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# CITY OF West Linn

## Memorandum

Date: September 2, 2015

To: Planning Commission

From: John Boyd AICP, Planning Manager

Subject: ConAm LLC DR 15-11/LLA 15-01 Additional Information

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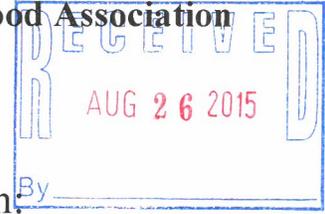
Attached to this memorandum is additional evidence or testimony provided for the ConAm LLC applications received from 2:00 – 5:00 pm on 8/26/15, and after the 8/26/15 Planning Commission meeting up to 5:00 pm on 9/2/15.

Also included is an email previously contained in the Staff Report (pages 770-771). An attachment to the email was inadvertently omitted from the report.

**RESOLUTION**

**Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association  
(BHTNA)**

**AUGUST 24, 2015 Meeting**



To the West Linn City Council and West Linn Planning Commission:

The Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association respectfully represents as follows:

**WHEREAS** development of mid to high density apartment units and OBC (Office Business Center) near the intersection of Tannler Drive and Blankenship Road is likely to have significant impacts on the surrounding community; and,

**WHEREAS** this mostly four story apartment development is out of character with not only the surrounding neighborhoods but with all of West Linn; and

**WHEREAS** potential stresses on local infrastructure and public services are issues of concern for Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association residents and businesses; and,

**WHEREAS** the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association would like to emphasize that there are only two areas of I-205 on-ramps and off-ramps in West Linn proper and that it has been publically stated that ODOT will not allow mitigation with either a light or a roundabout at the above intersection because of its proximity to an on-ramp and off-ramp; and,

**WHEREAS** the Tannler property represents one of the last remaining undeveloped OBC zones in the City, which demands that any application to the property be treated with deep consideration; and,

**WHEREAS** 80 new homes have either been approved or are in the planning process for Weatherhill Road and Bland Circle and will use the same streets and intersection listed above; and,

**WHEREAS** CDC 55.030(c)(1) requires the Planning Commission to consider criteria set forth in CDC 99.110 in addition to the conditions in CDC 55 when considering Class II Design Reviews; and CDC 99.110 provides for consideration of “applicable standards of any provision” of the Community Development Code; and,

**WHEREAS** Community Development Code 21.010 describes the purpose of the Office Business Center zone currently existing on the Tannler property as to contribute to the commercial spaces in West Linn; and,

**WHEREAS** it is the sense of the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association that the plan for the Tannler development presented to the

Association drastically emphasizes residential development to the detriment of commercial uses and to the intent of the OBC zone as described in the CDC; and,

**WHEREAS** it is the sense of the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association that imposing a transparently residential development into an OBC zone contrary to the stated intent of the zone sets a dangerous and careless precedent with regard to future applications; and,

**WHEREAS** it is the sense of the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association that a prudent decision by either the Planning Commission or the City Council will consider the long-term best interest of the entire City rather than the short-term most marketable use of a single property;

**NOW, THEREFORE, Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association RESOLVES:**

**SECTION 1.** That it is the position of the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association that the proposed development engenders a number of unanswered questions regarding traffic, safety, and water management; and,

**SECTION 2.** That the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association finds that the proposal is not compatible with the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association's Neighborhood Plan and /or Vision Plan; and,

**SECTION 3.** That the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association finds that the proposed design is not compatible with the stated purpose of the Office Business Center zone described in CDC 21.010, and urges the Planning Commission and the City Council to deny the Class II Design Review application and lot line adjustment; and,

**SECTION 4.** A copy of this resolution shall be delivered to the West Linn City Council, the West Linn Planning Commission, and be recorded in the minutes of the Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association.

PASSED AND APPROVED THIS 24th DAY OF August, 2015

Meredith Dusted  
President, of  
Barrington Heights,  
Hidden Creek Estates,  
Tanner Woods  
Neighborhood Association



## Shroyer, Shauna

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**From:** Boyd, John  
**Sent:** Wednesday, August 26, 2015 2:57 PM  
**To:** Shroyer, Shauna  
**Subject:** FW: Comments for DR-15-11/PC Meeting 08/26/15  
**Attachments:** PC082615.pdf

John Boyd, Planning Manager  
Planning, #1524



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**From:** kparklaw@aol.com [mailto:kparklaw@aol.com]  
**Sent:** Wednesday, August 26, 2015 2:46 PM  
**To:** CWL Planning Commission  
**Subject:** Comments for DR-15-11/PC Meeting 08/26/15

Good Afternoon,

Attached please find my comments objecting to DR-15-11 which is on the agenda for tonight's meeting. Thanks.

Karen J. Park  
6799 Larson Ave.  
West Linn, OR 97068

**CONFIDENTIALITY NOTE:** This email contains information belonging to Karen J. Park, which is confidential and/or legally privileged. The information is intended only for the use of the individual(s) or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this email is strictly prohibited. If you have received this email in error, please immediately notify me and delete the message and any attachments. Thank you.

KAREN J. PARK  
6799 LARSON AVE.  
WEST LINN, OR 97068  
Kparklaw@aol.com

August 26, 2015

**Via email only cwl\_planningcommission@westlinnoregon.gov**

Members Planning Commission  
West Linn City Hall  
22500 Salamo Road  
West Linn, OR 97068

RE: Comments for Planning Commission Meeting on 08/26/2015

Dear Members of Planning Commission:

I am writing to express my objections to Project DR-15-11 and urge you to deny the application.

As you know, the property is zoned OBC. CDC 21.010 explicitly states the purpose of the OBC zone:

**“Chapter 21  
OFFICE BUSINESS CENTER, OBC  
\* \* \***

**21.010 PURPOSE**

The purpose of this zone is to provide for groups of business and offices in centers, to accommodate the location of intermediate uses between residential districts and areas of more intense development, to provide opportunities for employment and for business and professional services in close proximity to residential neighborhoods and major transportation facilities, to expand the City’s economic potential, to provide a range of compatible and supportive uses, and to locate office employment where it can support other commercial uses. The trade area will vary and may extend outside the community. This zone is intended to implement the policies and criteria set forth in the Comprehensive Plan.”

It does not appear that City Staff addressed the purpose of the OBC zone in its reports recommending approval of the application. While CDC 21.050(2) provides that multi-family units above the first floor of a structure may be permitted in conjunction with commercial development, the commercial development must first be in compliance with the overall purpose of the OBC zone as set forth in CDC 21.010 in order to qualify as a permitted conditional use under CDC 21.050(2). Approximately 3,000 square feet of commercial space in a proposed 180 unit apartment complex, as proposed in this application, does not comply with CDC 21.010.

Members of the Planning Commission  
August 26, 2015  
Page 2

In the maps attached as appendices to the Economic Opportunities Analysis (EOA), which City Staff has recommended be adopted as a supporting plan to the Comprehensive Plan, (PLN 15-01), this property is identified as "Buildable Employment Lands" and/or "Vacant or Partially Vacant Buildable Employment Land." Exhibit 27 at page 23 of the EOA shows that the property represents 39% of the vacant or partially vacant employment land parcels in the City. The Planning Commission is scheduled to consider the EOA and make a recommendation to City Council at the meeting scheduled for September 9, 2015.

