

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

CUP-16-02 and DR-16-03

IN THE MATTER OF A PROPOSAL TO DEVELOP A NEW TUALATIN VALLEY FIRE AND RESCUE STATION #55 0 HIDDEN SPRINGS ROAD (ADJACENT TO 20800 HIDDEN SPRINGS ROAD) REQUIRING A CONDITIONAL USE PERMIT AND CLASS II DESIGN REVIEW.

I. Overview

At the meeting of December 7, 2016, the West Linn Planning Commission ("Commission") held a public hearing to consider the request by Tualatin Valley Fire & Rescue, to approve a Conditional Use Permit to construct a new Tualatin Valley Fire & Rescue Station, Station #55 at 0 Hidden Springs Road (adjacent to 20800 Hidden Springs Road), also requiring Class II Design Review. The approval criteria include Community Development Code (CDC) Chapter 11, Chapter 55, and Chapter 60. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Jennifer Arnold, Associate Planner. Planning Consultant Frank Angelo presented for the applicant. Public testimony was heard by Bill Hamilton, Paul Owens, and Erin Amos. Written testimony was accepted at the Public Hearing from Rosy Levy, who did not wish to testify. The hearing was closed and a motion was made by Commissioner Mathews and seconded by Commissioner Farrell to approve the application with two modifications to the conditions of approval: 1) modify condition of approval #5 to require that the City conduct the Fire Flow test, and 2) add a condition requiring the roof to be consistent with the neighboring residential uses. The motion passed 4-1. Commissioner Mathews also made a motion to include the conditions recommended by Staff in the December 7, 2016, staff report and incorporate the changes from the first motion. The motion was seconded by Commissioner Farrell and the motion carried unanimously.

II. The Record

The record was finalized at the December 12, 2016, hearing. The record includes the entire file from CUP-16-02 and DR-16-03.

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Tualatin Valley Fire & Rescue.
- 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 December 7, 2016, as its findings, except as amended by the following supplementary findings.

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 CDC 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.

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 CDC.

Staff Finding 45: The 2.60 acre site provides adequate area for the proposed use. See applicant Exhibit A1.01 'Site Plan' showing adequate space for the proposed use. Staff also incorporates applicant finding-see applicant's submittal page 61. Staff finds that the size and dimensions of the site are adequate for the proposed use.

The size, dimensions, and topography of the site, in conjunction with the placement of the proposed Fire Station on the site, make it possible to see the Fire Station and its roof. At the Planning Commission's Public Hearing, testimony was heard regarding the aesthetic of the metal roof. The Commission found that the roof will be visible from the street. The Commission also determined that a roof material more consistent with neighboring houses is necessary for the proposed Fire Station to blend in with the residential neighborhood. The Commission added condition of approval 7, requiring the applicant to utilize materials that are consistent with the residential neighborhood. Staff finds that with the addition of condition of approval 7, the design of the proposed fire station incorporates many residential design aspects and mitigates possible adverse effects on the surrounding residential uses.

60.070(A)(3) The granting of the proposal will provide for a facility that is consistent with the overall needs of the community.

Staff Finding 47: Staff Finding 44: Staff incorporates applicant findings. (See also Staff Finding 43) Condition of approval 7 ensures that the facility is consistent with the overall needs of the community to have different uses in a zone with a similar aesthetic by requiring the roof to use materials similar to those on residential structures. With the addition of condition of approval 7, this criterion is met.

V. Conditions of Approval

The Commission concludes that all of the required approval criteria are met with the inclusion of 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 8/31/16 C1, C2, C3, E1.01, E1.01 PH, L1.0, L2.0, A1.01, A2.01, A2.02, A3.01, A3.02, A4.01, and A5.01.
2. Engineering Standards. All public improvements and associated facilities including street improvements, utilities, grading, onsite stormwater design, street lighting, easements, and easement's locations are subject to the City Engineer's review, modification, and approval. These improvements must be designed, constructed, and

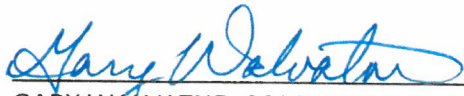
completed prior to issuance of the Building Certification of Occupancy or secured by instruments acceptable to the City Engineer.

The applicant shall complete half street improvements as required. Alternatively, the applicant may request to provide fees in lieu for street improvements for the frontage on Hidden Springs Road. The fees shall be subject the City Engineer's review and approval. (See Staff Findings 17, 25, 34, 35, 38, & 42)

3. Onsite Stormwater Improvements. The applicant shall provide aboveground onsite stormwater facilities. 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. (See Staff Finding 17)
4. Tree Protection. The applicant shall work with the City Arborist for any tree permits for tree removal. (See Staff Findings 15 & 16)
5. Fire Flow. The City shall perform a fire flow test showing adequate fire flow is present prior to the issuance of the final building certificate of occupancy. (See Staff Finding 34)
6. Sign. A sign permit is required for the proposed monument sign. The applicant shall submit a separate sign permit application for any proposed sign. (See Staff Findings 9 & 41)
7. Roofing Material. The roof of the building shall be constructed of a material that is aesthetic consistent with roofs on neighboring residential structures. (See Staff Findings 20)

VI. Order

The Commission concludes that CUP-16-02 and DR-16-03 is approved based on the Record, Findings of Fact, Findings, and Conditions of Approval above.


GARY WALVATNE, COMMISSIONER
WEST LINN PLANNING COMMISSION


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 16th day of December, 2016.

Therefore, this decision becomes effective at 4 p.m., December 30, 2016.