

October 1, 2014

City of West Linn
Planning Commission
22500 Salamo Road
West Linn, Oregon 97068

RE: Rezone of Parcel west of Tannler Road, north of Blankenship road

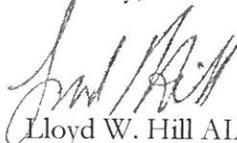
Dear Planning Commissioners,

I am writing to support development of a medium or high density residential development on property located west of Tannler Drive north of Blankenship road. This property is currently zoned Office Business Center. The parcel in question is located to the north of Tannler Drive just up the hill from Blankenship road, adjacent to several existing commercial office buildings and across the road from the retail and restaurant developments on Blankenship Road. I understand that there will be a substantial landscaped buffer between the high density residential development and the existing single family development located further up the hill.

You have been asked to consider whether development of high density residential rather than commercial office makes sense in this location. In my opinion, as an architect and planner with considerable experience planning, and designing of both commercial and residential developments, converting this parcel to high density residential development would be compatible with the existing uses, and could have added benefit of placing a concentration of new residents within easy walking distance to the adjacent commercial, retail and restaurant developments. Rather than segregating uses in large monotonous zones, making it impractical for tenants and residents to walk between home, shopping and work, this mix of uses with a concentration of high density residential development directly adjacent to commercial development will help promote a more vibrant pedestrian oriented community which can in turn reduce traffic impacts and reliance on automobiles.

I strongly support implementing city policies in West Linn that will promote strategically located and well-designed mixed-use pedestrian oriented developments. For these developments to succeed it will be critical to have enough density and concentration of both housing and commercial uses in close proximity to promote easy pedestrian access from the residential units to and from the business establishments that will provide the jobs and services the residents need.

Sincerely,



Lloyd W. Hill AIA

**ConAm Application for Approval of a Concurrent Comprehensive Plan Map and Zoning Map
Amendment**

ZC-14-01/PLN-14-01

This document is presented by individual public citizens and not by representatives of any Neighborhood Association.

This property is currently zoned Office Business Center (OBC). The Applicant (Con-Am) requests approval of a Comprehensive Plan map and zoning map amendment from the current Comprehensive Plan map designation of Commercial to Medium-High Density Residential (R-2.1). This change would allow development in the form of 208 apartment units.

We oppose these changes and request that the Planning Commission find that the application does not meet the requirements of the Comprehensive Plan and Community Development Code (CDC) for the following reasons:

1. Changes to the Comprehensive Plan map are not to be taken lightly. The burden of proof on an applicant for a Comprehensive Plan map change and zoning change is a very high one – it has not been met here.

The West Linn Comprehensive Plan, Goal 2: Land Use Policies, Section 1: Residential Development; Policies, paragraph 7. c. states,

“Medium-high density residential lands **will meet all of the following criteria:**

- i. Areas that do not rely solely on local streets for the provision of access;
 - ii. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;
 - iii. Areas where the existing facilities have the capacity for additional development;
- ...” (emphasis added)

The application does not meet criteria ii or iii.

First, the land to be developed is heavily sloped and does include significant topographical limitations (**please see Page 9 of the Staff report which states that “the site exhibits topographical challenges” as well as the Applicant’s own economic report which continually refers to the site as having significant topographical challenges**).

Second, the existing roads and the closest intersection to this property are already functioning beyond capacity (including an F rated intersection at Blankenship and Tannler). Adding additional traffic would severely impact an already bad situation. Please refer to the Applicant’s economic report from Johnson Economics which states in the last paragraph of Page 2 that “The site is unappealing for conditional uses such as retail and hotel due to topography, visibility and **access.**” In the very next paragraph at the top of Page 3 the report state “The subject site is well-suited for residential use, providing **good access**, views, and schools.” The Applicant cannot have it both ways, does the site provide poor access or good access? **We contend and the traffic report supports that access is poor, especially for the volumes of traffic that will be generated at peak times by a 208 unit apartment development.**

If you believe the Applicant’s own economic analysis, then the owner of the property should not have purchased it in the first place as it is obviously not suitable for OBC development. In reality, of course, the site is well-suited for OBC and should remain so designated.

This application does not meet Goal 2 for a Comprehensive Plan map amendment and should be denied.

2. The Applicant states that CDC Sections 105.050(B) and 99.110(B) are satisfied simply by the lack of development on this site and the lack of other vertical mixed-use developments in the suburban Portland metropolitan area. In fact, these sections are not satisfied as they require that the Applicant demonstrate **“Proof of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.”** The argument that the failure of the property to develop is proof of change is nonsense – especially when the city has already approved a development proposal 7 years ago with the existing designation. What we are dealing with is an applicant that has come up with a specific proposal that is not allowed by the Comprehensive Plan or Zoning regulations and wants the favor of a change. The applicant should be told to go forward with what has already been approved.

Both the Willamette NA and the Savanna Oaks NA (formerly Tanner Basin NA) have Neighborhood Plans, written several years ago, which show consistency in the neighborhoods and prove there have been no changes in the neighborhoods that would have precluded the owner from having developed this parcel as OBC. In fact, the owner of the property has had the same approval for OBC use for seven years. His inability to develop it is because of economic conditions (see Exhibit 1, December 12, 2012 *West Linn Tidings* article) not due to any changes in the neighborhoods or mistakes in the Comprehensive Plan or zoning. The applicant has presented no credible evidence from experts or anyone else that the neighborhood has changed or that a mistake was made previously.

Thus, CDC Sections 105.050(B) and 99.110(B) are not satisfied and the application should be denied.