The EOA at page 21 estimates that the City will require 25-27 acres of vacant land for employment purposes by 2035. It is not in the City's best interests, nor in compliance with CDC 21.010 to allow 8 acres of vacant or partially vacant employment land to be diminished to merely 3,000 square feet and replaced with a 180 unit apartment complex that will create a traffic nightmare at the Tannler/Blankenship intersection and beyond, while doing nothing to create employment opportunities in West Linn.

The Planning Commission should deny the application for Project DR-15-11.

Respectfully,

  
Karen J. Park

## Shroyer, Shauna

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**From:** Boyd, John  
**Sent:** Wednesday, August 26, 2015 3:11 PM  
**To:** Shroyer, Shauna  
**Subject:** FW: Marylhurst Neighborhood Resolution RE: DR-15-11  
**Attachments:** MNA\_Resolution\_Tannler\_DR\_Project\_DR-15-11.pdf

John Boyd, Planning Manager  
Planning, #1524



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**From:** Marylhurst Neighborhood Association  
**Sent:** Wednesday, August 26, 2015 3:09 PM  
**To:** CWL Planning Commission; CWL Council; Kerr, Chris  
**Cc:** Axelrod, Russell; Frank, Thomas; Tan, Jennifer; Perry, Brenda  
**Subject:** Marylhurst Neighborhood Resolution RE: DR-15-11

Dear City Council Members and Planning Commissioners:

Please find the Marylhurst Neighborhood Association Resolution for Planning Project DR-15-11 attached and submit it to the record.

Thank you,

Karie Oakes, President  
Marylhurst Neighborhood Association

### Marylhurst

[MarylhurstNA@westlinnoregon.gov](mailto:MarylhurstNA@westlinnoregon.gov)  
<http://westlinnoregon.gov/marylhurst>  
Phone(503) 657-0331



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## RESOLUTION

### A RESOLUTION OF THE MARYLHURST NEIGHBORHOOD ASSOCIATION REGARDING WEST LINN PLANNING PROJECT DR-15-11 FOR 2444, 2422 & 2410 TANNER DR CLASS II DESIGN REVIEW AND LOT LINE ADJUSTMENT

To the West Linn City Council and West Linn Planning Commission:

The Marylhurst Neighborhood Association respectfully represents as follows:

**WHEREAS** development of mid to high density apartment units near the intersection of Tanner Drive and Blankenship Road is likely to have significant impacts on the surrounding community; and,

**WHEREAS** this mostly four story apartment development is out of character with not only the surrounding neighborhoods but with all of West Linn; and

**WHEREAS** potential stresses on local infrastructure and public services are issues of concern for Marylhurst residents and businesses; and,

**WHEREAS** the Marylhurst Neighborhood Association would like to emphasize that there are only two I-205 on-ramps and off-ramps in West Linn proper and that it has been publically stated that ODOT will not allow mitigation with either a light or a roundabout at the above intersection because of its proximity to an on-ramp and off-ramp; and,

**WHEREAS** the Tanner property represents one of the last remaining undeveloped OBC zones in the City, which demands that any application to the property be treated with deep consideration; and,

**WHEREAS** 80 new homes have either been approved or are in the planning process for Weatherhill Road and Bland Circle and will use the same streets and intersection listed above; and

**WHEREAS** CDC 55.030(c)(1) requires the Planning Commission to consider criteria set forth in CDC 99.110 in addition to the conditions in CDC 55 when considering Class II Design Reviews; and CDC 99.110 provides for consideration of “applicable standards of any provision” of the Community Development Code; and,

**WHEREAS** Community Development Code 21.010 describes the purpose of the Office Business Center zone currently existing on the Tanner property as to contribute to the commercial spaces in West Linn; and,

**WHEREAS** it is the sense of the Marylhurst Neighborhood Association that the plan for the Tanner development presented to the Association drastically emphasizes residential development to the detriment of commercial uses and to the intent of the OBC zone as described in the CDC; and,

**WHEREAS** it is the sense of the Marylhurst Neighborhood Association that imposing a transparently residential development into an OBC zone contrary to the stated intent of the zone sets a dangerous and careless precedent with regard to future applications; and,

**WHEREAS** it is the sense of the Marylhurst Neighborhood Association that a prudent decision by either the Planning Commission or the City Council will consider the long-term best interest of the entire City rather than the short-term most marketable use of a single property;

**NOW, THEREFORE, MARYLHURST NEIGHBORHOOD ASSOCIATION RESOLVES:**

**SECTION 1.** That it is the position of the Marylhurst Neighborhood Association that the proposed development engenders a number of unanswered questions regarding traffic, safety, and water management; and,

**SECTION 2.** That the Marylhurst Neighborhood Association finds that the proposal is not compatible with the Marylhurst Neighborhood Association's Neighborhood Plan and,

**SECTION 3.** That the Marylhurst Neighborhood Association finds that the proposed design is not compatible with the stated purpose of the Office Business Center zone described in CDC 21.010, and urges the Planning Commission and the City Council to deny the Class II Design Review application and lot line adjustment; and,

**SECTION 4.** A copy of this resolution shall be delivered to the West Linn City Council, the West Linn Planning Commission, and be recorded in the minutes of the Marylhurst Neighborhood Association.

PASSED AND APPROVED THIS 25<sup>th</sup> DAY OF AUGUST, 2015 BY THE MAJORITY OF MEMBERS PRESENT CONSTITUTING A QUORUM AND VOTING ON THIS RESOLUTION AT THE MEETING. VOTE: 6 IN FAVOR, 0 OPPOSED, 0 ABSTAINED.



Karie Oakes

President

Marylhurst Neighborhood Association

**MARYLHURST NEIGHBORHOOD ASSOCIATION MEETING**

ATTENDANCE SIGN IN SHEET DATE: August 25, 2015

The following information is only to be used for the purpose of MNA:

NAME ADDRESS EMAIL/PHONE

Cathy Bouchon 2055 Sylvan Way

~~Cathy Bouchon~~ 2190 Valley Ct

RICHARD MORRISON 1890 VALLEYVIEW DR WL. rmorr46505@aol.com

BRIAN EASTMAN 1827 Sylvan Way

Teri Cummings 2190 Valley Ct

Ralph Olson 2045 Hillcrest Dr

not member) David New PO Box 1036 Portland <sup>97207</sup> vand\_e@efn.org

Karie Oakes 1125 Marylhurst DR, West Linn

## Shroyer, Shauna

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**From:** Boyd, John  
**Sent:** Friday, August 28, 2015 1:55 PM  
**To:** Shroyer, Shauna  
**Cc:** 'Robinson, Michael C. (Perkins Coie)'; Kerr, Chris; Thornton, Megan  
**Subject:** FW: Testimony from last night

For addition to the September 2, 2015 record

John Boyd, Planning Manager  
Planning, #1524



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**From:** Richard Sakelik [mailto:pacaguy@me.com]  
**Sent:** Thursday, August 27, 2015 5:58 PM  
**To:** Boyd, John  
**Cc:** Ed Schwarz  
**Subject:** Testimony from last night

John,

Below is my testimony from last nights meeting that I forgot to hand in. Please distribute as required.

Thanks much for your help!

Sincerely,

Rich Sakelik  
1835 Barnes Circle  
West Linn

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Testimony for Planning Commission meeting on 8/26/15

With this application from Con Am there is a potential need for a new school or schools because of the new kids who will live in these 180 apartments, which the citizens will have to pay for through bonds.

