosemont water pressure zone (see the water pressure zone map in the background section above). See the Water Master Plan quote above for the further reasoning behind why this location was selected for a pump station to overcome the supply deficiency in the Rosemont zone.

The pump station equipment is proposed to be located in an approximately 14.5-foot-tall, 16-foot by 22-foot building. This building is proposed to be located in the southeast area of the site along the west side of the existing gravel driveway (see Exhibit PC-3, Proposed Site Plan, page 113). The equipment in the building would include three variable frequency drive pumps operating at up to 1800 gallons per minute. There would be a power outlet provided for a backup generator that can be brought on site in case of power failure. Since the backup generator is a portable device that is not built into the site and which would only be brought on site and used during emergencies, the noise it may produce is incidental, infrequent, and not regulated by the CDC. It would need to meet Municipal Code regulations for noise only. The applicant proposes to screen the proposed structure with Arbovitae (see Exhibit PC-3, Landscaping Plan, page 119). A new 6-foot tall fence would separate the site from the adjoining residence to the south (see Exhibit PC-3, Proposed Site Plan, Sheet 6, page 113).

An underground pipe would connect the pump station to the reservoir on the north side of the site. A new water line would connect the pipe to existing waterlines in the Rosemont zone. See Exhibit PC-3, proposed site plans, on Pages 113-114.

Area of site where pump station is proposed, looking west from gravel driveway

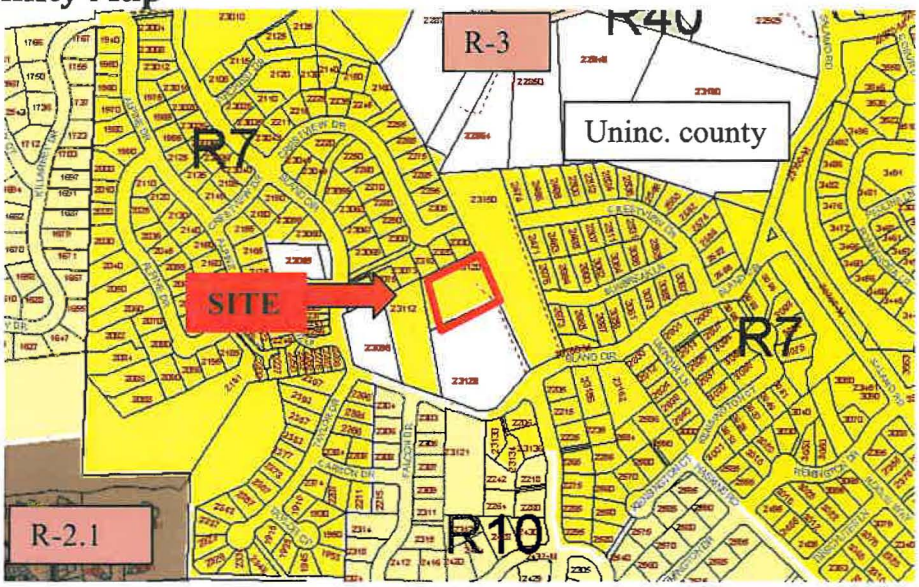
Surrounding Land Use and Zoning: The site is situated in the Savanna Oak Neighborhood of West Linn. Bordering it and nearby to it are mainly incorporated properties, many of which have been built out to their maximum density. However, some (particularly to the north) have not.

Existing house to south. Driveway to the site (not shown) passes through this property.

Looking east from site. Subdividable property next door is in foreground. Existing subdivision is in background

Looking northeast from area of the site proposed for pump station, houses on eastern part of Crestview are on the right, existing house on subdividable property in between is on the left.

Zoning Vicinity Map



Source: West Linn GIS, 2012

Table 1 Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	Single-family residential detached subdivisions and acreages. Apartments and the Tanner Spring assisted living facility in R-3 area beyond this.	R-7; R-3; R-20 Clackamas County FU-10
East	Single-family residential detached.	R-7
South	Single-family residential detached	R-10; R-7; Clackamas County FU-10
West	Single-family residential attached and detached, condominiums further downhill at southwest corner (R-2.1) of above map.	R-7; R-10; R-2.1; Clackamas County FU-10

Sources: West Linn GIS, 2012; http://www.clackamas.us/docs/dtd/planning/zoningurb.pdf, 2012

Approval Criteria and Analysis

The proposal of a pump station at this location requires Conditional Use approval. Pump stations and water tanks are both listed in the Chapter 2 definition of major utility, and major utilities are conditional uses in the R-7 zone per Section 12.060(4). Changes to sites with existing conditional uses (e.g. the water tank at this site) require a new Conditional Use application per Section 60.050(B), and new conditional uses require such an application per Section 60.010. Therefore, the applicable approval criteria include Chapter 12, the applicable chapter for the R-7 zoning district, Chapter 60, Conditional Uses, and Chapter 55 Design Review.

The approval criteria for Conditional Uses are contained in Section 60.070. The purpose of these standards is to provide flexibility in the location of certain facilities while ensuring compatibility with surrounding uses. The approval criteria for Class II Design Review are in Section 55.100. R-7 zone standards are found throughout Chapter 12.

As previously noted, the City's 2008 Water Master Plan identifies the need for a water supply and pressure supplement for the Rosemont Zone which is best provided for at the Bland Reservoir site with the installation of the proposed pump station (see Finding 5). The site appears to have sufficient space for the existing reservoir, the small building proposed for the pump station, and associated landscaping. Both the existing reservoir and the proposed pump station building are at least 20 feet from any property line. The applicant proposes to screen the proposed structure with arborvitae (see Exhibit PC-3, Landscaping Plan, page 119) and paint the structure a forest green color matching the existing reservoir on site and blending with the wooded landscape. A new 6-foot chain link fence would separate the site from the adjoining residences (see Exhibit PC-3, Proposed Site Plan, Sheet 6, Page 114).

Two ash trees, 8 and 12 inches in diameter respectively (not significant trees), are proposed be removed, but at least one shade tree will be planted by the gravel parking area per proposed Condition of Approval 2 (see Finding 19).

The Sound Levels plan on Page 122 of Exhibit PC-3 shows that the pump station will not cause ambient noise to change off site except possible the rearmost 2 feet of the site to the south, which does not reach the existing house on that site and which is within the areas where setbacks would prevent development if that site was ever annexed to the City. The proposed arborvitae screening on the east and south of the proposed pump station, existing trees, and the existing reservoir structure will somewhat mitigate impacts on surrounding properties. There is no language in either the CDC or the West Linn Municipal Code prohibiting the level of noise off-site that would result from this proposal.

While City property signage is exempt from sign permits and from the provisions of Chapter 52 Signs, the sign provisions of Chapter 55 still apply as the CDC does not specify that City signs are exempt from these provisions when a Design Review approval is required for the related project. Proposed Condition of Approval 4 requires the applicant to use the Parks and Recreation Department's sign style (i.e. what Parks uses for signs identifying each park) to ensure neighborhood compatibility and therefore comply with CDC Sections 55.100 L (2)and (3) (See Finding 41).

Staff has reviewed the applicant's proposal relative to all applicable CDC requirements and finds that there are sufficient grounds for approval, subject to the conditions listed on pages 12-13. Please see the following Supplementary Findings for details.

Public comments:

No public comments have been received to date.

RECOMMENDATION

Staff recommends approval of application CUP-12-01/DR-12-03 subject to the following conditions:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the Proposed Site Plans dated January 25, 2012 located on Page 113 (close-up) and Page 114 (entire site) of Exhibit PC-3, and to the Building Elevations plan dated January 25, 2012 on Page 115 of Exhibit PC-3.