3. From the Applicant’s submittal, “Because the OBC zone is primarily an office zone, it is highly unlikely that the site will be developed for office use.” But **office use is not the only use allowed for OBC zoned property.**

Allowable uses of the property as currently zoned [Office Business Center (OBC)] under CDC 21.030 are:

“21 .030 PERMITTED USES

The following uses are permitted outright in this zone:

1. Business equipment sales and services.
2. Business support services.
3. Communications services.
4. Cultural exhibits and library services.
5. Family day care.
6. Financial, insurance and real estate services.
7. Hotel/motel, including those operating as extended hour businesses.
8. Medical and dental services.
9. Parking facilities.
10. Participant sports and recreation, indoor.
11. Personal services and facilities.
12. Professional and administrative services.
13. Utilities, minor.

14. Transportation facilities (Type I). (Ord. 1 226, 1988; Ord. 1401, 1997; Ord. 1 590 § 1, 2009; Ord. 1622 § 23, 2014)"

In the attached December 20, 2012 article from the *West Linn Tidings*, the property owner states, "The market on the office building is gone. Right now there is no other use for the property."

The above list of other uses from our Community Development Code directly contradicts that statement. There are other uses for the property available.

Even if there were no other uses, the city should not provide this Comprehensive Plan amendment to the applicant simply because of the economic hardship of a development opportunity gone bad.

4. Goal 9 (Economic Development), Policy 11, of the Comprehensive Plan states that the City is to "Encourage the economic vitality of the four existing commercial areas." One of the four existing commercial areas in West Linn is in the Willamette Neighborhood. Changing the zoning of this parcel from OBC to Medium-High Residential does not further the goal of supporting economic development in this area.

Therefore, Goal 9 of the Comprehensive Plan is not satisfied and the application should be denied.

5. **The two most affected Neighborhood Associations adjoining this property both passed resolutions opposing the changes** and supporting continuation of the existing zoning.
 - a. **Willamette NA stated in their resolution (see Exhibit 2) that they request that the existing zoning should be retained.** They also stated that the existing OBC zoning allows for more than 12 uses of the property other than office buildings. Willamette NA also expressed concerns regarding the impacts on the surrounding community, schools, infrastructure, public services, traffic, and pedestrian safety. Willamette NA also requested that this application be considered in the light of what is in the best long-term interest of the neighborhood rather than the short-term most marketable use of a single property.
 - b. **Savanna Oaks NA stated in their resolution (see Exhibit 3) that retaining the existing Commercial designation on the Comprehensive Plan map for this property is in the best interests of the West Linn Community and represents the highest and best use of this property.** Savanna Oaks NA also cited CDC 21.010 which states that the purpose of the existing Office Business Center (OBC) zoning is "...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 employment where it can support other commercial uses." If this property is allowed to develop as apartments, doing so would contradict that part of CDC 21.010 which prefers intermediate uses between residential development and areas of more intense development. The apartments would be located immediately next to the existing Willamette 205 office buildings.

6. **The impact on schools will be significant and has been misrepresented by the Applicant.** During the Applicant's meeting with the Savanna Oaks NA the Applicant both stated and

displayed on a poster at the meeting that the 208 apartments would add 44 schoolchildren to West Linn-Wilsonville Schools (see Exhibit 4). **This number misrepresents the actual impact by over 100%.** In reality, the school district uses a figure of 0.47 students per house for the impact of new development. Thus, the 208 apartments are expected to send an additional 98 students to local schools. Please see Table 3, page 30, taken from a January 13, 2014 document entitled “*A Framework for Excellence*” published by the West Linn-Wilsonville School District (see Exhibit 5).

In a letter to the West Linn-Wilsonville School District dated November 12, 2012, Jeff Parker, the owner of the property, used a figure of 91 additional schoolchildren (see Exhibit 6). In addition, the 91 new schoolchildren figure was referenced in the *West Linn Tidings* article dated December 20, 2012 (see Exhibit 1). **So the Applicant knew or should have known that the correct figure is not the 44 number stated at the Savanna Oaks NA meeting.**

Also, according to Table 4, page 33, of the document referenced above, by 2015 our schools will only have the capacity for an additional 349 students out of an enrollment of over 18,000 (see Exhibit 7). Adding the nearly 100 students expected from these 208 apartments would further strain our already scarce school resources.

7. In **Goal 12, Policy 4**, the City is to “**improve traffic safety through a comprehensive program of engineering, education, and enforcement.**” The Tannler Blankenship intersection is already an “F” rated intersection. The no left turn restriction from Tannler onto Blankenship which was approved in the previous application for the OBC development at this site is not even mentioned by the cursory traffic findings in this zoning change application. ODOT has stated previously that they will forbid a traffic light at the intersection of Tannler and Blankenship—true mitigation of this issue is not possible. There are only two on and off ramps from I-205 in West Linn and this rezoning would impede the flow of traffic to and from one of the two on and off ramps. **Thus, Goal 12 is not met and the application should be denied.**
8. **The proposal to build apartments on this site contradicts the stated desire of Portland Metro citizens to live in single-family detached housing.** Page 8 of the city staff report states that West Linn is not meeting the need for single-family attached or multi-family housing. However, a May 2014 report prepared by DHM Research for Portland Metro states that **80 percent of the over 7,300 respondents to a study indicated that they prefer to live in single-family detached housing** (see Exhibit 8). This means that the proposed zoning designation of Medium-High Density Residential does not meet the desires of 80 percent of metro residents. So why are we talking about building housing that only 20 percent of metro residents find desirable?
9. Our own **City Councilor, Thomas Frank**, in a letter to the editor published in the June 12, 2014 *West Linn Tidings* stated, “**Economic development has been a city goal for years.**” and “**Business retention and recruitment needs to be our priority.**” The West Linn Economic Development Department’s web site states “**The city is dedicated to the development, expansion and retention of businesses...**” (see Exhibit 9). In addition, the city has recently appointed an Economic Development Director where, previously, we had none. **Thus it is clear that the city is focusing on increasing business development opportunities in the city.** With this being the case, why are we in the process of converting one of the last large parcels of developable business property into residential housing?
10. Tualatin Valley Fire & Rescue has not yet weighed in on the proposed 208 apartment unit dwelling which is to be built should this Comprehensive Plan map amendment and zoning

change be approved. **It is possible that the traffic situation on Tenth Street will endanger the residents of the proposed 208 apartments by delaying the response of the fire department.**