Please note in the packet of information that I submitted to you the following items:

1. West Linn-Wilsonville District's Long Range Plan document of January 13, 2014. This shows that a dwelling unit can be expected to add .47 of one child to local schools. Multiplying .47 by the number of apartments (180) yields 84.6 which is a rounded number of 85 new school children from this one development. Given the fact that the school district is near capacity, and Mr. Robinson acknowledged that some are overcapacity in the hearing for a zoning change for this very property in January of this year ...which was denied, **this apartment complex will place an undue burden on the school district.**
2. In a letter dated November 12, 2012 from property owner Mr. Jeff Parker to the West Linn-Wilsonville School District he stated that an additional 92 students were expected if the 208 units he was proposing previously had been approved.
3. In the presentation to the Barrington Heights Neighborhood Association on August 24<sup>th</sup> of this year Mr. Parker spoke about the Construction Excise Tax (CET) he would be paying to the school district. This was in response to one of the neighbors who said that the citizens of West Linn would be paying all of the SDCs for any extra school(s) required by this apartment complex. It is important to note that in November 12, 2012 in the letter referred to above Mr. Parker sought an exception in the form of a reduction totaling \$156,064.33 to the CET fee payable to the District. This exemption was denied by the School Board.
4. A December 20<sup>th</sup>, 2012 Tidings article about this denial is included.

## Shroyer, Shauna

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**From:** Robinson, Michael C. (Perkins Coie) <MRobinson@perkinscoie.com>  
**Sent:** Friday, August 28, 2015 11:52 AM  
**To:** Boyd, John; Shroyer, Shauna  
**Cc:** Thornton, Megan; Kerr, Chris  
**Subject:** Response to Written Testimony from Mr. Etheredge Regarding "Shared" Parking

John, please place this email into the record in response to Mr. Etheredge's testimony:

Mr. Etheredge claims that I told the Savanna Oaks Neighborhood Association's special meeting on Saturday, August 22, 2015 at 6:00pm, that there would be no shared parking on site between commercial and residential uses. He is incorrect.

Mr. Schwarz said at the meeting that the applicant would be sharing parking between the commercial and the residential uses. I thought he was referring to shared parking with the I-205 Corporate Park adjacent to the site. I raised my hand and responded to his statement by saying that the site shared a driveway to Blankenship Drive with the I-205 Corporate Park but that there would be no shared parking between the uses. This exchange is reflected in my tape of the meeting which I will submit into the record.

It was clear to me at the time that Mr. Schwarz was referring to shared parking with the I-205 Corporate Park site and that he was not referring to shared parking on this site between the uses. That was my response to Mr. Schwarz's statement.

I did **not** say that there would be no shared parking on site and the applicant has **never** said this. The application at pages 44-47(PC pages 115-118)explains the total required off-street parking spaces provided, including 10 for the commercial spaces calculated at 1 space for every 200 square feet of commercial development, is 322 spaces. The staff report at PC pages 35-40 reviewed the applicant's parking calculations and found that they satisfied the relevant CDC requirements. The CDC does not require that commercial parking spaces be segregated from residential parking spaces. The staff report did not identify shared parking as violating the CDC. No party has identified a CDC requirement that mandates required commercial and residential parking spaces on this site.

I hope this email satisfactorily explains the source of Mr. Etheredge's confusion.

The Planning Commission should conclude that "shared parking" is not an issue that is relevant to the CDC approval criteria.

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### Michael C. Robinson | Perkins Coie LLP

#### PARTNER

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E. [MRobinson@perkinscoie.com](mailto:MRobinson@perkinscoie.com)



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**From:** Boyd, John [mailto:jboyd@westlinnoregon.gov]  
**Sent:** Friday, August 28, 2015 10:56 AM  
**To:** Shroyer, Shauna

**Cc:** Robinson, Michael C. (Perkins Coie); Thornton, Megan; Kerr, Chris  
**Subject:** FW: A Copy of My Presentation from Wednesday Night

This person submitted written testimony after the 8/26/15

This material will be added to the testimony received prior to the 9/2/15 hearing

Shauna please print this out and add it to the material submitted after the 8/26/15 hearing

Thanks

John

**John Boyd**

*Planning Manager*

22500 Salamo rd

West Linn, OR 97068

[jboyd@westlinnoregon.gov](mailto:jboyd@westlinnoregon.gov)

[westlinnoregon.gov](http://westlinnoregon.gov)

Phone (503) 723-2524



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**From:** Scott Etheredge [<mailto:sethered1@yahoo.com>]

**Sent:** Friday, August 28, 2015 10:41 AM

**To:** Boyd, John

**Subject:** A Copy of My Presentation from Wednesday Night

John,

Attached is a scan of my presentation Weds night 8/26/15. Please forward it to all members of the Planning Commission per their request.

Also, I'm sending a scan because I want to show the additional issue I added in my scribbled handwriting. I hand wrote it after learning last minute in the meeting about the disgraceful Tannler no left turn requirement in the plan. My time ran out as I began reading the handwritten note.

Thank you,

Scott Etheredge

1945 Taylor Court resident for 14 years.

It is stated that 20 apartment complex cars would park on lower Tannler Drive across from the entrance of West Linn's White Oak Savanna Park and that these cars may be included in the apartment complex's required parking numbers. Actually, it will be many more.

The City of West Linn, the Oregon State Parks, Metro, and West Linn citizens have financially invested in West Linn's White Oak Savanna Park, a beautiful natural park and significant wildlife habitat. The City of West Linn has given \$333,000 for White Oak Savanna, which is valued at \$3 million. Oregon State Parks and Metro have also approved grant money. Furthermore, citizens of West Linn have personally contributed so much to the park, raising another \$500,000 and providing thousands of person hours of physical labor. The City of West Linn has leveraged 10% of the value into the acquisition of 14 acres of this park and the additional 6 acres will be acquired by the end of January, 2016 if the citizen fundraising continues at its current pace.

Yes, significant past and future commitments to investment and voluntary efforts have been made to ensure that West Linn citizens and others can enjoy and have easy access to this beautiful park's entrance on lower Tannler Drive. The investments of money and labor will not be wisely utilized if the proposed apartment complex's parking plan disrupts this goal by making it harder for citizens to have easy access to this special and unique-to-West Linn park.

We have been told at public meetings in more than one Neighborhood Association that the parking spaces are not designated for residential or commercial. This sharing of parking spaces was recently denied on August 22, 2015 by apartment complex attorney Mr. Robinson at the Special Meeting held by the Savanna Oaks Neighborhood Association. But when parking spaces are not designated for office business complex customers this is a sharing of spaces with those citizens seeking access to White Oaks Savanna.

I'd like to close with a personal note regarding the importance of protecting our investment in and the growing use of this beautiful park, including the critical need for citizen parking access. For 14 years my family and I have lived in one of the many neighborhoods that daily utilize lower Tannler Drive when traveling to and from home. Ever since the park's opening, there have been many times that friends and relatives traveling to West Linn for the first time--and via the lower portion of Tannler--have expressed to me what a beautiful entrance we have to our community with "that park". What a wonderful, valuable, and lasting impression that leaves regarding West Linn. I urge you to ensure future easy access to White Oak Savanna Park on lower Tannler and not allow apartment complex parking spaces.

