

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
May 6, 2010

SUBJECT: Extension of previous approval for 3 office buildings with parking structure and surface parking at the northwest corner of Blankenship Road and Tannler Drive

ATTENDEES: Applicants: Rhys Konrad, Bob Thompson, Paul Price
Staff: Tom Soppe (Planning Department), Dennis Wright (Engineering Department)
Neighborhood: Dave Rittenhouse (Savanna Oaks NA)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Project Details

The applicant has applied for a pre-application conference for a two-year extension for a Class II Design Review for a project consisting of three office buildings and a parking structure at the northwest corner of Tannler Drive and Blankenship Road in the Willamette neighborhood of West Linn. The design review file DR-06-24 was originally applied for on June 30, 2006. After its approval by the Planning Commission the file was appealed to the City Council as file AP-07-01. This was approved by the City Council on February 15, 2007. After the decision was signed on March 1, 2007 it was sent the next day, and became effective on March 23rd 2007. Therefore the application's expiration date was March 23rd 2010, but the applicant can still apply for an Extension application under the new extension section of the Community Development Code (CDC), Section 99.325.

Community Development Code (CDC) 99.325(D)(1) states "Only those applications approved between July 1, 2006 and December 31, 2009 shall be eligible for an extension." The previous application therefore qualifies the applicant to be able to apply for an extension since its effective approval date is March 23, 2007. CDC 99.325(D)(2) allows applicants with applications that expire before June 30, 2010 to apply for extensions by June 30, 2010 even if the application has already passed its 3-year expiration by this date. Therefore, despite the 3-year expiration date having occurred in March, the applicant can still apply for the Extension, but must do so by June 30. The two-year extension itself, if approved, would be measured from the original expiration

date. Therefore if the Extension application is approved, the expiration date would be March 23rd, 2012. For the project to be vested, substantial construction will have to have taken place by that date. CDC Chapter 2 defines substantial construction thusly: “An approved application shall have undertaken substantial construction when any of the following have taken place; utilities have been installed to serve the project; approved grading has been undertaken representing at least 25 percent of all the required preliminary grading; foundation excavation has occurred; foundation or building construction has occurred; street improvements are being installed; or a major physical improvement, required as part of the approved permit, has clearly begun. Substantial construction is not satisfied by simply having approved pre-construction plans or building permits, or by site clearing and grubbing. Actual physical improvements as identified above must have taken place.”

Proposed by the applicant and eventually approved by City Council on the 11.3 acre property were 289,000 square feet of floor space in the three buildings, along with 756 parking spaces in the four story parking garage and 79 additional surface parking spaces.

For responses to Chapter 55 criteria, the applicant needs to respond to those that have changed due to code amendments since the submittal date of the original Class II Design Review application. Per staff analysis, only Section 55.100(O) Refuse and Recycling Standards has been added to 55.100 since the submittal of the original application, and other sections of 55.100 have not changed. If the new standards of 55.100(O) necessitate changes in the site plan or other aspects of the proposal, in order for the proposal to meet current code, this should be explained in the narrative and plans should be altered accordingly for the submittal of the Extension application. If such changes alter the nature of the application in other ways that would require a change in the narrative response to other 55.100 sections as well, the applicant shall respond to these section in the new narrative as well.

Section 55.125 has been modified since the previous application. The applicant should compare the current requirements of this section and determine whether the traffic study or the proposal or conditions related to transportation should be modified for the extension application accordingly. In the requirements for the site analysis, 55.110(B)(14) has been added and requires identifying Goal 5 resources on site.

Appendix I of the 2008 Transportation System Plan discusses the Tannler/Blankenship intersection and the possible reconfigurations and improvements to this intersection, including a scenario where Tannler Drive would be re-routed through parts of this site. The Extension application will need to be reviewed in the context of the new Transportation System Plan.

Engineering Comments

TRAFFIC ANALYSIS

Provide updated traffic analysis and recommendations based on the new TSP and ITE as well as other relating publishing manuals such MUTCD, Highway Capacity Manuals, etc.

WATER

The project is located between two different water pressure zones: Bland Pressure Zone and Willamette Pressure Zone. The City Water Master Plan indicates both pressure zones are deficient under emergency conditions.

