

WEST LINN PLANNING COMMISSION
FINAL DECISION NOTICE
CUP-12-06/DR-12-20/VAR-12-08/LLA-12-04

IN THE MATTER OF THE PROPOSAL OF A CONDITIONAL USE PERMIT, CLASS II DESIGN REVIEW, CLASS II VARIANCE, AND LOT LINE ADJUSTMENT FOR A NEW CITY POLICE STATION AT 1800-1950 8TH AVENUE/1819-1849 13TH STREET

At their meeting of February 20, 2013, the West Linn Planning Commission held a public hearing to consider the request by the City of West Linn to approve a police station at a site located at 1800-1950 8th Avenue and 1819-1849 13th Street. This proposal required Conditional Use and Class II Design Review approval. The applicant proposed to develop within the protected area of the only significant tree on site, requiring a Class II Variance. The applicant also proposed to combine all four lots on site into one lot, requiring a Lot Line Adjustment. The approval criteria for Conditional Use are found in Chapter 60 of the Community Development Code (CDC). The approval criteria for Design Review are found in Chapter 55 of the CDC. The approval criteria for Variance are found in Chapter 75 of the CDC. The approval criteria for Lot Line Adjustment are found in Section 85.210 of the CDC. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Tom Soppe, Associate Planner. Bob Galante of the City of West Linn, and Brett Hanson, Brian Dunn, and Christine McKelvey of Group Mackenzie presented for the applicant. Dennis Richey spoke in favor of the application. Cheryl Cropper and Scott Huskey also provided testimony on the application. Mr. Galante, Mr. Dunn, and Mr. Hanson provided the applicant's rebuttal and answered questions from the Planning Commission; Terry Timeus of the West Linn Police Department also answered questions.

A motion was made, seconded, and passed to approve the application with two new findings, with staff's recommended conditions of approval 1 through 5, and with two new conditions of approval.

The additional findings are as follows:

Additional Finding 1: While the City Arborist expects the significant tree to survive the proposed nearby development, the approval should ensure that if it does not survive the applicant provides for an appropriate replacement.

Additional Finding 2: While the fencing on the south and west sides of the proposed stormwater pond is appropriate due to the steep slope up to the proposed parking lot, fencing should not be placed on the north or east side unless required by code. The

view from Les Schwab and other nearby properties would be more attractive if there was a vegetative barrier here instead of fencing.

The approved conditions of approval are as follows:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the Sheet C2.1, Site Plan, dated February 7, 2013, located on Page 183 of Exhibit PC-4.
2. Outdoor Lighting. Outdoor light fixtures on poles shall be placed at a height that results in light patterns overlapping at a height of seven feet.
3. Height of Fencing along Retaining Wall. Where retaining walls exceed two feet in height, fencing directly on top of the wall shall not result in a fence/wall height combination of more than 8.5 feet. Fencing up to six feet in height can be utilized if it is located at least two feet away from the retaining walls.
4. Traffic Effects Mitigation.
 - a. At the 8th Avenue/10th Street intersection, the applicant shall eliminate the northbound left-turn lane striping on the 10th Street approach and install cross-hatch striping.
 - b. At the 8th Avenue/10th Street intersection, left turns from the northbound through lane on 10th Street shall be restricted during the weekday PM peak period. The applicant shall install signage stating "No left turn Weekdays 4 PM-6 PM."
 - c. At the intersection of Willamette Falls Drive and 12th Street, the applicant shall implement improvements that change the two-way stop to an all way stop, install crosswalks on all approaches, and provide left-turn "pockets" on the eastbound and westbound approaches of Willamette Falls Drive.
5. Deed for Consolidated Lot. The applicant shall record a deed for the consolidated lot prior to the Building Division's issuance of the final occupancy permit.
6. Significant Tree Replacement. If the significant tree does not survive one year after final occupancy is granted, the applicant shall replace it with a large specimen tree subject to approval by the City Arborist.
7. Stormwater Pond Fencing. Fencing along the north and east sides of the stormwater pond shall not be installed unless required by code. If the fencing is not required, vegetation shall be installed as a natural barrier.

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.


MICHAEL BABBITT CHAIR
WEST LINN PLANNING COMMISSION

2-28-2013
DATE

Mailed this 1st day of March, 2013.

Therefore, this decision becomes effective at 5 p.m., March 15, 2013.

Devrev/projects folder/projects 2012/CUP-12-06 Police Station/CUP-12-06 Final Decision