*UNFORTUNATELY THE  
NO LEFT TURN DECISION WAS NOT PROVIDED TO  
PRIOR TO THIS TESTIMONY. THE <sup>LEFT</sup> RESTRICTION  
WILL DRAMATICALLY AFFECT PARK ACCESS  
AND RESULT IN ~~REDUCED~~ REDUCED PARK VISITATION.  
~~LESS~~ THE WEST LINN POLICE AND TANNER  
USERS SHOULD BE PREPARED FOR MANY TANNER  
U-TURNS.*



August 28, 2015

Zach Pelz - Associate Planner  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068

**Re: DR-15-11**

Dear Zach,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

### **FIRE APPARATUS ACCESS:**

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1))
2. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1)
3. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL SQUARE FOOTAGE:** Buildings or facilities having a gross building area of more than 62,000 square feet shall have at least two approved separate means of fire apparatus access. Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. (OFC D104.2)
4. **ADDITIONAL ACCESS ROADS – MULTIPLE FAMILY RESIDENTIAL DEVELOPMENTS:** Projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1, 903.3.1.2. Projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus roads regardless of whether they are equipped with an approved automatic sprinkler system. (OFC D106)
5. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2)

- 6. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the fire code official. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)
- 7. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Code Official), measured in a straight line between accesses. (OFC D104.3) Exception: Buildings equipped throughout with an approved automatic fire sprinkler system (the approval of this alternate method of construction shall be accomplished in accordance with the provisions of ORS 455.610(5).
- 8. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)
- 9. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
- 10. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
  - 1. 20-26 feet road width – no parking on either side of roadway
  - 2. 26-32 feet road width – parking is allowed on one side
  - 3. Greater than 32 feet road width – parking is not restricted
- 11. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
- 12. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
- 13. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
- 14. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)
- 15. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 12%. When fire sprinklers\* are installed, a maximum grade of 15% will be allowed.

0-12%	Allowed
13-15%	Special consideration with submission of written Alternate Methods and Materials request. Ex: Automatic fire sprinkler (13-D) system* in lieu of grade.
16-18%	Special consideration on a case by case basis with submission of written Alternate Methods and Materials request Ex: Automatic fire sprinkler (13-D) system* plus additional engineering controls in lieu of grade.
Greater than 18%	Not allowed**

\*The approval of fire sprinklers as an alternate shall be accomplished in accordance with the provisions of ORS 455.610(5) and OAR 918-480-0100 and installed per section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the Oregon Fire Code (OFC 503.2.7 & D103.2)

\*\* See Forest Dwelling Access section for exceptions.

16. **ANGLE OF APPROACH/GRADE FOR TURNAROUNDS:** Turnarounds shall be as flat as possible and have a maximum of 5% grade with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
17. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
18. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.
19. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
  1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width), or two 10 foot sections with a center post or island.
  2. Gates serving three or less single-family dwellings shall be a minimum of 12 feet in width.
  3. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
  4. Electric gates shall be equipped with a means for operation by fire department personnel
  5. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
20. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
21. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Code Official. See Application Guide Appendix A for further information. (OFC 503.4.1).

## **FIREFIGHTING WATER SUPPLIES:**

22. **MUNICIPAL FIREFIGHTING WATER SUPPLY EXCEPTIONS:** The requirements for firefighting water supplies may be modified as approved by the fire code official where any of the following apply: (OFC 507.5.1 Exceptions)
  1. Buildings are equipped throughout with an approved automatic fire sprinkler system (the approval of this alternate method of construction shall be accomplished in accordance with the provisions of ORS 455.610(5)).
  2. There are not more than three Group R-3 or Group U occupancies.
23. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be determined in accordance with residual pressure (OFC Table B105.2). The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi.  
**Note:** OFC B106, Limiting Fire-Flow is also enforced, except for the following:
  - In areas where the water system is already developed, the maximum needed fire flow shall be either 3,000 GPM or the available flow in the system at 20 psi, whichever is greater.
  - In new developed areas, the maximum needed fire flow shall be 3,000 GPM at 20 psi.
  - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1
24. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)
25. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

## **FIRE HYDRANTS:**

26. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
  - This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
  - The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
27. **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Table C 105.1. (OFC Appendix C)
28. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)
  - Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
  - Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the fire code official.
  - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the fire code official.
  - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official.
29. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
30. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the fire code official. (OFC C102.1)
31. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)
32. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)
33. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)
34. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)
  - Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
  - FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

## BUILDING ACCESS AND FIRE SERVICE FEATURES

35. **EMERGENCY RESPONDER RADIO COVERAGE:** In new buildings where the design reduces the level of radio coverage for public safety communications systems below minimum performance levels, a distributed antenna system, signal booster, or other method approved by TVF&R and Washington County Consolidated Communications Agency shall be provided. (OFC 510.1)
36. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix C for further information and detail on required installations. Order via [www.tvfr.com](http://www.tvfr.com) or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)
37. **UTILITY IDENTIFICATION:** Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)

If you have questions or need further clarification, please feel free to contact me at (503) 649-8577.

Sincerely,



Ty Darby  
Deputy Fire Marshal II

Cc: file

august 2015

West Linn City planning Commissioners

In regards and support for the Blankenship DR-15-11/LLA-15-01 housings application:

This housing application supports the objectives, the arguments and common sense of the site, the design that provides the affordable housings mandate when state legislature passed such bill -- etc.

The site, the elegant design are most applicable for tenants where shopping center is accessible by walking; to health clinics - to food - to amusement; etc, etc. - !

This location is the best site to build the needed affordable housings rather than at the arc bridge where by the river the area land being fragile.

The Parker's site, above the shopping center would better serve with much less burden for the land and traffic.

on last operative: this (now) eye sore of a slope is an invite to fire hazards and peril to happen; too steep to pleasure walking, and, may cause a child or a walker to stumble = this slope is a safety risk.

Let's have habitation here that will protect the environs and bring some tax revenue in the city while tenants will also share pay our Bonds, levies etc!

I am proud to reside in West Linn for 57 years and still participate in its development evolution.

I also thank you all at your Commission to volunteer to participation in the making of our city.

I remain -

another long time resident

Alice Richmond -

3939 Parker Rd.

W.L. 97068.

503-723 0101.

RECEIVED

SEP 01 2015

PLANNING BUILDING  
CITY OF WEST LINN  
INT. TIME

Sept. 2, 2015

Hearing regarding Dr-15-11?LLA-15-01 at Tannler Drive and Blankenship

Planning Commission Hearing input from Alma Coston, 5798 Hood St.  
WL

Thanks for the opportunity to comment on this 180 multi-family and commercial development.

I would hope that the commission would see fit to approve this creative development proposal for that property. Housing is very needed and necessary especially with the option of approved business in home as the percentage of people who work from home increases.

Also, the fact that this proposal is so close to freeway access and businesses that can use the support is reason to approve this request.

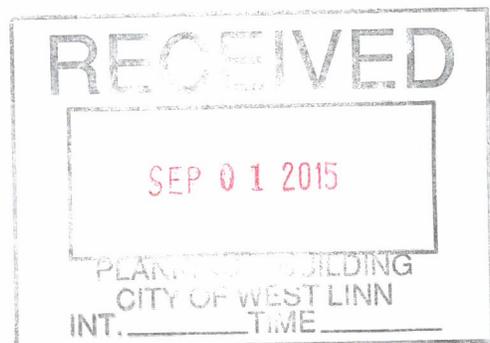
I do hope that the traffic solutions will be more closely scrutinized. I understand the right-turn only idea at the base of Tannler. A light at the intersection by Hagens would help, however this pushes traffic potentially into the uphill direction off Tannler or out into Willamette neighborhood residential. It is necessary to avoid traffic in neighborhoods. Perhaps a rounder instead of the light at Hagens would turn the traffic back to the freeway. Even, perhaps, a rounder at 13<sup>th</sup> would turn the traffic back to the freeway entrances to keep traffic from out of the neighborhoods.