11. Goal 1 of the Savanna Oaks Neighborhood Association plan (aka Tanner Basin Neighborhood Plan) which was written in February 2007 and approved by the City Council in March 2008 is to "Improve traffic flow on 10th Street corridor." (see Exhibit 10). **Approving this application and the subsequent development application which will surely follow soon thereafter, will only lead to increased traffic congestion in this corridor which directly contradicts the first goal of the neighborhood plan.**
12. The Vision Statement and Action Plan of the Willamette Neighborhood (aka The Willamette Neighborhood Plan) states that Willamette NA is committed to: "Well thought out neighborhood planning which sustains the value of the land." (see Exhibit 11). Approving this application will reduce the value of the single family housing units already present in the Willamette NA by introducing lower value apartment housing. **Thus, approval of this application contradicts the goals of the Willamette NA Neighborhood Plan.**
13. A local, professional realtor has stated that the apartments proposed to be built after this zoning change is approved would **significantly lower the property values** of the surrounding neighborhood. Lowered property values means less property tax income for the city. Was this fact taken into account in the Applicant's economic analysis?

As we have proven above, the application for Comprehensive Plan map amendment and Zoning change does not come close to meeting the high bar for such a request. The applicant has fallen far short of the burden of proof for making these changes. We urge the Planning Commission to deny the application and retain the existing Comprehensive Plan map and Zoning.

Sincerely,

Edward Schwarz
2206 Tannler Drive
West Linn, OR 97068

Roberta Schwarz
2206 Tannler Drive
West Linn, OR 97068

Scott Etheridge
1945 Taylor Ct.
West Linn, OR 97068

Ken Pryor
2119 Greene St.
West Linn, OR 97068

Education

Exhibit 1

School district denies tax exemption

New apartment complex project looks to cut costs

By JORDY BYRD
The Tidings

The West Linn-Wilsonville School Board denied a construction excise tax (CET) exemption request by Parker Development Northwest Inc.

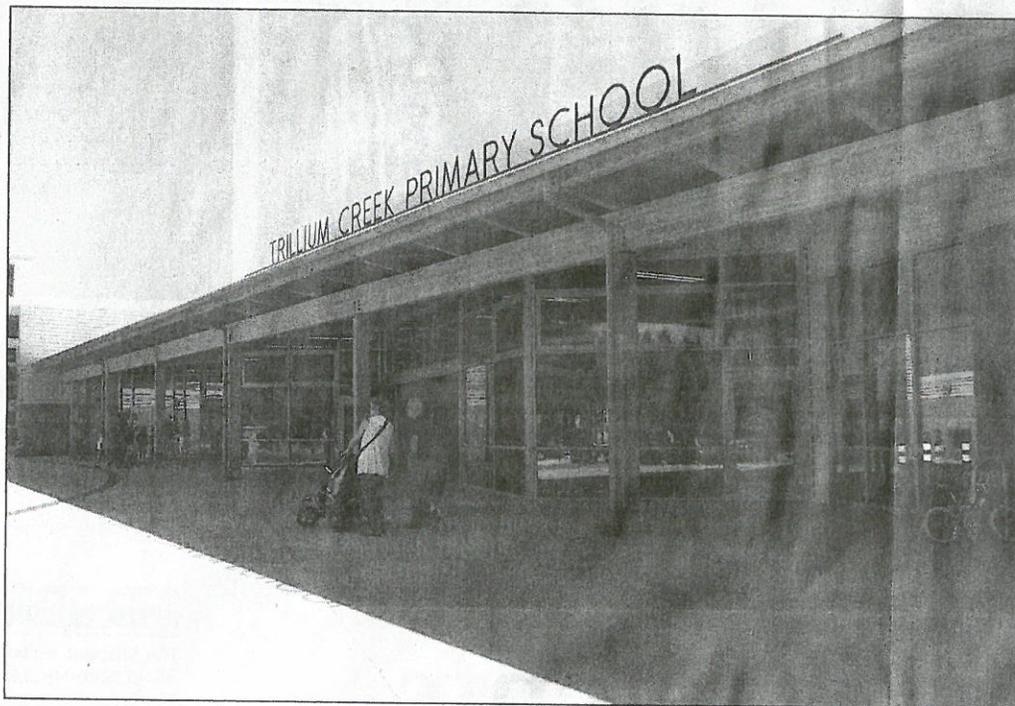
Owner Jeff Parker requested the exemption before the school board on Dec. 6.

Parker Development Northwest Inc. builds custom homes and housing developments. Parker requested the exemption on his property located across from Albertsons, at the northwest corner of Blankenship Road and Tannler Drive in West Linn.

The property is approved for office space; however, Parker hopes to construct a mixed-use apartment project.

"I've been working on the project for about a year and a half," he said. "It's been very difficult to try and get this project going. The market on the office building is gone. Right now there is no other use for the property."

In order to move the project forward, Parker requested that the school district exempt the CET fee — meaning Parker De-



Construction of Trillium Creek Primary School in West Linn and Lowrie Primary School cost the district about \$16 million.

TIDINGS FILE PHOTO: JORDY BYRD

velopment Northwest Inc. would pay the school district \$108,103.67 instead of \$264,168, based on the anticipated number of units — about 91 — that may house children.

Parker said the Trammell Crow Company of Portland is interested in investing in the residential project, but its permit fees cannot exceed \$16,000

per unit.

"I've been able to work with the city and I've been able to get it down fairly close to \$16,000 per unit," Parker said. "Now we are down to this CET fee. I'm trying to figure out a way that we can work together here."

