

WEST LINN PLANNING COMMISSION
FINAL DECISION AND ORDER
SUB-18-02

**IN THE MATTER OF A PROPOSAL TO DEVELOP THE 4-LOT "Suncrest"
SUBDIVISION**

I. Overview

At their meeting of October 17, 2018, the West Linn Planning Commission ("Commission") held a public hearing to consider the request by Kathleen Dailey, property owner, to approve a proposal to develop the 4-lot "Suncrest" subdivision. The approval criteria for land division are found in Chapter 85 of the Community Development Code (CDC). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by John Boyd, Planning Manager on behalf of Jennifer Arnold, Associate Planner. Steve Faust and Heather Austin from 3J Consulting presented, representing the applicant. Denise Bergstrom testified to request overhead utilities be placed below ground if possible, expressed concerns that existing development uses on-street parking on Suncrest Drive, and objected to the impact from restricting on-street parking on Ridgebrook Drive. Ed Brockman testified in support for the project, supported a code exception that allowed for above ground utilities, recognized an existing street at Ridgebrook Drive provided adequate room for on-street parking, and requested the Planning Commission require only the criteria identified in the code when considering exactions. Marci Siegel-Kittrell provided written request for party status and did not testify.

The hearing was closed and a motion was made by Commissioner Mathews and seconded by Commissioner King to approve the application with three existing conditions of approval and including the addition of two new conditions of approval. The motion was passed unanimously 7-0.

II. The Record

The record was finalized at the October 17, 2018, hearing. The record includes the entire file from SUB-18-02.

III. Findings of Fact

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

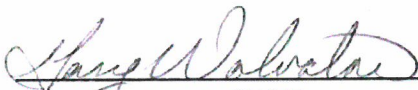
IV. Findings

The Commission adopts the Staff Report for October 17, 2018, with attachments, as its findings, which are incorporated by this reference with the addition of two Conditions of Approval identified as Conditions 4 and 5. The Commission concludes that all of the required approval criteria are met subject to the following conditions of approval:

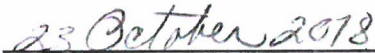
1. **Site Plan.** With the exception of modifications required by these conditions, the final plat shall conform to the submitted Tentative Plan, (Sheet C200).
2. **Engineering Standards.** All public improvements and facilities including street improvements, ADA upgrades to sidewalks, utilities, grading, onsite storm water design, driveway placement and construction, pavement mitigation, street lighting, street trees, easements, and easement locations are subject to the City Engineer's review, modification, and approval per the City adopted Public Works standards. All improvements must be designed, constructed, and completed prior to final plat approval. The Director of Public Works may allow a waiver of improvements as allowed by Code. (See Staff Findings: 6, 12, 13, 19, 20, 31, 32, 33, 39, & 40.)
3. **Future Easement Vacation.** The applicant shall vacate the existing sewer easement on proposed lot 3 and abandon the existing sewer connection in an upstream location. (See Staff Findings: 30 & 31.)
4. **Required Signs:** Prior to Certificate of Occupancy on any of the newly created lots, "No Parking" signs consistent the TVFR Memorandum dated July 18, 2018, and city Public Works Standards, shall be erected on one side of Ridgebrook Drive adjacent to this development.
5. **Revised Site Plan.** The applicant shall submit a revised Tentative Plan (Sheet C200 and Sheet C210) to show that curb cut for Lot 3 meets the required standards. (See Staff Findings: 3, 13, 15.) or obtain approval for a variance from that standard.

V. Order

The Commission concludes that SUB-18-02 is approved based on the Record, Findings of Fact and Findings above.



GARY WALVATNE, CHAIR
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 24th day of October, 2018.

Therefore, this decision becomes effective at 5 p.m., November 7, 2018.