I think that it is wonderful that in effect there has been more Park property added to the area by requiring, or the offering of no development on the upper portions of this property near the houses. A real positive!

I would rather this high density housing in this location than people sleeping on benches in Savannah Oaks, or so much more high density housing in the Arch Bridge area! This is kind of a snide remark, but we in West Linn are so blessed that very little has ended up in our back yard. We need to consider that we need the tax revenue to increase a tax base to support our life style that we love so much.

Thank you, Alma Coston

*Alma Coston*  
9.1.15



## Shroyer, Shauna

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**From:** Boyd, John  
**Sent:** Wednesday, September 02, 2015 1:22 PM  
**To:** Shroyer, Shauna  
**Subject:** FW: Important information for the Planning Commission  
**Attachments:** RNA meeting notes and Mr Robinson's letter.pdf

For tonight

Sent from my mobile device  
John J. Boyd AICP  
Planning Manager  
(503)656-4211

John Boyd, Planning Manager  
Planning, #1524



Please consider the impact on the environment before printing a paper copy of this email.  
This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

**From:** Roberta Schwarz [roberta.schwarz@comcast.net]  
**Received:** Wednesday, 02 Sep 2015, 12:57PM  
**To:** Boyd, John [jboyd@westlinnoregon.gov]  
**CC:** KleinmanJL@aol.com [KleinmanJL@aol.com]  
**Subject:** Important information for the Planning Commission

Dear Planning Commission,

In looking at the public record for the Con Am development proposal I noticed a letter from Mike Robinson dated August 20, 2015. In the letter, which attached for you above, Mr. Robinson states that the Robinwood NA had no authority to vote on a resolution at that meeting. On the contrary, if you look at the RNA minutes for that meeting first the motion was made and seconded and voted on and passed to **discuss** the resolution and then after that discussion had taken place a second motion was made, seconded and passed to vote on the resolution and then it was voted on so it officially stands as a legitimate resolution vote. Please disregard Mr. Robinson's earlier opinion that RNA had no authority to vote on a resolution. They complied with what needs to be done if a resolution vote is not on the agenda.

Thanks very much,  
Roberta

Ms. Gail Holmes, President  
August 20, 2015  
Page 2

Those attending the WNA meeting were told that the City Council had changed the maximum height in the OBC zone and that there was "talk" that "they" (presumably meaning ConAm) had asked the City to adopt an amendment to the OBC's zone maximum height.

Not only did the City Council not change the maximum height in the OBC zone but at no time did my client or its representatives ask the City to amend the maximum height of permitted and uses permitted under prescribed conditions in the OBC zone.

- 2. Neither the Savanna Oaks Neighborhood Association ("SONA") nor have the Barrington Heights, Tanner Woods, Hidden Creek ("BHT") Neighborhood Associations adopted a resolution opposing the ConAm application as of the date of this letter.**

Those attending the WNA meeting twice heard that SONA and BHT had adopted resolutions opposing the ConAm application as of August 12, 2015. Those statements were incorrect. SONA will consider a resolution on the ConAm application at its August 25, 2015 special meeting (**Exhibit 2**).

Ms. Meredith Olmsted is the acting president of BHT. My office received the following email from Ms. Olmsted on Friday, August 14, 2015:

**"We have had no meeting to pass a resolution as yet. We have agreed only to request standing should it become necessary in the future. . . . We will meet again on Monday, August 24, 2015. That proposed development is on our agenda."**

Thus, neither neighborhood association had adopted a resolution concerning the ConAm application on August 12, 2015.

- 
- 3. The Robinwood Neighborhood Association ("RNA") August 11, 2015 agenda did not include an old business item to adopt a resolution concerning the ConAm application..**

I have attached the RNA August 11, 2015 agenda (**Exhibit 3**). Ms. Swartz [sic] is shown as a guest speaker to discuss the ConAm application. The RNA adopted the resolution but did so without an agenda item expressly providing that the resolution would be considered and thus violated its by-laws. The RNA by-laws, Article 3, Section 1 (C), state that voting shall be limited to old business agenda items unless a new business agenda item is considered "time is of the essence" and a resolution so stating is adopted. The August 11, 2015 agenda has no item for ConAm under either the old or new business items. Thus, no person reading the agenda could

(over)

Ms. Gail Holmes, President  
August 20, 2015  
Page 3

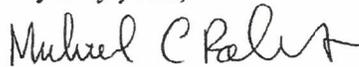
have known that a resolution was to be considered. The RNA had no authority to vote on a resolution at the August 11 meeting.

The draft agenda is still on the RNA website. The minutes and resolution for that meeting show that there was a vote to consider the motion "time sensitive" (**Exhibit 4**). Therefore, the resolution must have been at least listed as new business on the agenda. The resolution was not listed as new business on the agenda. The August 11, 2015 draft RNA agenda has no item under the old business portion of the agenda related to ConAm.

**4. Conclusion.**

I would appreciate your distributing this letter to those attending the next WNA meeting.

Very truly yours,



Michael C. Robinson

MCR:rsr  
Enclosures

cc: Mr. Mike Mahoney (w/ encls.) (via email)  
Mr. Rob Morgan (w/ encls.) (via email)  
Mr. Jeff Parker (w/ encls.) (via email)  
Mr. Chris Kerr (w/ encls.) (via email)  
Mr. John Boyd (w/ encls.) (via email)  
Mr. Zach Pelz (w/ encls.) (via email)  
Mr. Michael Selvaggio (w/ encls.) (via email)

# Robinwood Neighborhood Association of the City of West Linn Minutes August 11th, 2015

Meeting of the Robinwood Neighborhood Association(RNA) called to order at 7:0 pm.

**Agenda** approved with additions to new business.

**Introductions of new guests:** Sumdar, Michael Piece, Paul & Theresa Carney, Tim Crane  
Karen Simms-Bundy, Jerry, Lynne, Crystal, Sally Walker, Bob & Marsha Nicoles, Steve, Tom M

**July 2015 Minutes** approved by voice vote, Motion by Mike M , second by Tony Bracco.

**Treasurer Report:** Payment of \$103.05 on 07/14 results in a balance of \$1871.54. There is a balance due to FORS+/- \$200.

**Guest Speakers:** Andrew Tull 3J Consulting - Proposed development at 18000 Upper Midhill Drive at north terminus of street. 34 single family detached subdivision with average lot size 6250sf within R4.5 zoning. Type 3 land use process. Parts of Scenic Drive right-of-way were abandoned. Higher density than surrounding homes. Additional lot size tends to back on existing lots to save trees and water resource area and create buffer. Beginning of process.

Roberta Swartz - Rezoning at Tanner and Blankenship for 180 Apartments, lowered from 192 due to only 2 driveways. Con-Am is apartment developer. Previously denied so new proposal with only 3000sf of commercial space included as end run around zoning. We have only until August 26th to gather opposition, since city eliminated de novo hearings. Parking space on site is inadequate and plan calls for street parking on Tanner. 1.3 acres lot line adjustment to be retained by current owner for unknown purpose.

Motion that issue is time sensitive by Mary Hill, second by Tony Bracco. Motion passes. Motion by Crystal Greenlend, second by Tillie Hoffberg to adopt resolution (attached) opposing the proposed development passed with 10 ayes, 2 nays and 2 abstentions.