The CET falls under the jurisdiction of Senate Bill 1036

and passes on the funds to the school district.

The Oregon Legislature passed Senate Bill 1036 in 2007 to help growing school districts pay for a portion of the cost for new or expanded facilities needed to accommodate growth. Senate Bill 1036 allows school districts — in cooperation with cities and counties — to tax new residential and non-residential construction.

The law exempts private schools, public improvements — schools, libraries, fire stations — affordable housing, hospitals, religious facilities, agricultural structures and limited developments on environmentally contaminated sites.

The total amount a school district may collect varies based on the amount and type of new construction in the district. School districts may collect a maximum of \$1 per square foot of new residential construction and 50 cents per square foot of new nonresidential construction, which is subject to a cap of \$25,000 per non-residential project.

Dale Hoogestraat, vice chairman of the West Linn-Wilsonville School Board, said he feared the CET exemption would set an unfair precedent and that the CET collection fees seemed reasonable.

"I mean, I don't know what

your building costs are ... by the dollar a square foot seem to be not that onerous," he said. "I understand your investment need to get the total cost down but particularly in a district like ours, that seems to be a fair number."

Board Chairman Keith Steele agreed.

"This is a quality school district," he said, "the best one in the state, and I say that without any reservations. It's a place that people want to come, but doesn't come inexpensively."

Steele reflected on the district's recent construction of two new primary schools which cost about \$16 million in construction costs alone.

"When you divide that in the capacity of those schools comes out to more than \$30,000 per seat," Steele said.

Parker's proposal assumes the maximum of 91 children that would be added into the school district if his project were to proceed. Steele said the cost-to-gains ratio for both taxpayers and the school district did not warrant the CET exemption.

"It seems like the bargain of a century," he said. "You funders hopefully will realize that this is a place where people will want to come and that is something that is well worth the small amount of money you will have to pay."

Exhibit 2

RESOLUTION
of the
WILLAMETTE NEIGHBORHOOD ASSOCIATION

To the City Council of West Linn:

The Willamette Neighborhood Association respectfully represents as follows:

Whereas Community Development Code 21.010 exists to accommodate and expand the city's economic potential; and,

Whereas Community Development Code 21.030 provides for more than one dozen uses, including mixed use residential, for Office Business Center zoning; and,

Whereas the development project on Tannler Drive and Blankenship Road (Project ID ZC-14-01/PLN-14-01) is likely to have significant impacts on the surrounding community; and,

Whereas potential stresses on local infrastructure and public services are issues of concern for Willamette residents and businesses; and,

Whereas it is the sense of the Willamette Neighborhood Association that a change in zoning of the Tannler Drive property brings up concerns regarding traffic and pedestrian safety - especially with regard to the different impacts of residential versus commercial traffic; and,

Whereas it is the sense of the Willamette Neighborhood Association that a transparent accounting of financial impacts to area schools as the result of a zoning change has not yet been provided; and,

Whereas existing comparisons to current zoning allowances have been based on maximum allowable units rather than practically feasible units; and,

Whereas it is the sense of the Willamette Neighborhood Association that an prudent and thorough examination of a zoning change will consider the long-term best interest of the entire neighborhood rather than the short-term most marketable use of a single property; now, therefore,

Be it resolved:

1. That it is the position of the Willamette Neighborhood Association that the existing Office Business Center zoning for the 11.3 acre property on the northwest corner of Tannler Drive and Blankenship Road should be retained; and,
2. A copy of this resolution shall be delivered to the West Linn City Council and recorded in the minutes of the Willamette Neighborhood Association.

Resolved on September 10, 2014.



Chair - Michael Selvaggio

Savanna Oaks Neighborhood Association

December 3rd, 2013

Resolution

During this regularly scheduled meeting of the SONA on December 3rd, 2013 the assembled members of the Savanna Oaks Neighborhood Association passed the following resolution:

Be it resolved that the Savanna Oaks Neighborhood Association is in favor of retaining the existing zoning of Office Business Center (OBC) for the approximately 11.3 acre property located at the northwest corner of Tannler Dr. and Blankenship Road in West Linn. The SONA is also in favor of retaining the designation "Commercial" on the Comprehensive Plan map for this property. This is in the best interests of the West Linn community. The reasons include but are not limited to the following:

1. CDC 21.010 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 employment where it can support other commercial uses.
2. The current zoning represents the highest and best use of this property for the Savanna Oaks Neighborhood Association.

For the above stated reasons SONA favors retaining the existing zoning of OBC for the 11.3 acre property located at the northwest corner of Tannler Dr. and Blankenship Rd in West Linn.

Aye: 20
 Nay: 0
 Abstain: 0

Submitted by Ed Schwarz
Savanna Oaks Neighborhood Association President

Estimated Financial Benefits from a Multifamily Development

Exhibit 4

Citywide Financial Benefits

- \$572,500 in annual property tax (currently only \$18,133)
- \$4.1 million in fees and System Development Charges (SDC's)
- 170 jobs created or induced by construction and operation
- \$12.3 million added through wages and economic activity related to these jobs
- \$9.3 million in annual household spending by new residents at the property

School Financial Benefits

- \$230,500 excise tax paid at the time of development for West Linn schools
- \$200,000 in annual property tax allocation and school levies in the first year
- Funding by State for each new student
- Project estimates 44 additional students to the district which would be a less than a 1% increase of the estimated enrollment of 4,795 in 2013.
 - Remaining capacity for 230 students at the elementary level and 136 students at the high school level (Rosemont middle is estimated to be over capacity by 46 students)

*A Framework For Excellence
Long Range Plan 1/13/14*

W.L.W.V. School District
Students per Household =

98

Overall

Table 3
STUDENT YIELD FACTORS - 2010 ALL UNITS BY SUB-AREA

Grade Ranges	K-5	6-8	9-12	K-12
West Linn Sub-Area	0.21	0.11	0.15	0.47
Stafford Basin Sub-Area	0.17	0.10	0.12	0.39
Clackamas County Sub-Area	0.15	0.09	0.12	0.36
Wilsonville Sub-Area	0.20	0.10	0.13	0.44
District-wide Average	0.20	0.10	0.14	0.44