2. Shade Tree for Parking Area. A minimum of one shade tree at least 2 inches in diameter at breast height (DBH) at shall be planted beside at least one of the new gravel areas where parking may occur. The species and exact location of the tree(s) shall be approved by the City Arborist.

3. Front Gate Height. The proposed gate at the driveway entrance shall be a maximum of 8 feet in height.

4. Signage. The sign proposed to be located on the gate identifying the site and its utilities, as discussed on pages 64 and 67 of Exhibit PC-3 by the applicant, shall be of the style and material used by the Parks and Recreation Department for signs identifying parks, as this will make the signage compatible with the residential neighborhood.

5. Utility easement on 23150 Bland Circle. The utility easement proposed by the applicant to accommodate sanitary sewer and electrical lines serving the site, connecting from the site to Bland Circle along the west edge of the 23150 Bland Circle property, or an alternative easement approved by the City Engineer, must be recorded with Clackamas County before final inspection is approved for the project.

6. Screening. In the areas where arborvitae screening is proposed, the proposed fence location shall be shifted 5 feet away from the property boundary (per Section 54.020 E[3][b]) to accommodate the shrubs on the pump station site and to allow the shrubs to screen these fencing areas.

Notes to Applicant.

- Expiration of Approval. This approval shall expire three years from the effective date of this decision.

- Additional Permits Required. Your project may require the following additional permits:

  - Public improvement permit: contact Pat in Engineering at (503) 723-5501 or prich@westlinnoregon.gov

  - Public works permit: contact Pat in Engineering at (503) 723-5501 or prich@westlinnoregon.gov

  - On-Site Utilities: contact the Building Division at (503) 656-4211, jnomie@westlinnoregon.gov. (Electrical permits are through Clackamas County, not the City of West Linn.)

  - Building permit, the final permit after others are completed and conditions of approval are fulfilled. Contact the Building Division at (503) 656-4211, jnomie@westlinnoregon.gov.

- Final inspection, for occupancy: Call the Building Division's Inspection Line at (503) 722-5509.
- Note that as razor wire is not proposed atop the areas of new fencing, if it is ever proposed greater screening will be required.

ADDENDUM

APPROVAL CRITERIA AND FINDINGS

CHAPTER 12, SINGLE-FAMILY RESIDENTIAL DETACHED AND ATTACHED, R-7 DISTRICT

12.020 PROCEDURES AND APPROVAL PROCESS

C. The approval of a conditional use (CDC 12.060) is discretionary with the Planning Commission. The approval process and criteria for approval are set forth in Chapter 60 CDC, Conditional Uses. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.

12.060 CONDITIONAL USES

The following are conditional uses which may be allowed in this zoning district subject to the provisions of Chapter 60, Conditional Use.

10. Utilities, major.

FINDING NO. 1:
CDC Chapter 2, Definitions defines "Utility, major" as "A utility facility or service that will have, or the installation of which will have, a significant impact on the surrounding uses or the community in terms of generating or disrupting traffic, interfering with access to adjacent properties, creating noise or causing adverse visual effects. 'Major utility' includes, but is not limited to, a substation, pump station, water storage tank, sewer plant, transmission lines for water, drainage or sewerage collection systems, gas or electric, or other similar use." As a pump station, the proposal clearly fits into the major utility category. The existing use on site, the water storage tank (reservoir), is also a major utility per this definition. Therefore this application proposes a conditional use, the addition of which on this site would also constitute a change to an existing conditional use on site. The application is therefore being processed in the manner prescribed for Conditional Uses listed in 12.020.

12.080 DIMENSIONAL REQUIREMENTS, CONDITIONAL USES

Except as may otherwise be established by this Code, the appropriate lot size for a conditional use shall be determined by the approval authority at the time of consideration of the application based upon the criteria set forth in Section 60.070(1) and (2).

FINDING NO. 2:
The lot is over 43,000 square feet in size, much larger than the zone's required minimum size of 7,000 square feet. All other dimensional requirements for lots with permitted uses (as listed in Section 12.070) are met; however, these size requirements do not necessarily apply to Conditional Uses as implied by Section 12.080. The site appears to have sufficient space for the existing reservoir, the small building proposed for the pump station, and landscape screening between the proposed structure and the residence to the south. Both

the existing reservoir and the proposed pump station building are at least 20 feet from any property line. The criterion is met.

12.090 OTHER APPLICABLE DEVELOPMENT STANDARDS

B. The provisions of Chapter 55, Design Review, apply to all uses except detached single-family dwellings, residential homes and residential facilities.

FINDING NO. 3:
As this is a new non-residential building, Class II Design Review approval is required, and the application is being processed as such. The criterion is met.

CHAPTER 60, CONDITIONAL USES

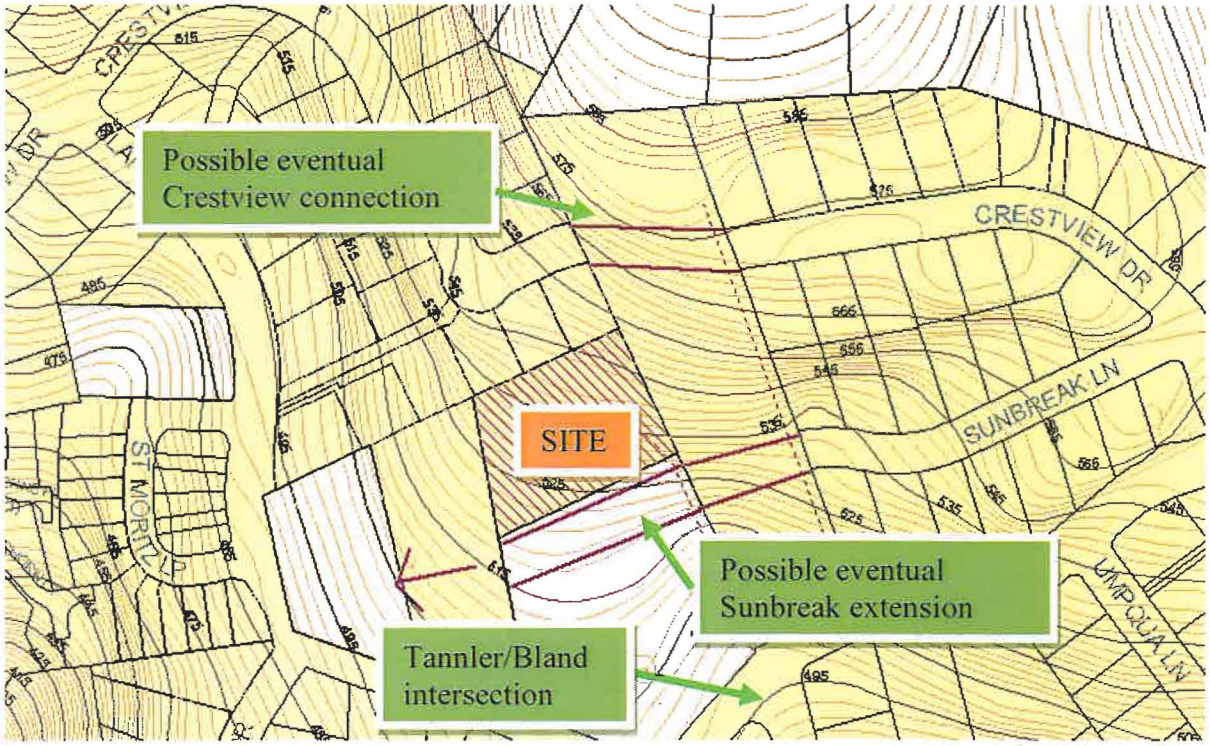
60.070 APPROVAL STANDARDS AND CONDITIONS

