

## WEST LINN PLANNING COMMISSION

### FINAL DECISION AND ORDER

DR-20-02

#### IN THE MATTER OF A CLASS II SITE DESIGN REVIEW PROPOSAL FOR A SINGLE-STORY DENTAL OFFICE AND PHYSICAL THERAPY CLINIC AT 1575 BURNS STREET

##### I. Overview

At its meeting on September 16, 2020, the West Linn Planning Commission ("Commission") held the initial evidentiary public hearing to consider the request by Lenity Architecture, Inc., applicant on behalf of Kim Wright, DMD, MAGD (owner), to approve a single-story Dental and Physical Therapy Clinic at 1575 Burns Street. The approval criteria for this proposal are Community Development Code (CDC) Chapter 21, Chapter 46, Chapter 48, Chapter 54, Chapter 55, and Chapter 92. The hearing was conducted pursuant to the provisions of CDC Chapter 99.170.

The initial evidentiary hearing commenced with a staff report presented by Jennifer Arnold, Associate Planner. Sam Thomas, Planning Consultant and Roland Boschmann of Lenity Architecture presented on the applicant's behalf. Dr. Kim Wright, Owner also presented and answered questions asked by the Planning Commission. Michael and Geri Gates and Walt Swan submitted written testimony. The primary concerns raised during testimony included:

- Traffic Safety
- Building façade materials
- Landscaping/screening

There was no request to present oral testimony during the hearing by any member of the public. The hearing was closed and the Commission deliberated, including a discussion on needed parking, including both on and off street spaces. The Commission found the application met minimum off-street parking requirements. The Applicant requested Conditions of Approval 3 and 4 be removed as they found the design met the code requirements. The Commission agreed with the Applicant and found a total of 4 bicycle parking spaces ( $(6,922 \text{ sq. ft.}/1,000 \text{ sq. ft.}) \times 0.5 = 3.5$ , which rounds to 4) were required by CDC 46.150.D(3) and not the 7 conditioned by Staff. The Commission altered Staff recommended Condition of Approval 3 to indicate 4 bicycle spaces. The Commission also agreed with the Applicant that the access to the lower parking area was not a service drive and was not required to meet the 24-foot width per CDC 48.040.A(1). The Commission found the proposal met the requirement of 23-feet found in CDC 46.150(F) and altered Staff recommended Condition of Approval 4 to indicate a curb cut width of 23-feet as proposed by the Applicant. A motion was made by Commissioner Kelly and seconded by Vice Chair Mathews to approve the application as presented with the above alterations to the staff proposed conditions of approval. The motion passed 6-0.

## **II. The Record**

The record was finalized at the September 16, 2020 public hearing.

### **Findings of Fact**

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Sam Thomas of Lenity Architecture, Inc.
- 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; and the evidence in the whole record.

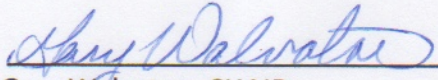
## **III. Findings**

The Commission adopts the Staff Report for September 16, 2020, with attachments, as its findings, which are incorporated by this reference with 4 conditions of approval. The Commission concludes that all of the required approval criteria are met subject to 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 2/14/2020 and revised date 4/28/2020.
2. **Engineering Standards.** All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite storm water, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. All improvements must be designed, constructed, and completed prior to the issuance of building permits, unless a financial guarantee in a form approved by the City Attorney for a sum approved by the City Engineer as sufficient to cover 125 percent of the cost of the improvements.
  - a. If funding is available, the City may partner with the applicant to upsize the water line in Hood Street and construct the half-street improvements on the Southside of Hood Street.
3. **Bicycle Parking.** The applicant shall provide 4 bicycle parking space with one of those spaces covered, properly lighted, signed, and within 50 feet of the entrance.
4. **Access Drive Width.** The Burns Street access drive curb-cut shall be 23 feet in width to allow for two-way traffic.

**IV. Order**

The Commission concludes that DR-20-02 is approved based on the Record, Findings of Fact and Findings above.

  
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Gary Walvatne, CHAIR  
WEST LINN PLANNING COMMISSION

9/21/2020  
\_\_\_\_\_  
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 22 day of September, 2020.

Therefore, this decision becomes effective at 5 p.m., October 6, 2020.