The third element considered is the general timing for expanding the UGB for urbanization. Following designation of urban and rural reserve areas in 2010, Metro considered potential expansion of the UGB. In 2011, Metro completed this review process, and no land in the West Linn-Wilsonville School District was added to the UGB. The next residential UGB evaluation for potential expansion, which is sponsored by Metro, is scheduled to occur in 2014-2016. In 2012, Metro reviewed the timing of when all designated urban reserves will likely be brought into the UGB based on the availability of public infrastructure and anticipated growth rates for the region. The time period considered extends to 2045. The Metro timing estimates for UGB expansion are used to form the District's long-term enrollment forecast and the growth scenarios described in the following section.

Growth Scenarios

Three long-term scenarios for future growth are considered. They are based upon adopted comprehensive plans and supporting information provided by the cities of West Linn, Wilsonville and Tualatin, Clackamas County, and Metro. The 2010 US Census was used to determine the number and general distribution of existing housing units. These scenarios provide a snapshot of how the District might change as additional development and redevelopment occurs within the current UGB and as urban reserve areas are brought into the UGB and fully urbanized.

Three scenarios are based on the following assumptions:

- The remaining undeveloped residential land within the existing UGB will develop to the maximum current density allowable.
- Primary school capacities will change in 2015 with full-day classes for all kindergarten students.
- The capacity for existing middle and high schools will remain constant. Existing guidelines for future new school sizes will also remain constant. The guidelines for new school sizes are: primary school - 450 to 550 students (or up to 800 with a campus design); middle school - 600 to 800 students; and high school 1,200 to 1,500± students.
- The ratio of school age children per residence will be consistent with 2010 student yield ratios calculated for all housing units by comparing the 2010 US Census for residential units with the 2010 enrollment (Tables 1 and 3). Considering all residences provides a good indicator of how many students to expect in the long-term across the District.
- The urban reserve areas brought into the UGB will be developed at densities assumed by Metro (typically 10 to 15 units per acre).

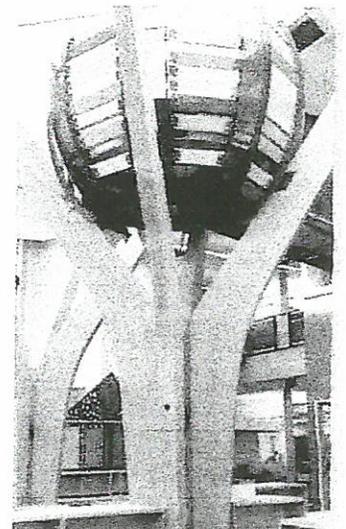
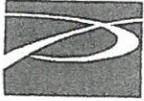


Exhibit 6



PARKER
Development NW, Inc.

November 12, 2012

West Linn-Wilsonville School District
Attention: Doug Middlestetter
22210 SW Stafford Rd
Tualatin, OR 97062

Dear Doug,

In accordance with our recent conversations, please accept this letter as a formal request to consider an exception in the form of a reduction to the Construction Excise Tax (CET).

My property is located at the northwest corner of Blankenship and Tannler in West Linn. I have a vested office project on this property that I am considering revising to propose a mixed use apartment project.

This project will provide additional needed housing for the City, and help to spur local businesses in this area of the City. In order for me to move this project forward, I am requesting an exception to the full CET fee that could be charged on my project based upon the anticipated number of units that can reasonably assumed to have children associated with it. The following illustrates what the fee would be with and without the exception.



PARKER
Development NW, Inc.

West Linn - Wilsonville GET Comparison			
Current CET Fee			
Use	Total SF	CET Fee	Total Fee
Commercial SF	11,616	\$0.5, \$25,000 cap	\$ 5,808.00
Residential SF	258,360	\$1, no cap	\$ 258,360.00
Total			\$ 264,168.00

% Units With Children			
Unit Type	SF/Unit	# with Children	Total SF w/ Children
1x1	712	0	0
2x2	1,014	67	67,916
3x2	1,286	12	15,432
4x2	1,579	12	18,948
Total		91	102,296

Proposed Exception to CET Fee			
Use	Total SF	CET Fee	Total Fee
Commercial SF	11,616	\$0.5, \$25,000 cap	\$ 5,808.00
Residential SF	102,296	\$1, no cap	\$ 102,295.67
Total			\$ 108,103.67

As illustrated above, I am requesting an exception to allow a fee to be paid to the District of \$108,103.67 instead of \$264,168. The requested exception is proposed to better align with the project's actual demand on the District's facilities by estimating the number of children that can reasonably be expected to live in the project.

I appreciate your consideration of this request, and your timely response as I continue to try and get this project started.

Jeff Parker
Parker Development Northwest, Inc.



West Linn-Wilsonville School District

Regular Board Meeting

December 4, 2012

Minutes

Executive Session

Board Members Present: Keith Steele, Board Chair, Dale Hoogestraat, Vice-Chair, Kristen Keswick, position 2, Betty Reynolds, position 4, and Cheri Zimmerman, position 1.

An Executive Session of the West Linn-Wilsonville School District #3J Board of Directors was called to order at 6:37 p.m. at the District Office conference room by Board Chair Keith Steele.

Chairperson Steele stated respective ORS under which the Board met: ORS 192.660(2)(a).

The Executive Session was adjourned at 6:59 p.m.