A. The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, except for a manufactured home subdivision in which case the approval standards and conditions shall be those specified in Section 36.030, or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:

1. *The site size and dimensions provide:*
    a. *Adequate area for the needs of the proposed use; and,*
    b. *Adequate area for aesthetic design treatment to mitigate any possible adverse effect from the use on surrounding properties and uses.*
2. *The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features.*

FINDING NO. 4:
The site is approximately 1 acre (43,560 square feet) and currently only contains the reservoir and surrounding fencing, which use approximately 7,920 square feet of the site, leaving approximately 35,600 square feet that is undeveloped except for the driveway approach to the reservoir and its small gravel turnaround. The new pump station building is proposed to be 16 by 22 feet in size, which is 352 square feet. The building is proposed to be built along the west side of the existing gravel driveway. Most of the site will be left undeveloped west of the reservoir, fencing, gravel, and pump station, and will continue to consist of trees and vegetation. There is adequate room to screen the proposed pump station from nearby properties, and arborvitae is proposed for this as seen on the landscape plan on Page 119 of Exhibit PC-3. The site slopes gently to the south and west, and the pump station is proposed in a fairly flat area of the site, convenient to the reservoir and to existing and proposed water utilities. Two ash trees, 8 and 12 inches in diameter respectively, will be removed, but at least one shade tree will be planted by the gravel parking area per proposed Condition of Approval 2 (see Finding 19 for details on this condition). The trees proposed for removal are not considered significant by the City Arborist. In all, the site is suitable for the addition of the proposed pump station and allows for appropriate screening for the proposed use.

The development of the proposed new conditional use on site would not prevent future street connections that could be made via existing stub streets in the area. The map below shows that to the east are two stub streets, Sunbreak Lane and the eastern section of Crestview Drive. Should the site to the east develop, Crestview Drive would connect to the stubbed western section of Crestview Drive north of the site. Sunbreak Lane would be able to stub at the west end of this site along the property to the south of the project site, as seen in the map below. Should the property to the south ever annex and be subdivided, Sunbreak Lane could be dedicated through that property, and subsequently be extended further west if properties to the west are subdivided or partitioned. This is shown with an example with the purple lines and arrow on the map below. Therefore, placing the pump station building at the south end of the project site does not hinder the ability to develop an existing stub street westward as a possible eventual through street, should this ever occur. Alternately, when the property to the east and/or the property to the south of the project site develop, Sunbreak Lane could be extended southward to connect to Bland Circle at the Tannler Drive intersection as well.



The criteria of subsections 60.070(A)(1) and (2) are met.

3. *The granting of the proposal will provide for a facility that is consistent with the overall needs of the community.*

FINDING NO. 5:

The Rosemont Pressure Zone has a small reservoir for the size of the zone it serves. A pump station providing a boost in pressure from another zone is needed for appropriate water pressure in the Rosemont Pressure Zone, which serves a large swath of the City. See the West Linn Water Pressure Zones map in the Project Description subsection above. Also see the Background section regarding how the City's 2008 Water Master Plan discussed the need for a supply and pressure supplement for the Rosemont Zone, how this was able to be

provided by the Bland Zone, and how the Bland Reservoir site was the most practical location for a pump station for this purpose. Due to this, staff finds that the granting of the proposal provides a facility that is consistent with the overall needs of the community.

While the Rosemont Zone does border the Stafford areas outside the City limits that are now designated Urban Reserve by Metro, the proposal is to meet the basic needs of the Rosemont Zone as it is now designated within the City limits. It is not meant to serve, or make it easier to ever serve, areas that are currently outside the City limits and/or the urban growth boundary. The City's current position against the urbanization of Stafford does not change due to this or any other current upgrade to City utility systems, and many other changes including new pipe sizes would be needed for it to even be physically possible to serve Stafford anyway. For this reason also, staff finds that the granting of the proposal provides only for a facility consistent to serve the needs of the City of West Linn within its current City limits, and that it is consistent with the needs of the City to function properly within those limits.

4. *Adequate public facilities will be available to provide service to the property at the time of occupancy.*

FINDING NO. 6:
The subject water utility site will not have public access. The only new infrastructure needed to serve the pump station, outside the pump station itself, will be water pipes to connect it to the Bland Reservoir and to other water lines leading to the Rosemont Zone that. These are shown on the Proposed Site Plans on pages 113-114 of Exhibit PC-3. An easement is needed through properties to the north to the Weatherhill Road water line which leads eventually via other water lines to the Rosemont Zone. If this easement is not attained, the existing utility/access easement through the property to the south will be used to connect to the water line under Bland Circle. This would lead via other water lines to the Rosemont Zone. The criterion is met.

5. *The applicable requirements of the zone are met, except as modified by this chapter.*

FINDING NO. 7:
Consistency with the applicable requirements of the R-7 zone is described in findings 1-3. The criterion is met.

6. *The supplementary requirements set forth in Chapters 52 to 55, if applicable, are met.*

FINDING NO. 8:
See findings 12-42 pertaining to the requirements of Chapter 55. City signs are exempt from the requirements of Chapter 52 per Section 52.109(D). No public sidewalk uses are planned, so Chapter 53 is not applicable. See Finding 19 below regarding Chapter 54.

7. *The use will comply with the applicable policies of the Comprehensive Plan.*

FINDING NO. 9:
The application is consistent with the Comprehensive Plan and Tanner Basin Neighborhood Plan. (Tanner Basin is the former name of the Savanna Oaks neighborhood).

Tanner Basin Neighborhood Plan:

Goal 3: *Designate and Obtain Permanent Open Spaces for Native Habitat, Upper Woodland Habitat, Mature Trees and Access to Recreation.*

Goal 4: *Implement and enforce statewide Planning Goal 5 (Open Space, Scenic and Historic Resources, Natural Resources) resources and protections with special emphasis on upper woodlands habitat.*

West Linn Comprehensive Plan:

Goal 5-3: *Preserve trees in park lands, natural areas, and open space wherever possible.*

Policy 5-1: *Implement site design standards that prescribe how to place roadways and buildings to preserve trees.*

Policy 5-3: *Provide buffer areas around heritage trees, significant trees, and tree clusters to ensure their preservation.*

The City-owned site, in the upper areas of the city topographically, has woodland habitat areas and mature trees. The location of the pump station on site removes a few non-significant trees along the already-developed areas of the site while preserving the rest of the site.

Policy 8-3: *Encourage the use of alternative permeable materials for construction of parking areas to reduce stormwater runoff and improve water quality.*

The parking area will be gravel.

Goal 6-4-1: *Maintain and promote a quiet and healthful environment for the citizens of West Linn.*

Policy 6-4-1: *Require measures to adequately buffer residential developments and other noise-sensitive uses that are proposed to be located in noise congested areas.*

Policy 6-4-2: *Require development proposals that are expected to generate noise to incorporate landscaping and other techniques to reduce noise impacts to levels compatible with surrounding uses.*

Policy 6-4-3: *Require new commercial, industrial, and public facilities to be designed and landscaped to meet Department of Environmental Quality (DEQ) and City noise standards.*

The Sound Levels plan on Page 122 of Exhibit PC-3 shows that the station will not cause ambient noise to change off site except possible the rearmost 1-2 feet of the site to the south, which does not reach the existing house on that site and which is within the areas where setbacks would prevent development if that site was ever annexed to the City. The proposed arborvitae screening on the east and south of the proposed pump station, existing trees, and the existing reservoir structure will further mitigate impacts on surrounding properties.

