

**WEST LINN CITY COUNCIL
FINAL DECISION AND ORDER
ANX 18-03**

**IN THE MATTER OF A PROPOSAL TO ANNEX 3.75 ACRES
OF REAL PROPERTY AT 22915 WEATHERHILL ROAD**

I. Overview

At its meeting of February 11, 2019, the West Linn City Council ("Council") held a public hearing to consider the request by Andrew Tull of 3J Consulting, on behalf of the property owner, David Hardy, to annex 3.75 acres of real property at 22915 Weatherhill Road. The approval criteria for annexation land use application are found in Chapter 81, Boundary Changes, 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 Jennifer Arnold. The applicant presented, and then public testimony was received at the hearing. The hearing was then closed and a motion was made and seconded to approve the application with a zoning designation of R-3 and approve the first reading of Ordinance 1691. The motion passed with a 3-2 vote. Because the motion was not passed unanimously, the Council set the second reading of Ordinance 1691 to a date certain of March 4, 2019.

At its meeting of March 4, 2019 a motion was made to approve the second reading of Ordinance 1691, approving the zoning designation of R-3. The motion was seconded and passed 4-1.

At its meeting of March 4, 2019 the Council opened the public hearing to consider the request by Andrew Tull of 3J Consulting, on behalf of the property owner, to annex 3.75 acres of real property at 22915 Weatherhill Road. A motion was made and seconded to approve Ordinance 1692, approving the annexation of real property at 22915 Weatherhill Road with a zone of R-3 into the City and the Tri-City Service District and withdrawal from the Clackamas County Enhanced Law Enforcement District. The motion passed unanimously and both readings of Ordinance 1692 were completed.

II. The Record

The record was finalized at the March 4, 2019, hearing. The record includes the entire file from ANX 18-03.

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Andrew Tull (3J Consultants) representing the owners, David Hardy
- 3) The Council 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 Council adopts the Staff Report for February 11, 2019, with attachments, including specifically the Addendum, as its findings, which are incorporated by this reference. The Council concludes that all of the required approval criteria of Community Development Code, Chapter 81, which refers to the Metro Code, West Linn Municipal Code, and Oregon Revised Statutes are met.

V. Order

The Council concludes that ANX 18-03 is approved based on the Record, Findings of Fact and Findings above.



TERI CUMMINGS
WEST LINN CITY COUNCIL

3/11/19

DATE

This decision is final upon the date of the signature on this notice. Those parties with standing may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) according to the rules adopted by LUBA.

Mailed this 19th day of March, 2019.