Regular Session

Board Members Present:

Keith Steele, Board Chair
Dale Hoogestraat, Vice-Chair
Kristen Keswick
Betty Reynolds
Cheri Zimmerman

Administration Present:

Bill Rhoades, Superintendent
Jane Stickney, Deputy Superintendent
Kathy Ludwig, Assistant Superintendent
Tim Woodley, Operations Director
Doug Middlestetter, Business Officer Director
Kathe Monroe, Director of Human Resources
Curt Nelson, Director of Information Technology
Jennifer Spencer-Iiams, Director of Student Services

1. Call to Order

Chair Keith Steele called the Regular Board Meeting Session of the West Linn-Wilsonville School District Board of Directors to order at 7:03 p.m. at the Administration Building, 22210 SW Stafford Road, Tualatin, OR 97062.

2. Roll Call

Board Members Present: All Board Members were present.

3. District Communication

a. West Linn High School and Wilsonville High School

- i. Lou Bailey, Principal at West Linn High School introduced AP student Tabitha Davis a junior at West Linn High School. Claire Mallon a senior AP Student at Wilsonville High School was introduced by Aaron Downs, Principal at Wilsonville High School. Aaron also commented on how much preparation was put into the AP course and wanted to thank the Board for their support. Lou added that the teachers go through staff development and thanked them for all their work and that they have expanded the option to 9-12 grade

6. Communications and Comments from the Audience

a. Jeff Parker, Pacific NW Management

1. Jeff Parker introduced himself and congratulated the Board for a great job being done. Mr. Parker presented his interest in Construction Excise Tax (CET) reduction. He provided the calculations for property he owns in West Linn which he plans to develop for a multi-family use development. His request is for a reduction of the fee. Mike Robinson a land use lawyer was also present with Mr. Parker to answer questions for the Board. He expressed his appreciation for the time the Board has given him for his request.
2. Chair Steele asked if anyone has questions for Mr. Parker and then we will open for motions or move for taking forward or moving on.
3. Dale said he understands what he is going through, but that our piece is a small picture. One concern is moving away from the current policy that is in place. If we were to approve his request have we set a precedent at this point that each and every developer will come to us with the same concern. How would the Board address those folks going forward and quite frankly retroactively. How do we make exception to you folks. If you have some ideas along those lines we would like to hear that. Jeff said he thinks they do and said Michael Robinson can speak to that. Jeff said he feels there are ways to create it so there can be a one-time situation to justify the situation. Michael Robinson land use lawyer said in retrospect to retroactivity people would not be subject once they pay conception excess tax no chance to come back as it is collected by the local government. In terms of precedent you don't have to create a precedent unless you want to create a precedent. If you want to help out by getting something rather than no excise tax we should have resolution as to why we are doing this and may take a bit of thought but could word and structure in a way to protect the board.
4. Dale commented that we are a publicly elected school board and even though the legalities may work out I still see it as problematic in having those conversations with other developers. I think it is broader than a legal way of doing it, SB 1036 in reviewing it is actually written better than any other piece of regulation and our agreement is crafted close to that. I speak for myself that I would not be comfortable with that approach as it opens us up to conversations with other folks in the community.
5. Michael pointed out that it is important to understand how things get done on a local level, we need to find out how to work with local people like Jeff. If the Board spoke to city officials he thinks they would tell them how they support this project.
6. Betty said the purpose of the law is to educate students based on growth, the rates are set in the law, but affordable housing would be totally exempt. She asked if that was a possibility. Jeff Parker said he did not think these would qualify for that as West Linn is an upper income level and the City wants the upper income and it does not fit that criteria.
7. Dale said an observation that this seems like \$200-\$300 square foot project and the dollar per square was set not to be onerous. The dollar per square foot seems to be a relatively small part of the project. The bang for the buck that you get from the school system with that dollar per square foot is not out of line. In a district like ours it seems like it is a relatively fair number.

8. Keith shared that he also has some concerns like Dale in how we draw that line. Reflecting upon the costs of schools themselves and we are kind of the last obstacle. We built 2 new primary schools in this district and the construction costs were \$15 to \$16 million dollars for brick and mortar. That comes to over \$30,000 per seat. Your units would be over 3 million dollars for capacity. You would be paying \$2,900 per student and it doesn't seem onerous to me in this district and hopefully your developers would see our side. We also would be asking the City of Wilsonville to pay for this on future bonds.
 9. Jeff Parker said he appreciated the input and their time.
 10. Keith asked for further discussion. There was no discussion. Keith said that he asks Mr. Parker to pay the usual and customary fee.
 11. Jeff Parker thanked the Board again for listening to his request.
- b. Arts & Technology High School Lease
- i. Bill Rhoades asked the Board if they were interested in extending the lease with the city of Wilsonville for the Arts & Technology High School building and it would be extended into the future. Bill asked the Board for direction.
 - ii. Dale asked if the building meets the need adequately or more than adequately for where we see our tech going.
 - iii. Bill said he sees it as more than adequately. Beginning to zero in on coursework, teachers and focus on that this year and into the future. Have a stable facility going forward. If there were to be another site we could align that with the Long Range Plan.
 - iv. Dale said he thinks it is important that we look at the terms in the contract in light of coordinating with the thoughts along the Long Range Plan and any significant changes that would require larger set-up and educational needs of the students. If we can incorporate all those needs into the contract.
 - v. Bill added that we moved our adult program there and we look forward to serving those kids as well.
 - vi. Betty asked whether the lease renewal was time sensitive.
 - vii. Bill said that we committed to the City that we would let them know in a timely manner and gave them a February date.
 - viii. Betty noted that the Superintendent believed that the facility more than adequately meets the District's need and the time sensitivity. She moved to authorize the Superintendent to notify the City of Wilsonville of the District's intent to extend the lease.
 - ix. Kristen said she met with Saskia Dresler the Principal, this fall and she expressed great interest in staying there, is happy and feels the facility currently meets the school needs.
 - x. Cheryl asked if it would make more sense to amend the motion as she heard and continue with discussions and come back with a recommendation.
 - xi. Bill commented that he could have recommendations to look at that extend for longer than a year.
 - xii. Dale said the contract would come back for board approval.
 - xiii. Keith agreed and Bill said yes.
 - xiv. Dale said the minimum in term should extend through secondly the same lease arrangement in terms of cost to the district and not sure if that is a smart value so a cost analysis would be helpful in looking at the value of the facility.
 - xv. Bill agreed.
 - xvi. Keith asked if there are any capital improvements that need to be made for general condition - with the thought of it aligning with our Long Range Plan. Asked that in Bill's next meeting with the City to see about flexibility in wording about financial costs.



