

19. FINDING AND CONDITIONS OF APPROVAL: CUP-96-04 AND DR-96-07

The Robinwood Neighborhood Association appealed the Planning Commission's approval of CUP-96-04 and DR-96-07 to the City Council. At the conclusion of the public hearing, West Linn City Council deliberated and made findings relative to the specific grounds for review. Based on these findings, the City Council voted unanimously to deny the petition for review leaving the application subject to the following conditions of approval:

1. All the geotechnical and seismic recommendations of Section 7.0 of the January 29, 1996 report by Dames and Moore, Inc. shall be carried out unless superseded by final draft recommendation which shall then be reviewed by the City Engineer for approval.
2. All "Future Plant Noise" issues and noise mitigation measures identified by Albert Duble, P.E., in his noise impact investigation, shall be installed and property maintained (Attachment N). Alternative measures may be accepted only after they have been proposed by a certified acoustic engineer. The applicant shall also undertake two separate noise studies of 24 hours in duration in the first six months of operation and must demonstrate compliance with DEQ noise standards. The Robinwood Neighborhood Association shall be notified before the tests begin.
3. The clear vision area (CVA) at the new one-way driveway shall be maintained per code.
4. All driving and parking surfaces shall be paved, bricked or blocked (to allow grass to grow through).
5. The one parking space for persons with physical impairments shall be nine feet wide for the stall and eight feet wide for the adjacent aisle, and meet Americans with Disabilities Act (ADA) access standards.
6. All landscaping and irrigation shall be installed per Attachment D. West Linn's arborist shall recommend species which grow densely and quickly to screen the silo from the south and east and to screen and buffer the pond areas. The applicant shall plant 10-12 trees on the south side to maximize buffering. These trees shall be at least 10-12 feet high. Any modification of the landscape plan shall be approved by the City Arborist first.
7. Construction shall be undertaken in full agreement with the provisions of Attachment O, "Construction Mitigation Plan" except that daily work hours (M-F) are 7 a.m. to 6 p.m., and 9 a.m. to 6 p.m. on weekends.
8. In an average week of operations, the number of vehicles delivering materials and chemicals to the facility, once normal operations are underway, shall not exceed a maximum of 30 trips per day or 1200 trips per week, constituting the vehicular mix identified on page A-12 of the applicant's submittal (Table I.E.1) unless emergency conditions prevail and the City Engineer approval is obtained. IN addition, an annual weekly average of 95 trips per week shall be maintained.
9. The site improvements shall be constructed in the locations as shown in the site analysis map (Attachment (B)).
10. All deliveries shall occur during normal business hours of 8 a.m. to 5 p.m., Monday through Friday only.
11. No off-site glare shall be created by exterior lights.
12. Methods of hazardous delivery shall be reviewed and approved by the Fire Marshall.
13. The sludge pond shall be redesigned to save trees on the north side of the pond and maintain the existing screening. That redesign may mean a reduction in size of the sludge pond. Appropriate protective measures shall be put in place at the recommendations of the City Arborist prior to any site grading, clearing, and grubbing to ensure the trees are protected and remain healthy.

14. The chemical “bag house” shall be moved indoors from the top of the silo and housed indoors in a separate or existing building.
15. The de-watering pump shall be placed underground, a hatch cover installed and insulated.
16. Crane beams shall be screened.
17. The loop road shall be moved a minimum of five feet farther north on the south side of the site to improve buffering and save trees.
18. Overflows shall be covered with insulated hatch covers.
19. The willow tree referenced during the hearing shall be removed and replaced by a healthy mature willow tree or another variety providing similar height and weight when mature, as approved by the City Arborist.

The City of Lake Oswego has satisfied all conditions of approval.