The developer shall require paying Murray & Smith Associates for the analysis, making sure the increased demand will not worsen the current water system.

Process

The Extension permit is required.

A neighborhood meeting following the provisions of 99.038 is required for an Extension permit for a commercial development of over 1,500 square feet, per 99.325(E)(2) and 99.038. Contact Beth Kieres, president of the Willamette Neighborhood Association at (503) 722-1531 or willametteneighborhood@gmail.com, and Dave Rittenhouse, president of the Savanna Oaks Neighborhood Association at 503-635-0800 or daver@europa.com. The property is in Willamette, but Savanna Oaks is immediately across Tannler Drive. The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting. The Extension application cannot be accepted unless the neighborhood meeting provisions are fulfilled by the time the application is submitted.

In a narrative the applicant shall respond to Section 55.100(O) which has been implemented since the original application. The applicant should also respond to any other 55.100 sections that would require a change in response due to any site changes necessitated by responses to 55.100(O), or due to responses to any other changes in Chapter 55 since the submittal of the original application. The site analysis should be modified per the aforementioned change in 55.110, and the applicant shall be sure to submit a modified traffic study and modified transportation-related proposals if the changes in 55.125 necessitate this.

The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

Follow the submittal requirements for Chapter 55. Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director.

N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

The deposit for an Extension is half the deposit of the original application. The original application for the Design Review (excluding the variance and lot line adjustment that were not approved in the final decision) had a deposit of \$20,000 so the deposit for the Extension application will be \$10,000. Any cost overruns to the Extension deposit will result in additional billings.

Once the submittal is deemed complete, the staff will schedule a hearing with the Planning Commission and will send out public notice of the hearing at least 20 days before it occurs. The Planning Commission's decision may be appealed to City Council by the applicant or anyone with standing.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed.

PRE-APPLICATION MEETING SIGN-IN SHEET PA# 10-13

DATE: 5-6-10

NAME	ADDRESS	E-MAIL	AFFILIATION
Rhys Kenrad & Bob Thompson	1515 SE WATER AVE STE 100 Portland, OR 97214	RK@gpmack.com RBT@gpmack.com	Owner's Rep.
DAVID RITTENHOUSE	2101 GREENE ST. WEST LINN OR 97068	dquer@europ9.com	SAVANNA OAKS N.A.
Paul Price	1750 Blankship Rd	pprice@parkerdev.com	Blackhawk LLC

PLANNING TS

ENGINEERING new

PARKS _____

RECEIVED

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE

PLANNING & BUILDING
CITY OF WEST LINN

DATE OF CONFERENCE 5/6/10 ^{1:30} TIME OF CONFERENCE 1:30 TIME

FEE \$1000 PROJECT # PA-10-13 STAFF CONTACT Peter Spitz
 (This section to be filled in by staff) Tom Soppe

Pre-application conferences occur on the first and third Thursdays of each month. In order to be scheduled for a conference, this form including property owner's signature, the pre-application fee, and accompanying materials must be submitted at least 14 days in advance of the conference date. Twenty-four-hour notice is required to reschedule.

APPLICANT'S NAME Rhys Konrad - Group Mackenzie / Blackhawk LLC PHONE NO. 503-224-9560 / 503 742 1942

ADDRESS (or map/tax lot) OF SUBJECT PROPERTY TL 100, 102, 200 (intersection Blankenship & Tanner)

APPLICANT'S MAILING ADDRESS 1515 SE Water Ave, Suite 100 Portland, OR 97214

APPLICANT'S E-MAIL ADDRESS rk@grpmack.com and pprice@parkerdev.com

BRIEF DESCRIPTION OF PROPOSAL: Land use approval extension request for AP 07-01

Please attach additional materials relating to your proposal including a site plan on paper up to 11 x 17 inches in size depicting the following items:

- North arrow
- Scale
- Property dimensions
- Streets abutting the property
- Conceptual layout, design and/or building elevations
- Access to and from the site, if applicable
- General location of existing trees
- Location of creeks and/or wetlands
- Location of existing utilities (water, sewer, etc.)
- Easements (access, utility, all others)

Please list any questions or issues that you may have for city staff regarding your proposal:
Please confirm process, timing, and submittal requirements
Please confirm date of extension if granted (ie. original date or from date of extension approval)

By my signature below, I grant city staff right of entry onto the subject property in order to prepare for the pre-application conference.