Goal 7-1: *Protect life and property from flood, earthquake, other geological hazards, and terrorist threats or attacks.*

Policy 7-1: *Require development and associated alterations to the surrounding land to be directed away from hazardous areas.*

While there is one very small area on site that is a landslide hazard area per the Natural Hazards Mitigation Plan, the pump station is not proposed in this area. A geotechnical study addressing any such concerns about this development at this site will be required by the

Building Division as part of building permit review for the project. See Finding 22 below for further analysis of this aspect of the site.

> **Policy 9-5**: *Maintain public facilities (specifically right-of-way improvements in established commercial and industrial districts to promote economic activity).*

The pump station is proposed to alleviate a water supply deficiency in the Rosemont Pressure Zone, which includes the Cascade Summit Shopping Center and adjacent clinic building. Therefore the pump station helps to maintain the viability of existing water facilities in an established commercial area.

> **Policy 11-1**: *Establish, as the City's first priority, the maintenance of existing services and infrastructure in all areas within the existing City limits.*
>
> **Policy 11-5**: *Where appropriate monitor, coordinate with, and regulate the activities of the following, as they affect existing and future residents and businesses:*
>
> *a: Water supply*

The pump station is proposed to alleviate a water supply deficiency in the Rosemont Pressure Zone, which includes much existing water infrastructure that needs maintenance to an expected and acceptable level of water supply and pressure.

> **Policy 11-10**: *Assure all visible public facilities are constructed with attractive design and materials where appropriate.*

The pump station will be well-screened, but will also be a forest green color matching the existing reservoir on site and blend into the wooded landscape.

> **Goal 11-2-1**: *Provide municipal potable water service for public, commercial, and domestic uses within the city limits of West Linn.*
>
> **Policy 11-2-1**: *Establish the City's Water Master Plan, 1999, which is a supporting document of the Comprehensive Plan, as guide for the development of future water storage and distribution facilities. A list of the planned water system projects shall be included in the public facilities plan summary required under Public Facilities and Services General Action Item 1.*

As discussed in the Background section above, the proposal of the pump station to supplement the Rosemont Zone at this location is a direct fulfillment of an item in the City's 2008 Water Master Plan which states, in part, the following:

> Bland Intertie Supply to Rosemont: The storage and pumping analysis identified a deficiency in supply to the Rosemont pressure zone under future conditions. Construction of a third pump station to boost water from a lower pressure zone into the Rosemont pressure zone is recommended. Through discussions with City staff it was determined that the best location for this pump station is at the Bland Reservoir site. Siting the pump station at this location provides a geographical distribution of the supply to the Rosemont pressure zone, is a hydraulically suitable location with adequate suction supply to the pump station and is located relatively close (approximately one-half mile) from an existing 12-inch diameter transmission main in the Rosemont pressure zone.

This item reflects a need in the Rosemont Zone for adequate supply, which is part of the basic goal of providing water service and is one of the necessary projects to do so.

Staff finds that the application complies with the applicable goals and policies of the Comprehensive Plan and the Tanner Basin Neighborhood Plan, which is incorporated into the Comprehensive Plan as a specific plan for what is now known as the Savanna Oaks neighborhood. Also the project is compatible with the Water Master Plan as the project fulfills a specific item required in that plan.

B. An approved conditional use or enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in Chapter 55.

FINDING NO. 10:
Major utilities are a conditional use in the R-7 zone. The proposal is for an additional, related major utility on a site that already has a major utility. Therefore the proposal alters a conditional use site by adding another conditional use facility of the same category. Class II Design Review approval is required, so compliance with the criteria of Chapter 55 in Section 55.100 is required. See findings 12-42 below.

C. The Planning Commission may impose conditions on its approval of a conditional use which it finds are necessary to assure the use is compatible with other uses in the vicinity. These conditions may include, but are not limited to, the following:

1. *Limiting the hours, days, place, and manner of operation.*
2. *Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust.*
3. *Requiring additional setback areas, lot area, or lot depth, or width.*
4. *Limiting the building height, size or lot coverage, or location on the site.*
5. *Designating the size, number, location and design of vehicle access points.*
6. *Requiring street right of way to be dedicated and the street to be improved including all steps necessary to address future street improvements identified in the adopted Transportation System Plan.*
7. *Requiring participation in making the intersection improvement or improvements identified in the Transportation System Plan when a traffic analysis (complied as an element of a condition use application for the property) indicates the application should contribute toward.*
8. *Requiring landscaping, screening, drainage, and surfacing of parking and loading areas.*
9. *Limiting the number, size, location, height, and lighting of signs.*
10. *Limiting or setting standards for the location and intensity of outdoor lighting.*
11. *Requiring berming, screening, or landscaping and the establishment of standards for their installation and maintenance.*
12. *Requiring and designating the size, height, location, and materials for fences.*

13. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

FINDING NO. 11:
The location, screening, and fencing proposed by the applicant, along with the proposed conditions of approval regarding some of the above concerns and other aspects of the project, make the project compatible with the surrounding residential uses in the vicinity. While staff therefore does not find there is a need for additional conditions regarding the items listed in Section (C), the Planning Commission is free to add such conditions or modify proposed conditions if it finds that this is necessary to comply with the provisions of Section (C).

CHAPTER 55, DESIGN REVIEW

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

The approval authority shall make findings with respect to the following criteria when approving, approving with conditions, or denying a Class II design review application.

A. The provisions of the following chapters shall be met:

1. Chapter 33 CDC, Stormwater Quality and Detention.

FINDING NO. 12:
Section 33.020 Applicability states, "This chapter applies to all new development and redevelopment sites, as required by the City's Public Works Design Standards, except one- and two-family dwellings that do not involve a land division." While it applies to most new non-residential buildings, the small size of this building (16 by 22 feet equals 352 square feet) does not trigger the need for storm water treatment and detention. If a new building, addition, and or new pavement make for 500 or more new square feet of impervious area, the Public Works Design Standard of requiring treatment (and detention, if appropriate) is triggered. The proposed building will be surrounded by new and existing gravel, so only 352 square feet of new impervious surface is proposed. Chapter 33 does not apply for this reason.

2. Chapter 34 CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.

FINDING NO. 13:
To clarify from above, although the proposed building is small enough to be considered an accessory structure per the CDC, staff does not consider it to be an accessory structure as it performs a significant utility function that is more than incidental to the existing conditional use utility (reservoir) on site. Therefore Chapter 34 does not apply.

5. Chapter 42 CDC, Clear Vision Areas.

FINDING NO. 14:
Chapter 42 only regulates intersections of public right of ways with other public right of ways, and intersections of public right of ways with driveways. The site does not front a street, so clear vision is not an issue within the site. The proposal will not change the area where the access to this site and the adjoining property to the south intersects with the street. There are not sight-obscuring structures at the intersection of the driveway and the street, which is where Bland Circle also intersects with Tannler Drive across the street. The Bland-Tannler is a three-way stop, so vehicles on the public right of ways will already be stopped when other vehicles enter or exit the site's access easement.

