

WEST LINN PLANNING COMMISSION

FINAL DECISION NOTICE

CUP-12-05/DR-12-18

IN THE MATTER OF THE PROPOSAL OF A CONDITIONAL USE PERMIT AND CLASS I DESIGN REVIEW FOR A MUSIC-ORIENTED YOUTH COMMUNITY CENTER AND ACCESSORY RETAIL AND CAFÉ USES AT 2015 8TH AVENUE

At their meeting of December 5, 2012, the West Linn Planning Commission held a public hearing to consider the request by the Marie Lamfrom Charitable Foundation (MLCF) to approve a music-oriented youth community center and accessory retail and café uses at 2015 8th Avenue. This proposal required Conditional Use and Class I Design Review approval. The approval criteria for Conditional Use are found in Chapter 60 of the CDC. The approval criteria for Design Review are found in Chapter 55 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. Charles Lewis of the Youth Music Project of MLCF and Michael Cerbone of Cardno-WRG presented for the applicant. No one else spoke on the application. While this application does not involve exterior modifications to the building/property, other than the approved conditions described below, the applicant indicated that the building and property may be modified in the future through a separate design/review process and conditional use permit.

A motion was made, seconded, and passed to approve the application with one new finding and with staff's recommended conditions of approval 1 and 2, with one clarification edit to Condition of Approval 2 (adding "PM"). The additional finding is as follows:

The Municipal Code provides sufficient noise regulations for most situations including this one. Also, this is an area close to the noise of the freeway, with many commercial uses, and with residential uses only adjacent in one direction across a major intersection. Noise is already a factor in the area, and the area is not heavily residential enough to place limits on the proposed use that exceed the limits provided by the Municipal Code.

The approved conditions of approval are as follows:

1. Site Plan. With the exception of modifications required by these conditions, the applicant shall adhere to the Property Site Plan, sheet C-100, Page 45 of Exhibit PC-6, dated November 20, 2012, and shall not change the exterior of the building, other than routine maintenance, painting, and signage consistent with applicable regulations.
2. Traffic Impacts.

- a. The applicant shall submit an annual Traffic Demand Management letter to the City of West Linn demonstrating that the applicant is generating 15 or fewer weekday AM peak hour trips and fewer than 10 weekday PM peak hours trips.
- b. Classes shall not start or end within 15 minutes of the AM (7:30-8:30) and PM (5:00-6:00) weekday peak hours.
- c. Special events (including concerts) will have a start time which does not require the participants to arrive at the facility prior to 6:15 PM on weekdays.

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.



MICHAEL BABBITT CHAIR
WEST LINN PLANNING COMMISSION

12-12-12

DATE

Mailed this 13th day of December, 2012.

Therefore, this decision becomes effective at 5 p.m., December 27, 2012.