FUTURE SCHOOL NEEDS

Translating Residential Development into Enrollment Impact

The future development scenarios must be interpreted to estimate the enrollment impacts associated with each scenario. The number of estimated residential units is multiplied by the district-wide student yield factors presented in Table 3. Table 4 summarizes the district-wide future potential enrollment impact by school type. This information is then used to help identify the related school facilities necessary to accommodate future enrollment.

Table 4
FUTURE POTENTIAL SCHOOL FACILITY NEEDS SUMMARY

	Primary	Middle	High	Total
Existing Conditions				
2015 Educational Capacity*	4,082	1,932	3,306	9,320
2013 Enrollment (9/30/13)	4,026	2,066	2,879	8,971
Remaining Capacity	56	-134	427	349
Schools	9	3	3	15
Scenario 1:				
Existing Zoning & UGB				
Enrollment in addition to existing conditions	1,451	756	893	3,100
Total enrollment district-wide	5,477	2,822	3,772	12,071
Additional educational capacity needed once remaining capacity is utilized	1,395	890	466	2,751
Schools required in addition to existing conditions	2.8	1.3	0.3	4.4
Total schools required district-wide	11.8	4.3	3.3	19.4
Scenario 2:				
Existing Zoning & Expanded UGB (Advance Road)				
Enrollment in addition to Scenario 1	480	276	366	1,122
Total enrollment district-wide	5,957	3,098	4,138	13,193
Schools required in addition to Scenario 1	1.0	0.4	0.2	1.6
Total schools required district-wide	12.8	4.7	3.6	21.0
Scenario 3:				
Existing Zoning & UGB				
Enrollment in addition to Scenario 2	6,545	3,761	4,690	14,996
Total enrollment district-wide	12,502	6,859	8,828	28,189
Schools required in addition to Scenario 2	13.1	5.4	3.1	21.6
Total schools required district-wide	25.8	10.0	6.7	42.6

* Educational capacity changes only for primary schools due to full-day kindergarten.

Exhibits

Houses, condos or apartments? New study shows where people want to live

Sep 8, 2014, 2:13pm PDT Updated: Sep 9, 2014, 11:48am PDT

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Staff Reporter- *Portland Business Journal*

Based on
dhn research
Prepared for
Metro
May 2014
over →

Price, neighborhood safety and commuting times notwithstanding, the majority of metro-area residents want to live in detached, single-family homes.

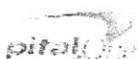
So say the results of [a new study](#) that looked at housing preferences of residents of the four-county metro region. Conducted by Portland marketing research firm DHM Research for a range of partners, including Metro, the cities of Portland and Hillsboro, Portland State University and the Home Builders Association of Metropolitan Portland, the study found that 80 percent of respondents prefer detached, single-family housing.

Sixty-five percent of the respondents — more than 7,300 people from two different survey tracks — currently live in such homes. Seven percent of those living in single family, detached homes responded that they would actually prefer living in single-family attached housing, such as a condominium.

The study also found that 56 percent of respondents live in a suburban neighborhood; just over half prefer that kind of a neighborhood. About a quarter live in urban centers, 11 percent live downtown and 8 percent live in rural settings.

[Dave Nielsen](#), CEO of the Portland HBA, said the study should prove valuable not only to homebuilders and developers, but also to planners sizing up the area's urban growth boundary and deciding whether to enlarge it or not.

"It will be very useful to help our industry understand market preferences and adapt where needed," he said. "It should also be an important tool used by Metro and surrounding governments in their planning for growth."



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PREPARED FOR:

METRO

Residential Preference Study

DRAFT

May 2014

PREPARED BY:

DHM RESEARCH

(503) 220-0575 • 239 NW 13th Ave., #205, Portland, OR 97209 • www.dhmresearch.com

Copy of website for EDD/West Linn Exhibit 9

West Linn, Oregon is situated approximately 15 miles south of Portland, along the west bank of the Willamette River in Clackamas County. Our city's residents enjoy a first-rate quality of life with exceptional schools, vibrant community life and high rates of home ownership. Within the last eight years, West Linn has been honored three times in Money Magazine's list of Best Places to Live. Bordered by natural areas and known as the "city of hills, trees and rivers", West Linn is the ideal place to live, work and play.

The City of West Linn Economic Development Department is actively working to facilitate economic opportunities by creating a business-friendly environment and providing support to new and existing businesses. The City is dedicated to the development, expansion, and retention of businesses to support our robust local economy and preserve a high standard of living for West Linn's citizens.

Want to know more? Follow the link to Community Facts.

Vision Statement

It is the primary objective of the Tanner Basin community to live within a well-planned, family-friendly environment. Working in concert with effective civic management, the unique character of the Tanner Basin community will be both preserved and enhanced. The primary esthetics of the Neighborhood involves quality of life and proactive planning supporting the continuity of the Neighborhood while conserving our heritage as the area continues to evolve.

Quality of life in Tanner Basin depends on retention of sufficient permanent open spaces with native habitat, mature trees and access to recreation that will foster a special sense of neighborhood distinct to the area. Therefore, the unique panoramas of the community are to be treasured and preserved. Parks and recreational opportunities are within reasonable walking distance of every household.