6. *Chapter 44 CDC, Fences.*

FINDING NO. 15:
While the provisions of Chapter 44 limit fencing to 3 feet tall within front setback areas and 6 feet elsewhere, Subsection 55.100(J)(8) exempts security fences from these requirements and allows them to be up to 8 feet tall. The applicant proposes a 6-foot tall fence around the site. Per the applicant new fencing will not have razor wire on the top, unlike the existing fencing for the reservoir, and will therefore be more compatible with the residential neighborhood. This is allowed within all areas of the site including the front 20-foot setback area due to the provisions of 55.100(J)(8). See Finding 39 below regarding 55.100(J)(8).

7. *Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.*

Excerpted from Chapter 46:

46.100 PARKING REQUIREMENTS FOR UNLISTED USES

A. Upon application and payment of fees, the decision-making authority, as provided by CDC 99.060(B), may rule that a use not specifically listed in CDC 46.090 is a use similar to a listed use and that the same parking standards shall apply. The ruling on parking requirements shall be based on the requirements of Chapter 99 CDC and findings that:

1. The use is similar to and of the same general type as a listed use;

2. The use has similar intensity, density and off-site impacts as the listed use; and

3. The use has similar impacts on the community facilities as the listed use.

FINDING NO. 16:
Utilities and/or pump stations are not uses listed under Section 46.090, which lists the minimum parking requirements for most uses in the City. Nor is the pump station similar in use to other uses listed in 46.090. The site will be gated off to the public, and when it is served it would normally be served by one or two staff members at a time in one vehicle.

There is room to park more than one vehicle within the site. Therefore the parking needs are met.

8. *Chapter 48 CDC, Access, Egress and Circulation.*

Excerpted from Chapter 48:

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement:

3. Minimum vertical clearance of 13 feet, six inches.

4. Appropriate turnaround facilities per Fire Chief's standards for emergency vehicles when the drive is over 150 feet long. Fire Department turnaround areas shall not exceed seven percent grade unless waived by the Fire Chief.

5. The grade shall not exceed 10 percent on average, with a maximum of 15 percent.

6. A minimum centerline turning radius of 45 feet for the curve.

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

Access, egress, and circulation system for all non-residential uses shall not be less than the following:

A. Service drives for non-residential uses shall be fully improved with hard surface pavement:

1. With a minimum of 24-foot width when accommodating two-way traffic;

3. Meet the requirements of CDC 48.030(E)(3) through (6).

B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.

D. Gated accessways to non-residential uses are prohibited unless required for public safety or security.

FINDING NO. 17:
The access, egress, and circulation on site meet all provisions of Chapter 48 except for the following:

- Subsection 48.040(A)(1) is not met as it requires two-way service driveways for non-residential uses to be 24 feet wide, whereas the site has a 15-foot-wide driveway through the neighboring property in a 20-foot-wide easement.
- Subsection 48.030(E)(4) which requires a turnaround of a certain size for emergency vehicles.
- Subsection 48.030(E)(5) which requires the maximum driveway grade be 15%.

The Site Analysis on Page 110 of Exhibit PC-3 shows that parts of the driveway leading down to Bland Circle are 16% to 25% grade. All three of these are existing non-conforming conditions at this site. The pump station proposal itself conforms to the CDC even if some existing conditions at the site do not, and even if some conditions of site's off-site access do not. Subsection 66.080(B)(1) states that if the alteration of a non-conforming structure (or, as implied, a non-conforming site) meets the provisions of the code, it is permitted. Therefore the criteria of Chapter 48 are met for the proposal of the pump station itself, and an authorization to enlarge/alter a Non-Conforming Structure is not needed. Also, the letter from Tualatin Valley Fire and Rescue on pages 103-104 of Exhibit PC-3 indicates that the site is exempt from further improvements to fire access. The site will be gated for security as it is a utility.

9. Chapter 52 CDC, Signs.

FINDING NO. 18:
The applicant plans for signage to eventually be on the proposed fencing at the proposed gate to the site. City signs are exempt from the provisions of Chapter 52 per Section 52.109(D).

10. Chapter 54 CDC, Landscaping.

Excerpted from Section 54.020(E):

E. Landscaping – By type, location and amount.

2. Non-residential uses. A minimum of 20 percent of the gross site area shall be landscaped. Parking lot landscaping may be counted in the percentage.

3. All uses (residential uses (non-single-family) and non-residential uses):

a. The landscaping shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area. There shall be one shade tree planted for every eight parking spaces. These trees shall be evenly distributed throughout the parking lot to provide shade. Parking lots with over 20 spaces shall have a minimum 10 percent of the interior of the parking lot devoted to landscaping. Pedestrian walkways in the landscaped areas are not to be counted in the percentage. The perimeter landscaping, explained in subsection (E)(3)(d) of this section, shall not be included in the 10 percent figure. Parking lots with 10 to 20 spaces shall have a minimum five percent of the interior of the parking lot devoted to landscaping. The perimeter landscaping, as explained above, shall not be included in the five

percent. Parking lots with fewer than 10 spaces shall have the standard perimeter landscaping and at least two shade trees. Non-residential parking areas paved with a permeable parking surface may reduce the required minimum interior landscaping by one-third for the area with the permeable parking surface only.

b. The landscaped areas shall not have a width of less than five feet.

d. A parking, loading, or service area which abuts a street shall be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width. When a parking, loading, or service area or driveway is contiguous to an adjoining parcel, there shall be an intervening five-foot-wide landscape strip. The landscaped area shall contain:

1) Street trees spaced as appropriate to the species, not to exceed 50 feet apart on the average;
2) Shrubs, not to reach a height greater than three feet, six inches, spaced no more than five feet apart on the average; or
3) Vegetative ground cover such as grass, wildflowers, or other landscape material to cover 100 percent of the exposed ground within two growing seasons. No bark mulch shall be allowed except under the canopy of low level shrubs.

f. A parking, loading, or service area which abuts a property line shall be separated from the property line by a landscaped area at least five feet in width and which shall act as a screen and noise buffer, and the adequacy of the screen and buffer shall be determined by the criteria set forth in CDC 55.100(C) and (D), except where shared parking is approved under CDC 46.050.

i. Outdoor storage areas, service areas (loading docks, refuse deposits, and delivery areas), and above-ground utility facilities shall be buffered and screened to obscure their view from adjoining properties and to reduce noise levels to acceptable levels at the property line. The adequacy of the buffer and screening shall be determined by the criteria set forth in CDC 55.100(C)(1).

FINDING NO. 19:

Landscaping for the site will remain well above the 20% minimum for non-residential sites as provided by Subsection 54.020(E)(2). There will be a gravel area to the south of the pump station that could be used as a new parking space, and the applicant (on Page 63 of Exhibit PC-3 under their response to Chapter 46) mentions one parking space to be north of the building as well. Subsection 54.020(E)(3)(a) requires one shade tree to be planted for every 8 new spaces. Therefore, rounding up, Condition of Approval 2 requires a shade tree to be planted next to one of these spaces. The location and species of the tree will be required by Condition of Approval 2 to be approved by the City Arborist. The landscape strip south of the new gravel area, up against the property to the south, will be more than 5 feet wide. Screening in the form of arborvitae is proposed for the edge of the gravel areas to the east and south of the building, against the properties to the south and east. The criteria of Chapter 54 are met upon the implementation of Condition of Approval 2.

