

WEST LINN PLANNING COMMISSION
FINAL DECISION NOTICE

CUP-10-05/DR-10-13/MISC-10-28

In the matter of a Conditional Use Permit, Class I Design Review and Expansion or
Alteration of A Non-Conforming Structure to
change the former church at 2015 Eighth Avenue
into a technical support/call center

At their regular meeting on March 2, 2011, the West Linn Planning Commission held a public hearing to consider the request by Willamette Capital Investments for approval of a Conditional Use Permit (CUP), Class I Design Review, and Expansion or Alteration of a Non-Conforming Structure for the vacant church structure at 2015 Eighth Avenue. Approval would allow the applicant to change the use from the former church occupancy to a technical support/call center with a total of 54 employees working on four shifts between 6:00 A.M. and 10:00 P.M. No exterior changes to the church are proposed except three or four additional security lights, re-stripped ADA parking spaces, a replacement driveway on Eighth Avenue and small ADA access ramps as needed near the doorways.

A CUP is required in the underlying Willamette Neighborhood Mixed Use (MU) Transitional zone for “professional and administrative” uses. The approval criteria for Conditional Uses are in Community Development Code (CDC) Section 60.070.

The proposed use is also subject to the development review provisions set forth in CDC Chapter 55. The approval criteria for Class I Design Review are in CDC Section 55.090.

The existing structure/site is classified as a non-conforming structure under CDC Chapter 66 due to inadequate landscaping, non-compliance with the dimensional and architectural standards of the underlying MU zone and the Willamette Falls Drive Commercial Overlay zone, non-compliance with ADA standards and no bicycle parking. The approval criteria for Enlargement or Alteration to Non-Conforming Structures are in CDC Section 66.080.

The hearing commenced with a staff report presented by Peter Spir, Associate Planner. Mimi Doukas, Cardno/WRG consultant, presented for the applicant.

Public testimony was heard from Midge Pierce, representing the Willamette Neighborhood Association (WNA). Midge Pierce stated that the WNA had passed a motion that they are in favor of the proposed use. She stated that the use will have a very positive community impact while not increasing traffic impacts. Alice Richmond spoke in favor of the application noting, among other things, that it will have a positive effect on the local economy with 54 new jobs being added. The hearing was then closed.

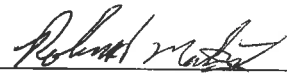
In discussion, Vice Chair Babbitt, Wood, Chair Martin and Commissioner Holmes spoke in favor of the application but opposed the left turn exit only designation for the relocated driveway on Eighth Avenue. Commissioners Horsey, Steele and Miller spoke in favor of the application too but expressed support for the left turn only driveway. Commissioner Horsey was also concerned that the CUP application did not include a broader range of uses since that would have facilitated the replacement by other uses in the event that this tenant leaves in the future. It was noted that only “professional services” could replace this use in the future. Commissioners Horsey and Holmes spoke in favor of landscaping around the site perimeter, in particular, landscaping in a strip adjacent to the Handris Building to the west. Commissioner Holmes endorsed the application as an appropriate interim use of this gateway property. All members of the Commission recognized the economic benefits of the application.

A motion was made by Vice Chair Babbitt regarding the elimination of the language in the second sentence of Condition of Approval one. The language: “...and a left turn only exit sign posted.” would be removed. The motion also included the addition of language at the end of Condition of Approval seven to state: “except as modified to comply with these conditions of approval”. This language would allow the replacement of the left turn design at the Eighth Avenue driveway with a design allowing right turn exit movements as well. The motion was approved.

A motion by Vice Chair Babbitt and seconded by Commissioner Horsey to approve the application, based upon the findings in the applicant’s submittal and staff report, and with conditions as amended, was approved unanimously with the following conditions:

1. Access. The existing access driveway on Eighth Avenue shall be relocated to a point on site at least 205 feet from the intersection of Eighth Avenue and 10th Street. It shall have a width of 24 feet. The existing driveway shall be removed and a curb installed with a sidewalk behind it to match the current sidewalk alignment. The applicant shall submit a site plan in conformance with this requirement for Planning Department approval prior to issuance of a building permit.
2. Sidewalk. All sidewalk and existing ADA ramps on and abutting subject property that do not meet current ADA requirements must be replaced and/or reconstructed to meet current ADA requirements. Applicant shall replace all damaged sidewalk panels on site and in adjacent ROW.
3. Bike Racks. Bike racks with space for six bikes shall be installed in a location near the main building entrance that can be easily observed from the adjacent street and/or from inside the building. At least one bike rack space shall be covered.
4. Traffic. Traffic from the approved project shall not exceed: 64 trips generated from 7:30 to 8:30 AM and 10 trips generated from 5:00-6:00 PM.

This decision will become effective 14 days from the date of mailing of this final decision as identified below. Those parties with standing (i.e., those individuals who submitted letters into the record, or provided oral or written testimony during the course of the hearings, or signed in on an attendance sheet or testimony form at either of the hearings, or who have contacted City Planning staff and made their identities known to staff) may appeal this decision to the West Linn City Council within 14 days of the mailing of this decision pursuant to the provisions of Chapter 99 of the Community Development Code. Such appeals would require a fee of \$400 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.



ROBERT MARTIN, CHAIR
WEST LINN PLANNING COMMISSION

3/7/2011

DATE

Mailed this 7th day of MARCH, 2011.

Therefore, this decision becomes effective at 5 p.m., MARCH 21st, 2011.