

WEST LINN PLANNING COMMISSION

FINAL DECISION NOTICE

MISC-14-04

IN THE MATTER OF A PROPOSAL BY THE WEST LINN/WILSONVILLE SCHOOL DISTRICT TO MODIFY THE CONDITIONS OF APPROVAL FOR DR-09-05 TO ALLOW THE ROSEMONT MIDDLE SCHOOL ATHLETIC FIELD LIGHTS TO BE LEFT ON UNTIL 10 p.m.

At their meeting of August 20, 2014, the West Linn Planning Commission held a public hearing to consider the request by Tim Woodley of the West Linn/Wilsonville School District to approve a change of condition of approval for DR-09-05 to allow the athletic field lights at Rosemont Middle school to be left on until 10 p.m. instead of 9p.m. Per 99.120(C), the approval criteria was determined by the Planning Director to be 55.100(C) "*Compatibility between adjoining uses, buffering, and screening*" and (D) "*Privacy and Noise*". 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. Mr. Tim Woodley presented for the school district. Alice Richmond and Kent Seida spoke in opposition. The record was left open at the request of Mrs. Richmond and Mr. Seida for the submittal of comments and the applicant's written rebuttal. The record was left open through August 27, 2014, to accept written submittals from the public: Mr. Seida and Stacey Robertson submitted information during this period. The record was then left open through September 3, 2014, and Mr. Tim Woodley provided a written rebuttal for the school district to the public submittals. When the record was closed (end of September 3, 2014) three submittals were provided to the Planning Commission:

The Planning Commission reconvened for deliberation on September 17, 2014. A motion was made, seconded, and approved to deny the application based upon findings contained in the applicant's submittal and the staff report. The denial was based upon the following:

1. Changing the duration the lights are on increase hours of operation by an hour without any limitation on the days those increased hours were permitted.
2. The screening of the site has changed and is inadequate.
3. The lights and the lighted fields are visible off site and were determined to be an impact to adjacent neighborhoods.
4. The additional hour of light generates an additional hour of noise and disturbance from activities and was determined to have an adverse impact to the neighboring property.
5. The additional hour of light was not deemed necessary when considering the additional impact to the adjacent neighborhood.
6. The additional hour of light and resulting activity negatively affects the cattle farming operation of the neighboring property.

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 the testimony form at either of the hearings) 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.

Christine M Steel
CHRISTINE STEEL, CHAIR
WEST LINN PLANNING COMMISSION

9-25-14
DATE

Mailed this 25th day of September, 2014.

Therefore, this decision becomes effective at 5 p.m., October 9, 2014.