B. *Relationship to the natural and physical environment.*

1. The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction.

2. All heritage trees, as defined in the municipal code, all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. In cases where there is a difference of opinion on the significance of a tree or tree cluster, the City Arborist's findings shall prevail. It is important to acknowledge that all trees are not significant and, further, that this code section will not necessarily protect all trees deemed significant.

a. Non-residential and residential projects on Type I and II lands shall protect all heritage trees and all significant trees and tree clusters by either the dedication of these areas or establishing tree conservation easements. Development of Type I and II lands shall require the careful layout of streets, driveways, building pads, lots, and utilities to avoid heritage trees and significant trees and tree clusters, and other natural resources pursuant to this code. The method for delineating the protected trees or tree clusters ("dripline + 10 feet") is explained in subsection (B)(2)(b) of this section. Exemptions of subsections (B)(2)(c), (e), and (f) of this section shall apply.

b. Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the area to protect trees and tree clusters that are determined to be significant, plus any heritage trees. Therefore, in the event that the City Arborist determines that a significant tree cluster exists at a development site, then up to 20 percent of the non-Type I and II lands shall be devoted to the protection of those trees, either by dedication or easement. The exact percentage is determined by establishing the driplines of the trees or tree clusters that are to be protected. In order to protect the roots which typically extend further, an additional 10-foot measurement beyond the dripline shall be added. The square footage of the area inside this "dripline plus 10 feet" measurement shall be the basis for calculating the percentage (see figure below). The City Arborist will identify which tree(s) are to be protected. Development of non-Type I and II lands shall also require the careful layout of streets, driveways, building pads, lots, and utilities to avoid significant trees, tree clusters, heritage trees, and other natural resources pursuant to this code. Exemptions of subsections (B)(2)(c), (e), and (f) of this section shall apply. Please note that in the event that more than 20 percent of the non-Type I and II lands comprise significant trees or tree clusters, the developer shall not be required to save the excess trees, but is encouraged to do so.

d. For both non-residential and residential development, the layout shall achieve at least 70 percent of maximum density for the developable net area. The developable net area excludes all Type I and II lands and up to 20 percent of the remainder of the site for the purpose of protection of stands or clusters of trees as defined in subsection (B)(2) of this section.

FINDING NO. 20:
There are no heritage trees on site. The trees proposed to be removed for the pump station footprint are not significant, per the City Arborist. All significant trees on site will be preserved. No dedication is necessary as this is already a City-owned site. The location of the pump station does not preclude possible densification of the site for other uses in the future, so (d) is met as well as the other criteria above.

3. The topography and natural drainage shall be preserved to the greatest degree possible.

FINDING NO. 21:
The existing topography and natural drainage slope gently to the south and west and will continue to do so after the installation of the proposed pump station building. The small building is proposed for a relatively flat area of the site. The criterion is met.

4. The structures shall not be located in areas subject to slumping and sliding. The Comprehensive Plan Background Report's Hazard Map, or updated material as available and as deemed acceptable by the Planning Director, shall be the basis for preliminary determination.

FINDING NO. 22:
The most updated material related to the subject matter addressed by this criterion is in the City's Natural Hazards Mitigation Plan. Map 16, Potential Landslides, in this plan shows the Oregon Department of Geology and Mineral Information (DOGAMI) potential landslide areas, none of which are on this site. Map 17 Landslide Vulnerability Analysis shows landslide hazard areas in the City. One very small landslide hazard area overlaps the border between this site and the parcel to the east. An enlarged excerpt from this map below shows this area in pink. The arrow on the map shows where the northeast corner of the proposed pump station building would be. This is a very small landslide hazard area on a slope that is not steep, and the small building is proposed approximately 8 feet west of it. Because the building is not proposed within the hazard area and because staff does not see a potential for danger in being very close to this small area, staff finds the criterion is met. Also, at building permit stage the Building Division will require a geotechnical study to show that it is safe to build the pump station facilities at this location.

Excerpt of Map 17, Landslide Vulnerability Analysis, Page 52, West Linn Natural Hazards Mitigation Plan. Light pink represents landslide vulnerability areas. The darker pink dot identifies the site. The arrow points to where the northeast corner of the proposed structure will be located. The very small landslide area overlapping the site boundary starts approximately 8 feet east of where the structure is proposed.

Approximate area of small landslide hazard area that overlaps with site (pink area on above map)

5. There shall be adequate distance between on-site buildings and on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.

FINDING NO. 23:
The proposed pump station building will be approximately 75 feet from the existing reservoir structure. The proposed pump station building will be approximately 100 feet from the nearest off-site building (the house on the property to the south). The criterion is met.

6. Architecture.

a. The predominant architecture of West Linn identified in the West Linn vision process was contemporary vernacular residential designs emphasizing natural materials: wood with brick and stone detail. Colors are subdued earth tones: greys, brown, off-whites, slate, and greens. Pitched roofs with overhanging eaves, decks, and details like generous multi-light windows with oversized trim are common. Also in evidence are the 1890s Queen Anne style homes of the Willamette neighborhood. Neo-traditional homes of the newer subdivisions feature large front porches with detailed porch supports, dormers, bracketed overhanging eaves, and rear parking for cars. Many of these design elements have already been incorporated in commercial and office architecture.

b. The proposed structure(s) scale shall be compatible with the existing structure(s) on site and on adjoining sites. Contextual design is required. Contextual design means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing, materials and colors of surrounding buildings in the proposed structure.

FINDING NO. 24:
The pump station building will be forest green, matching the color of the existing reservoir on site as seen in the below photo. It will have a pitched roof and overhanging eaves as seen on the applicant's Building Elevations page, Page 115 of Exhibit PC-3. The building is one story and approximately 14.5 feet high and 16 by 22 feet in size. It is not an oversized scale for a residential area. No windows are proposed, but this is a building for a utility not open to the public. The walls will be concrete, as this is a utility building.

Existing reservoir on site. The proposed pump station building would have the same color.

c. While there has been discussion in Chapter 24 CDC about transition, it is appropriate that new buildings should architecturally transition in terms of bulk and mass to work with, or fit, adjacent existing buildings. This transition can be accomplished by selecting designs that "step down" or "step up" from small to big structures and vice versa (see figure below). Transitions may also take the form of carrying building patterns and lines (e.g., parapets, windows, etc.) from the existing building to the new one.

FINDING NO. 25:
The proposed building is small and one-story, so transitioning in terms of bulk is not necessary. If anything, the pump station building would act as a new transition between the reservoir to the north and the residences to the south. The building will be heavily screened from views from nearby residential land.

d. Contrasting architecture shall only be permitted when the design is manifestly superior to adjacent architecture in terms of creativity, design, and workmanship, and/or it is adequately separated from other buildings by distance, screening, grade variations, or is part of a development site that is large enough to set its own style of architecture.

FINDING NO. 26:
The pump station is small in scale and will match the existing reservoir in color. It will be screened from existing residences nearby. The criterion is met.

e. Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally.

The human scale is enhanced by bringing the building and its main entrance up to the edge of the sidewalk. It creates a more dramatic and interesting streetscape and improves the "height and width" ratio referenced in this section.

g. Variations in depth and roof line are encouraged for all elevations. To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.

h. Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.

FINDING NO. 27:
This is a one-story 16 by 22 foot building which will be heavily screened by vegetation, so it does not need to further comply with the aesthetic prescriptions that these criterion provide for larger buildings that have enough mass to affect solar access on other properties. The size of the building itself is inherently "human scale", and the building is on a site that does not border a sidewalk or any other public right-of-way. The building will have skylights to provide light on the inside for when workers are servicing, maintaining, or otherwise dealing with the equipment.