Karen Simms-Bundy - Proposal for dog off-leash hours at Mary S. Young Park to be presented at September Park and Rec Board meeting.

## **Announcements:**

Next City Council Meetings 9/14 at 6:30pm and City Council Work Sessions 9/21 at 6pm  
Willamette NA meeting tomorrow 8/12 7pm Police Station and Bolton NA Meeting 8/18 7pm  
Movies in the Park at Tannler Creek on Friday 8/14 8pm

## **Updates:**

**Community Garden:** Lisa Clifton - Garden going great.

**Robinwood Station:** Randall Fastabend - Campfire USA continues M-F and has created problems due to intensity of use. Police may be out of the old water building in September. Looking into paving the parking lot due to dust and concerns raised by neighbors.

## **Committee and Community Reports:**

**Parks & Rec:** Cedarook boat ramp minor dredging took place last week.

**Community Development:** 2 Pre-Apps for Robinwood 8/20 10 & 11am

**Public Works:** Tony Bracco - Street Paving continues with equipment left blocking Lower Midhill. Delay paving Shady Hollow due to moving utility pole and installing vault.

**Emergency Preparedness:** Christine Steel - September is Preparedness Month.

Big Emergency Preparedness Fair 9/24 at LDS Church.

New leadership classes available for sign-up.

## **Old Business:**

More volunteers needed for picnic. Scott Stoneking and Kim Eback volunteered.

## **New Business:**

SONA Resolutions to be considered next month.

Crystal Greenlend on View Dr. has concerns about invasive weeds spreading from adjacent commercial property and speeders on her street. Advised to use Clackamas resolution service.

**Adjourned at 8:35 Attendees: 56**

## Shroyer, Shauna

---

**From:** Boyd, John  
**Sent:** Wednesday, September 02, 2015 4:09 PM  
**To:** Shroyer, Shauna  
**Subject:** FW: Tannler Drive Mixed-Use Development application

John Boyd, Planning Manager  
Planning, #1524



Please consider the impact on the environment before printing a paper copy of this email.  
This e-mail is subject to the State Retention Schedule and may be made available to the public.

**From:** Jon Udell [mailto:Jon.Udell@pobox.com]  
**Sent:** Wednesday, September 02, 2015 4:08 PM  
**To:** CWL Planning Commission  
**Subject:** Tannler Drive Mixed-Use Development application

To the City of West Linn Planning Commission,

I am writing about a few of my many concerns about the application to develop the land at the corner of Tannler and Blankenship in West Linn - what is called the Tannler Drive Mixed-Use Development. I feel that this application for approval as a mixed-use development is nothing but a sham. It is clearly a residential development paying only lip service to the requirement of commercial development in an attempt to get around the fact that the city previously denied a request to rezone the land as residential. The approximately 300 square foot commercial spaces proposed on the first floors of each residential building have little if any commercial value - the business uses are limited by their small size, lack of parking, inaccessibility by the public living outside of the development, lack of nearby commercial traffic, and lack of visibility. If anything, the spaces are best suited for tiny businesses serving only the residents of the development, and have little chance of enhancing the business climate or employment level of the city in any meaningful way. This is definitely not a good use for one of the few remaining commercially zoned tracts in the city.

The following picture from the application shows one of the midsize buildings and its commercial space. You can see how small the commercial space is - the windowed area in the bottom right hand corner of the building. The space is only there because the code requires commercial space on the first floor of a mixed use building. The rest of the first floors of each building contain mainly residential parking. I don't see how residential parking can be considered either a commercial or a non-residential use of the first floor. The size of the commercial space does not vary by building, so the relative size compared to the residential space is even smaller on the larger buildings.



Here is the view from the other side - from the uphill side. The applicant calls this the front view, and claims it meets the 45' building height restriction by virtue of being 42' high. But from this side the commercial space, and in fact the first floor, is not visible. So in essence, the entire 42' height of the building is residential, and the commercial space might as well be considered to be in the basement, not on the first floor. I don't think that this is what the code authors had in mind. The developers have simply played tricks to add an additional floor to their development.



Going back to the other view, this is the one I would consider to be what Architecture Requirement 6.e. (from the copy of the "Staff Report from the Planning Commission" to which Finding 23 applies) calls the "main front elevation", which that standard requires to "provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities". But most of the pedestrian level from this view is composed of garages with no transparency or window shopping opportunities (unless you are looking for a car to steal). This does not meet the standard in my opinion. The application attempts to get around this by calling it the rear view. But as already stated, their so called "front elevation" view from the other side does not include any commercial space, and therefore has no window shopping

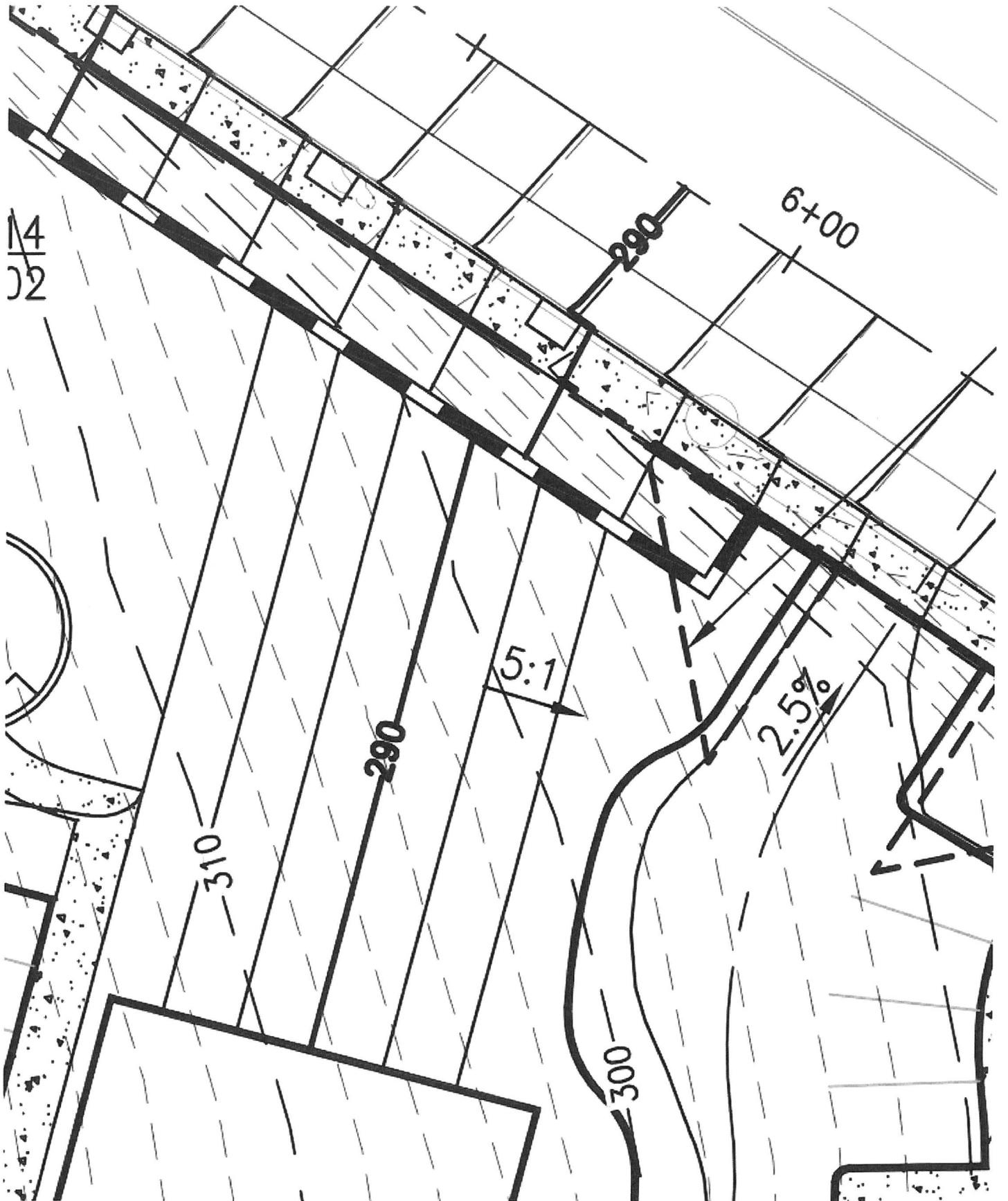
opportunities. It also has less than 60 percent windows, and includes transparency only to the extent that residents leave their windows uncovered. In short, none of the views of the buildings satisfy this requirement. The staff report's Finding 23 is invalid.



