

**WEST LINN CITY COUNCIL  
PUBLIC HEARING NOTICE  
FILE NO. AP-16-01**

The West Linn City Council is scheduled to hold a public hearing on **Monday and Tuesday, May 23 and 24, 2016**, starting at **6:00 p.m.** in the Council Chambers of City Hall at 22500 Salamo Road, West Linn, to consider an appeal by Carrie Hansen on behalf of Save Our Sunset Park of the Planning Commission's approval of the Conditional Use Permit (CUP-15-03), Class II Design Review (DR-15-17), and two Class II Variances (VAR-15-01 & VAR-15-02) for the Sunset Primary School Replacement at 2351 Oxford Street.

The hearing is limited to the issues clearly and distinctly set forth in the notice of appeal. Carrie Hansen and Save Our Sunset Park asserts that the applicable approval criteria in **Community Development Code (CDC) 60.070.A(2), 60.070.A(3), 60.070.A(6), 55.130.B, 75.020.B, and 92.010.E** were misapplied. Therefore, the appellants disagree with the findings adopted by the Planning Commission for the Conditional Use Permit, Class II Design Review, and Class II Variances, and the appellants assert the criteria have not been met.

The City Council will make a decision to approve the application and uphold the Planning Commission's decision or overturn the Planning Commission's decision and deny the application based upon the applicable criteria and the evidence in the record. At the hearing, all written or oral comments must relate specifically to the applicable criteria and refer only to evidence and facts already in the record.

The notice of appeal and the complete application for AP-16-01 is available for inspection, at no cost, at City Hall or via the City of West Linn's website at <http://westlinnoregon.gov/planning/2351-oxford-street-appeal-planning-commission-approval>. Printed copies of these documents may be obtained for a minimal charge per page. At least 10 days prior to the hearing, a copy of the staff report will be available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Darren Wyss, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR, (503) 722-5512, or [dwyss@westlinnoregon.gov](mailto:dwyss@westlinnoregon.gov).

The appeal hearing is on the record, and it will be conducted in accordance with Community Development Code (CDC) 99.280(B), Council rules for on the record hearings and those rules in CDC Section 99.170 that are applicable to on the record hearings. **No new facts or evidence may be submitted in an on the record hearing.** Anyone wishing to present written argument on the issues being appealed may do so in writing by pointing out evidence in the record that is relied upon for the argument. Submitted arguments outside of the issues on appeal, or arguments that include new facts or evidence, will be redacted or will not be submitted into the record. The deadline for submitting argument is **Monday, May 16, at 5:00 p.m. Written testimony will not be accepted after this deadline; there will be no written argument accepted at the hearing on May 23rd.** If you wish to read material at the meeting, you may do so, but the Council will not be accepting those as written materials. Members of the public may speak for a maximum of three (3) minutes each at the public hearing, but no new evidence or facts are allowed and those speaking should refer to the record for all facts relied upon. At the appeal hearing the Appellant will be allowed to present the basis for its appeal and the Applicant will be allowed to present the evidence relied upon for approval.

The Council may continue the appeal hearing to another meeting if it chooses to open the record on a limited basis pursuant to CDC 99.080(C) to obtain additional evidence or testimony, or close the appeal hearing and take action on the appeal as provided by CDC 99.290.

Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

Publish: West Linn Tidings, May 12, 2016