7. Transportation Planning Rule (TPR) compliance. The automobile shall be shifted from a dominant role, relative to other modes of transportation, by the following means:

d. Accessways, parking lots, and internal driveways shall accommodate pedestrian circulation and access by specially textured, colored, or clearly defined footpaths at least six feet wide. Paths shall be eight feet wide when abutting parking areas or travel lanes. Paths shall be separated from parking or travel lanes by either landscaping, planters, curbs, bollards, or raised surfaces. Sidewalks in front of storefronts on the arterials and main store entrances on the arterials identified in CDC 85.200(A)(3) shall be 12 feet wide to accommodate pedestrians, sidewalk sales, sidewalk cafes, etc. Sidewalks in front of storefronts and main store entrances in commercial/OBC zone development on local streets and collectors shall be eight feet wide.

e. Paths shall provide direct routes that pedestrians will use between buildings, adjacent rights-of-way, and adjacent commercial developments. They shall be clearly identified. They shall be laid out to attract use and to discourage people from cutting through parking lots and impacting environmentally sensitive areas.

FINDING NO. 28:
While the site can be expected to have occasional utility workers walking among the reservoir, the pump station, and their parked vehicles, there is not a need to meet these criteria in that the site will only be open to utility workers and not the public.

f. At least one entrance to the building shall be on the main street, or as close as possible to the main street. The entrance shall be designed to identify itself as a main point of ingress/egress.

FINDING NO. 29:
The site does not front a street. It is a utility and will be fenced per the applicant's proposal to surround the site with 6-foot fencing. The entrance to the pump station building does face the gravel driveway leading to the street, however. The criterion is met.

h. Projects shall bring at least part of the project adjacent to or near the main street right-of-way in order to enhance the height-to-width ratio along that particular street. (The "height-to-width ratio" is an architectural term that emphasizes height or vertical dimension of buildings adjacent to streets. The higher and closer the building is, and the narrower the width of the street, the more attractive and intimate the streetscape becomes.) For every one foot in street width, the adjacent building ideally should be one to two feet higher. This ratio is considered ideal in framing and defining the streetscape.

FINDING NO. 30:
The site does not front a street, but proposed pump station building will be 22 feet from the front of the site, just 2 feet beyond the minimum 20 foot setback. The criterion is met as much as it can apply to a proposal on this site.

i. These architectural standards shall apply to public facilities such as reservoirs, water towers, treatment plants, fire stations, pump stations, power transmission facilities, etc. It is recognized that many of these facilities, due to their functional

requirements, cannot readily be configured to meet these architectural standards. However, attempts shall be made to make the design sympathetic to surrounding properties by landscaping, setbacks, buffers, and all reasonable architectural means.

FINDING NO. 31:
The pump station will be screened with arborvitae in the directions it would otherwise be visible from off-site. The site does not border a street so its architecture does not affect the pedestrian-friendliness, bicycle-friendliness, or architectural atmosphere of the surrounding streets. The small proposed pump station building, as discussed in findings 24-27 regarding architecture above, appropriately meets architectural criteria and keeps a low profile visually in the neighborhood.

C. *Compatibility between adjoining uses, buffering, and screening.*

1. In addition to the compatibility requirements contained in Chapter 24 CDC, buffering shall be provided between different types of land uses; for example, buffering between single-family homes and apartment blocks. However, no buffering is required between single-family homes and duplexes or single-family attached units. The following factors shall be considered in determining the adequacy of the type and extent of the buffer:

a. The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier.

b. The size of the buffer required to achieve the purpose in terms of width and height.

c. The direction(s) from which buffering is needed.

d. The required density of the buffering.

e. Whether the viewer is stationary or mobile.

2. On-site screening from view from adjoining properties of such things as service areas, storage areas, and parking lots shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:

a. What needs to be screened?

b. The direction from which it is needed.

c. How dense the screen needs to be.

d. Whether the viewer is stationary or mobile.

e. Whether the screening needs to be year-round.

3. Rooftop air cooling and heating systems and other mechanical equipment shall be screened from view from adjoining properties.

FINDING NO. 32:
The pump station proposed is a small one-story building. However as a windowless utility building on a site surrounded by residential uses, screening is appropriate. The pump station will be barely visible if at all from the residential uses to the west and northwest. This is due to the multitude of trees located in the central and western areas of the site and on the next site to the west. Also, the reservoir is located directly north of the proposed pump station footprint, as are some other trees on site. The entire site will be fenced with a 6-foot perimeter cyclone fence as part of what is proposed in this application. The new fencing will not have razor wire atop the chain link, unlike the current fencing around the reservoir. Additionally, two rows of arbor vitae will be planted to better screen the pump station building from residential areas to the south and east. This will include an approximately 45-foot-long row (starting west from the gate) of arborvitae along the south edge of the site, and an approximately 90-foot long row starting north of the gate) of arborvitae along the east edge of the site. Since the arborvitae are a more attractive entity to view than the adjacent proposed fencing, Condition of Approval 6 requires that the fencing be behind the arborvitae in the areas where the arborvitae is proposed. The criteria are met.

D. Privacy and noise.

3. Structures or on-site activity areas which generate noise, lights, or glare shall be buffered from adjoining residential uses in accordance with the standards in subsection C of this section where applicable.

4. Businesses or activities that can reasonably be expected to generate noise in excess of the noise standards contained in West Linn Municipal Code Section 5.487 shall undertake and submit appropriate noise studies and mitigate as necessary to comply with the code. (See CDC 55.110(B)(11) and 55.120(M).)

If the decision-making authority reasonably believes a proposed use may generate noise exceeding the standards specified in the municipal code, then the authority may require the applicant to supply professional noise studies from time to time during the user's first year of operation to monitor compliance with City standards and permit requirements.

FINDING NO. 33:
The Sound Levels plan on Page 122 of Exhibit PC-3 shows that the station will not cause ambient noise to change off-site, except possible the rearmost 1-2 feet of the site to the south, which does not overlap with the existing house on that site and which is within the development setbacks for the zone. Lighting will be directed downward and the proposed arborvitae screening will further help screen this from surrounding properties. Pump station lighting will not be on at all hours. The highest possible sound level the proposal would cause off-site would be 55 decibels when two pumps are running. There is no language in the CDC or the West Linn Municipal Code prohibiting projects from causing this noise level on the edges of nearby properties. The criteria are met.

G. Demarcation of public, semi-public, and private spaces. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semi-public areas, and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, to provide for crime prevention, and to establish maintenance responsibility. These areas may be defined by:

1. *A deck, patio, fence, low wall, hedge, or draping vine;*
2. *A trellis or arbor;*
3. *A change in level;*
4. *A change in the texture of the path material;*
5. *Sign; or*
6. *Landscaping.*

Use of gates to demarcate the boundary between a public street and a private access driveway is prohibited.

FINDING NO. 34:
The site is a major utility site. It is publicly owned, but is not in an area usable to the public. Access is meant only for staff maintenance and operation of the utilities. The site does not front a street but has access through a private residential property to the south via an easement. The applicant proposes 6-foot fencing and a 12 foot gate. Proposed Condition of Approval 3 requires the gate to be only 8 feet tall as utility fences are limited to 8 feet tall per Subsection 55.100(J)(8) below. This gate does not demarcate a boundary between a public street and a private access driveway; it instead demarcates the boundary between an easement on private property and a publicly-owned limited-access utility site. The fence and gate appropriately demarcate the space per the above criteria upon the implementation of Condition of Approval 3.

I. Public facilities. An application may only be approved if adequate public facilities will be available to provide service to the property prior to occupancy.