Again, looking at the view from the Blankenship side (with the commercial space), note that the height of the building is actually nearly 52' high from this side - 42' plus 9' 11" for the first floor. I don't know how the code requires that buildings be measured but to me this does not meet the 45' limit imposed by the code. Anyone attempting to window shop outside of the commercial space would be looking up at a 52' building.

Speaking of looking up, that's not the worst of it. If you look at the topological maps provided, you can see that the easternmost corner of the proposed building 1 site is at approximately 302.5 feet above sea level. If you check the point on Tannler Drive that is closest to this corner (imagine a line drawn perpendicular to Tannler to the corner), it is at about 282. That's almost a 20 foot difference. However the proposal includes significant grading to construct this building at approximately the same level as the Clubhouse building, with a level road between them. (It appears that a 30' retaining wall will be required at some points on the North edge of the development.) Based on the notation "FF=285" it appears that the first floor of the building is planned to be 285 feet above sea level. That is about 3' above the nearest point to Tannler Drive, so the top of the building will be about 55' above the street at the point where it is closest to the street.

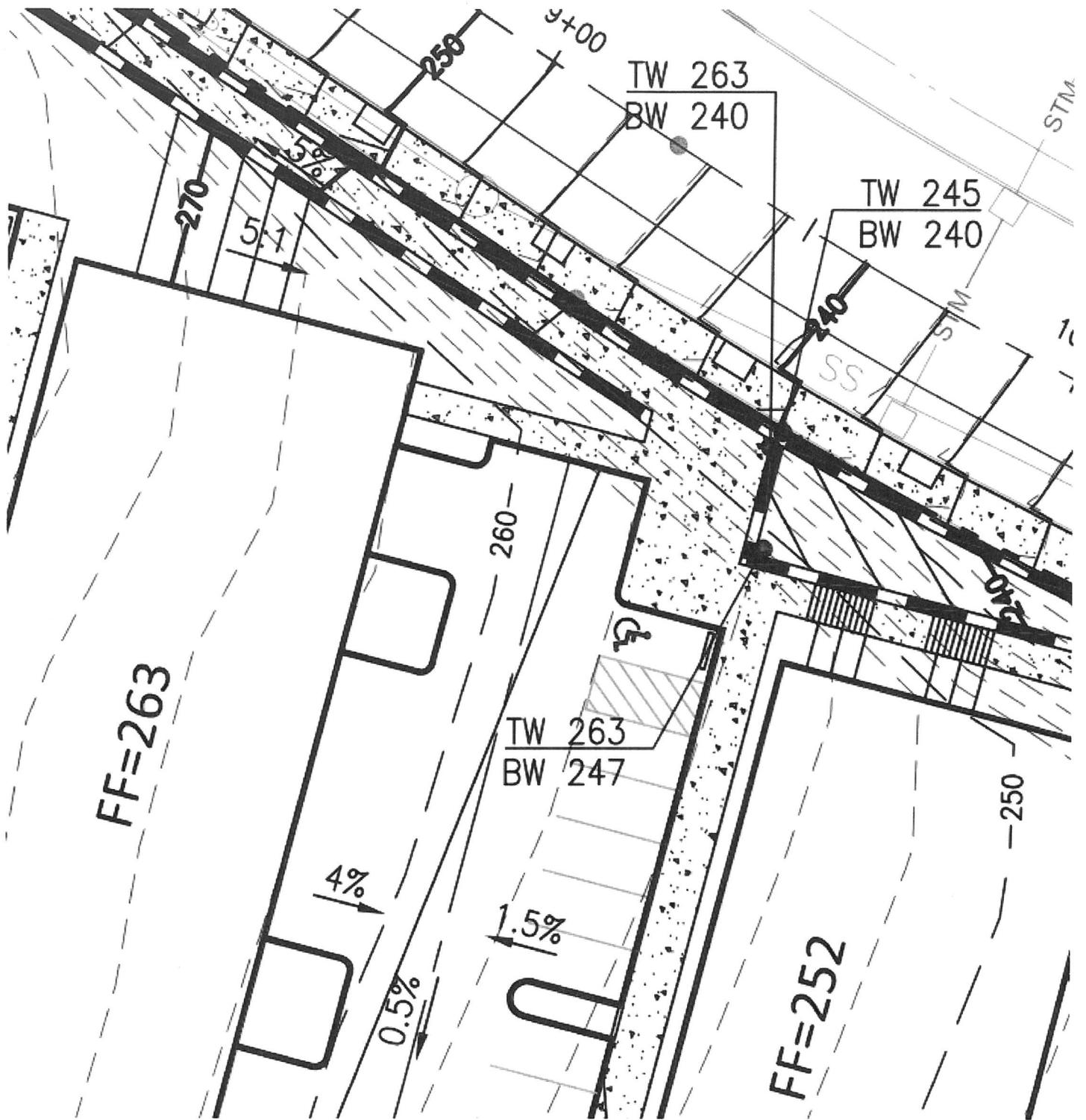
Building 1 elevations:



14  
02

However if you look at buildings 6 and 7, the other two "mixed use" buildings along Tannler Drive, based upon the FF elevation numbers and the elevations of nearby points on Tannler, those buildings appear to be planned to be about 22 and 17 feet above the nearest points on Tannler Drive, respectively (252 vs. 230, and 263 vs. 246). So as you are driving (or walking) up Tannler, looking uphill towards the street and property ahead of you, you will see a 52' tall building that is built approximately 22 feet above street level. When you reach the point where you are closest to the building, the top will be still be about 74' above you, far above the 45' height limit!

The developers stated last week that their parking plan was very similar to many Portland neighborhoods, which many in the audience found to be distasteful. It seems that the buildings will look in many respects like Portland too - downtown Portland! I am certain that this is not what the code has in mind, nor what the people of this city want.



In short, this application appears to be more of an attempt to get around the code to develop housing than an attempt to satisfy it, as well as an attempt to pull the wool over our eyes (apparently with the help of the City Staff, based upon many of the findings they have presented to the Planning Commission which disregard many approval criterium bases on the claim that the proposal is for "needed housing"). It has very little merit in my opinion.

