

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02

IN THE MATTER OF A PROPOSAL TO DEVELOP A FOUR STORY SELF-STORAGE FACILITY AT 2400-2450 WILLAMETTE FALLS DRIVE REQUIRING A CONDITIONAL USE PERMIT, CLASS II DESIGN REVIEW, WATER RESOURCE AREA PERMIT, WILLAMETTE AND TUALATIN RIVER PROTECTION PERMIT, TWO CLASS II VARIANCES.

I. Overview

At their meetings of August 17, 2016 and October 5, 2016, the West Linn Planning Commission ("Commission") held a public hearing to consider the request by Northwest Self Storage West Linn, to approve a Conditional Use Permit to construct a four story self-storage facility (106,487 square feet) at 2400-2450 Willamette Falls Drive, also requiring two variances (including a Special Waiver), Class II Design Review, Water Resource Area (WRA) permit and a Willamette and Tualatin River Protection Area permit. The approval criteria include Community Development Code (CDC) Chapter 60; Chapter 55; Chapter 75; Chapter 28; Chapter 32; and Chapter 19. 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. Planning Consultant Lee Leighton, presented for the applicant. There was no public testimony. The hearing was closed and a motion was made by Commissioner Mathews and seconded by Commissioner Walvatne to approve the application with eight conditions of approval. The motion passed unanimously.

II. The Record

The record was finalized at the October 5, 2016, hearing. The record includes the entire file from CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, and WRG-16-02

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Northwest Self Storage West Linn.
- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; and the evidence in the whole record, including any exhibits received at the hearing.

IV. Findings

The Commission adopts the Staff Report dated August 17, 2016, and Addendums for October 5, 2016, as its findings, which are incorporated by this reference. The Commission concludes that all of the required approval criteria are met subject to the following conditions of approval:

1. Site Plans. With the exception of modifications required by these conditions, the project shall substantially conform to all submitted drawings dated 5/11/16 (T1.0), Topographical Survey (page 1), C1.0, C1.2, C1.3, C2.0, C3.0, C4.0, SL1.0, A1.0, A2.1, A3.1, and A4.1 as amended by the Mackenzie August 9, 2016 submittal including the revised Sheet C3 (stormwater facility, grading) and the Schott and Associates Mitigation plan dated August 9, 2016 and revised Appendix C: "Willamette Falls Site Development and Mitigation Planting Plan".

2. Engineering Standards. All public improvements and associated facilities including street improvements, utilities, grading, onsite stormwater design, street lighting, easements, and easements locations are subject to the City Engineer's review, modification, and approval. These improvements must be designed, constructed, and completed prior to issuance of the Building Certificate of Occupancy or secured by instruments acceptable to the City Engineer.

(b). An ODOT Miscellaneous Permit must be obtained for all work in the highway right of way.

3. Street Improvements. The applicant shall complete half street improvements, including pavement improvements, curbs, planter strips, street trees, street lights, sidewalks, pedestrian crossings, and street storm drainage for those portions of Willamette Falls Drive abutting the subject properties.

4. Onsite Stormwater Improvements. The applicant shall provide aboveground onsite stormwater facilities per the Mackenzie August 9, 2016 submittal including the revised Sheet C3.0. The design of the onsite stormwater facilities shall be subject to the City Engineer's review and approval. The onsite stormwater facilities shall be constructed and completed prior to issuance of the Building Certificate of Occupancy.

5. Tree Protection. The applicant shall provide appropriate root zone protections, at the direction of the City Arborist, for the significant on-site oak tree at the northeast corner of the site and a nearby off-site madrone.

6. East Driveway. The applicant shall prepare, sign and record an access consolidation and cross-over easement document including an agreement to the abandonment of the east driveway and construction of a driveway connection (consistent with the dimensional standards of CDC Chapter 48), to the existing driveway on the adjacent tax lot 3600 if, at such time, that access is made available by the adjacent property owner, through that tax lot to Willamette Falls Drive. The access consolidation and cross-over easement shall be reviewed and approved by the City Engineer. The abandoned east driveway corridor shall be subsequently restored and revegetated with native vegetation. The removal of the east driveway approach, associated infrastructures and restoration in the public right of way shall be reviewed and approved by the City Engineer.

7. Fire Flow. The applicant shall perform a fire flow test and submit a letter from Tualatin Valley Fire and Rescue showing adequate fire flow is present prior to the issuance of the final building certificate of occupancy.

8. Mitigation/ Re-Vegetation. Prior to occupancy the applicant shall complete mitigation/re-vegetation per CDC 32.090 and CDC 32.100 and must be consistent with the applicant's

mitigation plan. See Schott and Associates Mitigation plan dated August 9, 2016 and revised Appendix C: "Willamette Falls Site Development and Mitigation Planting Plan".

V. Order

The Commission concludes that CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02 is approved based on the Record, Findings of Fact and Findings above.



MICHAEL BABBITT, CHAIR
WEST LINN PLANNING COMMISSION

10-7-16
DATE

This decision may be appealed to the City Council pursuant to the provisions of Chapter 99 of the Community Development Code and any other applicable rules and statutes. This decision will become effective 14 days from the date of mailing of this final decision as identified below.

Mailed this 7th day of OCTOBER, 2016.

Therefore, this decision becomes effective at 5 p.m., OCTOBER 21, 2016.