2. Drainage. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data that clearly shows that there will be no adverse impacts from increased intensity of runoff off site or the plan and statement shall identify all off-site impacts and measures to mitigate those impacts. The plan and statement shall, at a minimum, determine off-site impacts from a 25-year storm. The City Engineer shall adjust storm drainage facilities for applications which contain permeable parking surfaces based upon a quantitative analysis of the increased water retention and water quality characteristics of the permeable parking surface. Catch basins shall be installed and connected to pipelines leading to storm sewers or drainageways. All plans will then be reviewed by the City Engineer.

FINDING NO. 35:
Less than 500 new square feet of impervious surface will be added as the pump station building, combined with its pervious pavement area at the entrance, will be 462 square feet in size. 500 new square feet of impervious surface are needed to require stormwater treatment and detention improvements per Public Works standards for any new

development. There will be no new impervious pavement added besides the strip along the east side entrance to the building, and the pump station's impervious footprint will be surrounded by gravel to mitigate runoff effects. Parking for Public Works vehicles will be in the existing and new gravel in this part of the site. The criterion is met.

3. Municipal water. A registered civil engineer shall prepare a plan for the provision of water which demonstrates to the City Engineer's satisfaction the availability of sufficient volume, capacity, and pressure to serve the proposed development's domestic, commercial, and industrial fire flows. All plans will then be reviewed by the City Engineer.

FINDING NO. 36:
The City's Public Works Engineering Division is the applicant, and the application has been prepared by an engineering consulting firm. No water infrastructure is needed to serve the pump station in terms of water usage at the station, and the application proposes the appropriate infrastructure to be included with the station to fulfill its purpose of aiding the Rosemont Pressure Zone further north in the City. As explained in Finding 6 above, an easement is needed for the proposed water line to connect to the line in Weatherhill Road, and if that is not able to be acquired by Public Works, the alternative is to connect through the existing utility and access easement south to the water line in Bland Circle. The criterion is met.

4. Sanitary sewers. A registered civil engineer shall prepare a sewerage collection system plan which demonstrates sufficient on-site capacity to serve the proposed development. The City Engineer shall determine whether the existing City system has sufficient capacity to serve the development.

FINDING NO. 37:
There is currently no sanitary sewer on site. The only sanitary sewer proposed on site as part of the project is for the purpose of removing any water, should water collect due to leakage or testing from the pump station. This would be drained via a floor drain, with a four-inch drain line linking to the line under Bland Circle and Tannler Drive downhill. The applicant proposes this drain between the site and Bland Circle to be within the westernmost 7.5 feet of the adjoining property to the east at 23150 Bland Circle. This is a property that is also R-7 and is large enough to be divided as a subdivision in the future. The applicant is working with the owner of 23150 Bland Circle to secure an easement to contain this drain; its location within the westernmost 7.5 feet of the property will ensure that R-7 side setbacks can be implemented with any new development on the property in the future. Proposed Condition of Approval 5 requires this easement to be recorded before the pump station project undergoes final inspection.

J. Crime prevention and safety/defensible space.

1. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants.
2. Interior laundry and service areas shall be located in a way that they can be observed by others.

4. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime.

5. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes.

6. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person. All commercial, industrial, residential, and public facility projects undergoing design review shall use low or high pressure sodium bulbs and be able to demonstrate effective shielding so that the light is directed downwards rather than omni-directional. Omni-directional lights of an ornamental nature may be used in general commercial districts only.

7. Lines of sight shall be reasonably established so that the development site is visible to police and residents.

FINDING NO. 38:
The site is proposed to be fully fenced and gated as part of this project. Therefore the site itself should not be vulnerable to crime on site regardless of the lighting on site. As a utility building not open to the public, there are no windows (except skylights) or interior service areas. The newly developed areas of the site will be screened well from surrounding residents, but this is reasonable per Subsection (7) above since there will not be public access. Lighting will be directed downward and the proposed arbor vitae screening will further help screen this from surrounding properties. Pump station lighting will not be on at all hours.

8. Security fences for utilities (e.g., power transformers, pump stations, pipeline control equipment, etc.) or wireless communication facilities may be up to eight feet tall in order to protect public safety. No variances are required regardless of location.

FINDING NO. 39:
A 6-foot-tall fence is proposed to surround the site as a utility security fence. The gate is proposed on the site plans (see pages 113-114 of Exhibit PC-3) to be 12 feet tall. Proposed Condition of Approval 3 requires the gate to be 8 feet tall or less to comply with this criterion.

K. Provisions for persons with disabilities.

1. The needs of a person with a disability shall be provided for. Accessible routes shall be provided between all buildings and accessible site facilities. The accessible route shall be the most practical direct route between accessible building entries, accessible site facilities, and the accessible entry to the site. An accessible route shall connect to the public right-of-way and to at least one on-site or adjacent transit stop (if the area is served by transit). All facilities shall conform to, or exceed, the Americans with Disabilities Act (ADA) standards, including those included in the Uniform Building Code.

FINDING NO. 40:
The building will be one story. There are not other buildings on site that have interiors, as the other structure on site is the existing reservoir. There are no stairs, only a driveway, between the site and Bland Circle. There is no transit service in the area. The site will not be open to the public. The Building Division ensures that any legally required ADA compliance will occur in order for the building permit to be approved.

L. Signs.

1. Based on considerations of crime prevention and the needs of emergency vehicles, a system of signs for identifying the location of each residential unit, store, or industry shall be established.
2. The signs, graphics, and letter styles shall be designed to be compatible with surrounding development, to contribute to a sense of project identity, or, when appropriate, to reflect a sense of the history of the area and the architectural style.
3. The sign graphics and letter styles shall announce, inform, and designate particular areas or uses as simply and clearly as possible.
4. The signs shall not obscure vehicle driver's sight distance.
5. Signs indicating future use shall be installed on land dedicated for public facilities (e.g., parks, water reservoir, fire halls, etc.).
6. Signs and appropriate traffic control devices and markings shall be installed or painted in the driveway and parking lot areas to identify bicycle and pedestrian routes.

FINDING NO. 41:
There are no residential units, stores, or industries on site. The only signage will be on the gate, so no signs will obscure drivers' clear vision area where streets intersect or where the driveway intersects with the street. There are not necessarily future uses beyond the reservoir and pump station planned. There are not bicycle and pedestrian routes on site as the site is not open to the public. Therefore staff finds that subsections 1 and 4-6 above are met.

Regarding subsections (2) and (3) above, while City property signage is exempt from sign permits and from the provisions of Chapter 52 Signs, the above criteria do apply. Therefore Proposed Condition of Approval 4 requires the applicant to use the Parks and Recreation Department's standard material and colors for the sign, so it is compatible with these two subsections regarding neighborhood compatibility and clarity.

M. Utilities. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting, and cable television, shall be placed underground, as practical. The design standards of Tables 1 and 2 above, and of subsection 5.487 of the West Linn Municipal Code relative to existing high ambient noise levels shall apply to this section.

FINDING NO. 42:
The site does not front on a street, so new street lights are not proposed. There will be no need for television or other utilities that pertain to buildings that will be occupied by

businesses or residents. The applicant proposes the electrical conduit, including the vault, between the site and Bland Circle to be within the westernmost 7.5 feet of the adjoining property to the east at 23150 Bland Circle. This is a property that is also R-7 and is large enough to be divided as a subdivision in the future. The applicant is working with the owner of 23150 Bland Circle to secure an easement to contain this electrical conduit and to contain the sanitary sewer drain discussed in Finding No. 37 above. These utilities' location within the westernmost 7.5 feet of the 23150 property will ensure that R-7 side setbacks can be implemented with any new development on that property in the future. Condition of Approval 5 requires this easement or an alternative easement to be recorded before the pump station project undergoes final inspection.