You may recall that there were quite a few Boy Scouts at last week's meeting, attending to satisfy the requirements for the Citizenship in the Community merit badge (and possibly some for other badges such as Communication). They came to learn how local government works, and they very graciously gave up their seats in the main room and listened from the overflow room. What they saw was greedy people trying to weasel their way around rules in ridiculous ways to enrich themselves, with no regard for the well being or the wishes of nearby residents and citizens. Is this what we want to teach our boys to do? I think not. I hope that we show them that local government DOES work, and that you not only turn down this application, but do so emphatically enough to discourage similar applications in the future.

Sincerely,

Jon Udell  
2255 Tannler Drive  
West Linn, OR

Gerry M. McGuire  
1841 Barnes Circle  
West Linn, OR 97068

September 2, 2015

Planning Department  
City of West Linn  
22500 Salamo Road #1000  
West Linn, OR 97068

Dear Planning Department:

I am a long time resident of this city and am writing to express my concern and opposition to the proposed 180 apartments with nearly zero commercial space to be constructed on the OBC designated property located at Tannler Drive and Blankenship Road. The plans and traffic mitigations proposed by the developer for this OBC parcel pose many threats to the current resident's way of life, right of way, and have the potential to be a very negative and dangerous precedent in the future for West Linn.

- Garages do not count as commercial space; yet comprise a vast majority of the ground floor of the buildings where Office/Commercial space is supposed to be located. Less than 1.5% of use as commercial and over 98% multi-family residential is not what OBC was designated or intended for. The only jobs this will bring are temporary construction work where most, if not all, will not be citizens of West Linn. We do not have much OBC space left to have it wasted here. If a developer buys a piece of property, speculating that he can build offices and lease them out, but finds that more difficult or less profitable than he thought – he should sell the land to someone else. He should not be able to keep badgering the city and citizens for what he has already been told NO but he still wants. If the city lets this go through – be prepared for every developer to water down the code to his benefit. Developer's profit should not come at the citizen's expense. Tell him to suck it up: Build true commercial with lofts or apartments above – but it should be at least 40% commercial – not 1.5% or less. Or he can sell to someone who does want to follow spirit of the city code.
- There are no other 3 & 4 story apartment buildings anywhere in the city of West Linn. They will loom even larger on the hill next to Tannler. All homes up the hill are single family. We don't need more density, we need commercial.
- Overcrowding of our schools.

- A large population of current citizens should not have their lives impinged upon and disrupted by development of a small tract of OBC designated land. A “No left turn” at the bottom of Tannler at Blankenship Rd would cause a huge disruption in the flow of all the surrounding streets, tack on untold time to peoples commutes, cause safety issues with over use of streets not designed to be thoroughfares. Even with a second turn lane added onto Salamo, this will not be enough to handle traffic wanting to get on the freeway. One lane would have to be designated for I-205 West and the other for East bound traffic – accidents will happen anyway. This intersection backs up through several signals now even without the 80 planned new homes, much less diversion of all the Tannler traffic if these apartments go in. We also get tons of traffic from the Mega-Church up the hill on Salamo when services let out, and that is not just on Sundays.
- What happens when it snows....

Sincerely,

Gerry M. McGuire

*This email previously submitted without the attachment.*

**Shroyer, Shauna**

---

**From:** Jordan, Chris  
**Sent:** Tuesday, July 14, 2015 4:34 PM  
**To:** Boyd, John; Pelz, Zach  
**Cc:** Axelrod, Russell  
**Subject:** FW: Can Am Development at Tannler and Blankenship

Please include this ex parte' contact in the record for this matter.

Chris Jordan, City Manager  
Administration, #1422



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**From:** Axelrod, Russell  
**Sent:** Tuesday, July 14, 2015 4:29 PM  
**To:** Terry  
**Cc:** Jordan, Chris; City Council  
**Subject:** Re: Can Am Development at Tannler and Blankenship

Ms. Griffith,

Thank you for your email. Any proposed development of this nature should go through the city's planning process which should provide you the opportunity to express your comments and concerns.

I am copying this email to council members and our city manager as an ex-parte contact for the record in case its needed in the future.

My best,  
Russ

Sent from my iPad

On Jul 14, 2015, at 10:11 AM, Terry <[32zeke@comcast.net](mailto:32zeke@comcast.net)> wrote:

Mayor Axelrod:

At the risk of redundancy I've attached a document which I initially sent to former Mayor Kovash and city council men and women in January. At that time Can Am Development was attempting to rezone their property at Tannler and Blankenship and needed your approval. Apparently Can Am Development is now approaching you and the council from another direction. A thinly veiled attempt to build the same apartment complex above an Office Business Center, which is really seven or eight small retail spaces hidden among parking garages and apartments. The bottom line is, regardless of the zoning or the configuration, the traffic impact will be brutal and potentially deadly to the existing businesses in the

area. Please do as you did in January and disallow Can Am's petition. There is a suitable use for the property on Tannler and Blankenship. Apartments are not the correct option.

Regards,

Terry Griffith  
West Linn Resident

<west linn traffic.docx>

**Russell Axelrod**

*Mayor*

22500 Salamo Rd

West Linn, OR 97068

[raxelrod@westlinnoregon.gov](mailto:raxelrod@westlinnoregon.gov)

[westlinnoregon.gov](http://westlinnoregon.gov)

Phone(503) 657-0331



West Linn

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January 8, 2015

John Kovash, Russ Axelrod, Brenda Perry, Thomas Frank, Jenny Tan:

Monday you will be faced with a decision and vote regarding the rezoning of property at the intersection of Blankenship Road and Tannler Drive. If rezoned, it will pave the way for the construction of a 208 unit multi-family housing complex. My fear is this will be approved without consideration of the impact of increased traffic. Before granting the developer approval, please hold them responsible not only for a traffic study, but also for the cost of improvements to alleviate the traffic problem.

Well aware of the current traffic snarl at 10<sup>th</sup> Street, Willamette Falls Drive, Blankenship, Salamo, and Tannler we currently face, it seems you are doing current residents, current businesses, and future tenants of the apartments a substantial disservice by changing the zoning, ergo allowing construction of the apartments, without first addressing the increased traffic on woefully undersized streets and intersections.

I am certainly not an adversary of growth in West Linn. Only an opponent of poorly designed growth. More residents and more businesses in West Linn provide the tax revenue we need to fund our city, maintain our existing infrastructure, and make West Linn the desirable environment in which we want to live and raise our families. No one will benefit however from a twenty minute drive on 10<sup>th</sup> Street from Willamette Falls Drive to Blankenship Road. Without a solid traffic management plan and road improvements prior to the development of the Blankenship/Tannler project, the resulting gridlock will drive the patrons of businesses on both sides of I-205 elsewhere. Forget for a minute the local patrons, what I-205 travelers would venture off the freeway for fuel, food, entertainment, or groceries if the off ramps in each direction are lined up to the freeway, and facing four or five traffic light cycles before reaching the snarl on 10<sup>th</sup> Street?

Businesses in Old Willamette, on 8<sup>th</sup> Court, on 8<sup>th</sup> Avenue, on Blankenship Road, and on Salamo Road all rely on both local patrons and I-205 passersby for their survival. Whether a visit to the store, the bank, a restaurant, a gas station, a nail salon, or the hardware store is on your agenda, if it takes 30 minutes to get off and on the freeway, or 20 minutes to get under the freeway, savvy drivers will choose another more accessible business to patronize. Whether it was your or your predecessors' past mistakes, Highway 43 is already a "no go" zone for many local residents and freeway travelers looking for a quick trip to dinner or the store. Please think long and hard before you cast a vote to send West Linn's only other I-205 exit to a similar fate.

Terry Griffith

West Linn Resident