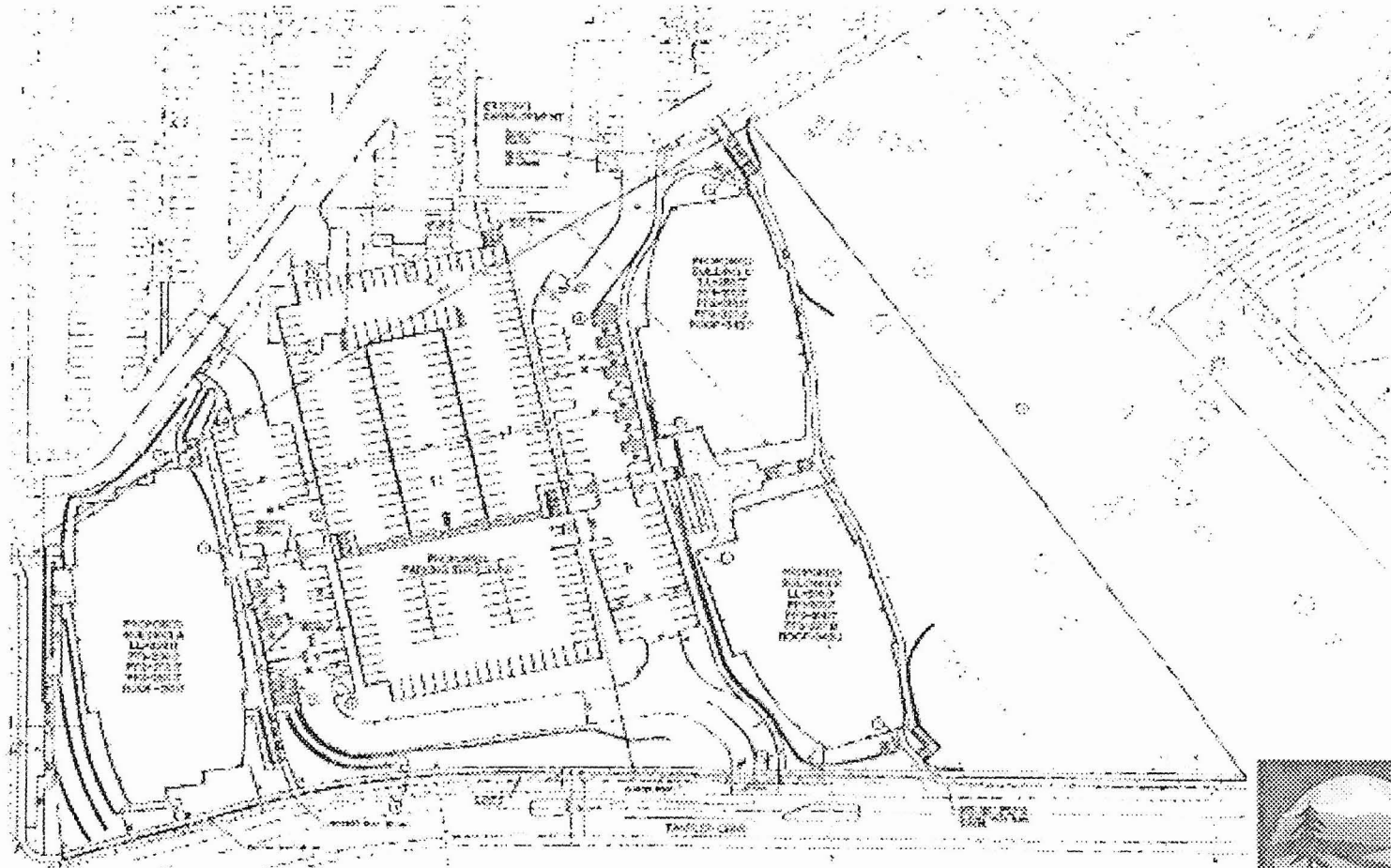
[Signature] Date 3-25-10

Property owner's signature Date

1750 Blankenship Road Suite 200 West Linn OR 97068

Property owner's mailing address (if different from above)

Site Plan



































FIRELANE