

CITY OF WEST LINN CITY COUNCIL
PUBLIC HEARING NOTICE
FILE NO. AP-17-01
APPEAL OF RECONSIDERATION OF AP-16-02

The West Linn City Council is scheduled to hold a public hearing on **Monday, May 8, 2017, starting at 6:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to hear the appeal filed by Jason and Jessica Harra of the Planning Commission's decision on reconsideration to approve AP-16-02, a 34-Lot Subdivision and Water Resource Area permit at 18000 Upper Midhill Drive.

The criteria applicable to this application are the following criteria and these criteria only: Community Development Code (CDC) Chapters 14, 32, 48, 85, and 99. The appeal of the Planning Commission's decision on reconsideration is a limited public hearing. The City Council is only accepting testimony and argument at the appeal hearing that relates specifically to the scope of the reconsideration, which was limited to the topic of "adequate public facilities including traffic impact and influences and pedestrian improvements and safety that are related to CDC 85.200(A)." In addition, CDC 99.280(B) limits appeals of Planning Commission decisions to: "1) Those issues set forth in the request to appeal; and 2) The record of the proceedings as well as the oral and written arguments presented which are limited to those issues clearly and distinctly set forth in the notice of appeal." The appellant's grounds for appeal are summarized as follows: 1) failure to address the timeframe for development; 2) the need for geological studies; 3) inadequate consideration of the impact of the proposed off-site mitigation on existing bike lanes on Willamette Drive; and 4) long term responsibility to address congestion, drainage, lighting, and related issues that may arise after the development is complete. The complete language of these appeal grounds is available at: <http://westlinnoregon.gov/planning/18000-upper-midhill-drive-appeal-planning-commission-approval> . Testimony determined to be outside the scope of this appeal hearing will not be accepted.

The complete application for file number AP-17-01 is available for inspection at no cost at City Hall or via the web site listed above. Printed copies can be obtained at City Hall for a minimal charge per page.

As of April 27, 2017, a copy of the staff report is available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Peter Spir, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, pspir@westlinnoregon.gov, or 503-723-2539.

The hearing will be conducted in accordance with state law. At the appeal hearing, the City Council will receive a staff presentation, and invite both oral and written testimony limited to the grounds identified in this notice. Individuals may present written testimony on this proposed action prior to, or at the public hearing. All written testimony or other documents presented to the City Council for consideration must be submitted to the Planning Manager's office by 4:00 p.m. on May 4, 2017, or "in person at the hearing." Oral testimony may be presented at the public hearing. The City Council may continue the public hearing to another meeting to obtain additional information or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing with sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals based on that issue.