Proactive planning assures adequate infrastructure is in place prior to development, including transportation corridors for traffic flows. Thus, families can travel in safety, commerce flows effectively, and emergency services arrive quickly.

Our historic white oaks define all aspects of the character of the neighborhood, its architectural proportion and style. Accordingly, new development will be designed to enhance and blend within the existing neighborhood character. A mix of residential zoning densities with deference to the natural features of the neighborhood and the Metro Functional Plan's density requirements should continue to be the standard for both newly-developing and redeveloping land.

Following these guidelines, our neighbors will take a personal sense of responsibility for the well-being of the Neighborhood, and a spirit of volunteerism will prevail, strengthening a sense of community and a bond with one-another.

Goals, Policies and Actions

This section identifies issues that are of concern to the residents of the neighborhood, along with potential "action steps" for addressing these concerns. Goals and key issues, which are stated in terms of "policies," are categorized by topics similar to those found in the City of West Linn Comprehensive Plan. The order in which policies and action steps appear does not necessarily correspond to their relative degree of importance. For a more detailed description of priorities, along with a list of various agencies responsible for implementing each action step, see the action chart presented in the final section of this report. Suggested partners for implementation are shown at the end of each policy.

1. Transportation

Goal 1: Improve the transportation system, including the pedestrian network.

POLICY 1.1: Improve traffic flow on 10th Street corridor.

Recommended Action Steps:

- 1. Fully participate in traffic studies and planning, and recommend improvements to update the City Transportation System Plan (TSP)
2. Direct through-traffic up Salamo Road, around Neighborhood instead of through it, e.g. Tannler Drive

POLICY 1.2: Improve traffic flow on Salamo and Blankenship Roads.

Recommended Action Steps:

- 1. Fully participate in traffic studies and planning for future traffic flow and recommend improvements to the City TSP; identify truck routes to remove potential safety hazards to the community

Vision Statement for the Willamette Neighborhood of West Linn

We are a safe neighborhood with a strong sense of community and connectivity. The most unique aspect of Willamette is our ability to retain a small-town feel with a designated historic district, while maintaining connection with surrounding communities.

Those elements that make Willamette neighborhood special for us and reflect our values are seen in our commitments. We are committed to:

1. Safety for our community
2. Education and activities for children and adults.
3. Vibrant business growth, consistent with our historical downtown area standards
4. Communication and involvement with our citizens
5. Respectful use and care for the environment including our city, river, parks and trails
6. Well thought out neighborhood planning which sustains the value of the land
7. Systemic and fiscally responsible long-term planning, working with the neighborhood, community, city, county, and state partners.

105.010 PURPOSE

The purpose of this chapter is to set forth the standards and procedures for legislative amendments to this code and to the map and for the quasi-judicial changes to the map as provided by the code chapters setting forth the procedures and by the Comprehensive Plan. Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes or to address changes in the law.

goals and policies binding upon the city, and also includes recommended action measures that are not binding, but that the City will consider as potential strategies for implementing the goals and policies. The Plan was reviewed by the Planning Commission and adopted by the City Council in May 2005. It is anticipated that the Willamette Neighborhood Association will periodically recommend plan amendments to the City.

GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES

GOALS

1. Provide the opportunity for broadly based, ongoing citizen participation, including opportunities for two-way dialogue between citizens and City elected and appointed officials.
2. Provide opportunities for citizens to shape City government and other West Linn institutions into exemplary organizations that foster trust, respect, courage, and honor.
3. Support involvement of West Linn citizens in identifying and addressing regional issues.
4. Provide clear, simple, user-friendly information about how the planning process works and how citizens can be involved in land use and other City policy decisions.

POLICIES

1. Provide a process for evaluating the ongoing citizen involvement programs to be certain that citizens are given an opportunity to participate in planning decisions.
2. Support neighborhood associations as a forum for discussion and advice on issues affecting the community.
3. Encourage individuals to organize and work in groups to develop recommended programs or positions on various issues.
- 4. Provide timely and adequate notice of proposed land use matters to the public to ensure that all citizens have an opportunity to be heard on issues and actions that affect them.
5. Communicate with citizens through a variety of print and broadcast media early in and throughout the decision-making process.
6. Encourage neighborhood associations to create neighborhood plans.

7. The following guidelines shall govern the preparation and adoption of neighborhood plans:
 - a. Neighborhood Plans may be adopted for City neighborhoods. It is expected that the issues identified in any of these plans shall be primarily of neighborhood interest. However, input from residents and property owners outside of the neighborhood are welcome in all phases of the planning process.
 - b. Neighborhood Plans shall address the applicable goals found within the West Linn Comprehensive Plan except for those found specifically by the City Council not to be of issue to the neighborhood.

RECOMMENDED ACTION MEASURES

1. Regularly convene a community council composed of representatives from the City Council, Planning Commission, School Board, Neighborhood Associations, the West Linn Chamber of Commerce and other business groups, religious organizations, and community youth to review and provide guidance for implementation of the Comprehensive Plan; help ensure adequate citizen participation in City decision-making processes; and promote consensus on issues of City-wide importance.
2. Explore the feasibility of establishing a negotiation/mediation process to help resolve disputes.
3. Develop and maintain a neighborhood planning program through the following actions:
 - a. Maintain and update the boundaries for neighborhood associations.
 - b. Prepare neighborhood association guidelines that will assist in their formation and continued vitality.
 - c. Assist in establishing meeting and organizational procedures for neighborhood groups.
 - d. Initiate staggered neighborhood planning programs that emphasize citizen participation.
 - e. Assist in the funding of neighborhood publications.
 - f. Any significant changes of residential zones to commercial shall occur only after a neighborhood planning process is completed.
4. Provide informational materials that clearly describe opportunities and processes for citizen involvement in land use application and appeals processes, code enforcement, Comprehensive Plan amendments and other land use and planning decisions. Make materials available through the City Planning Department, City Library, City's World

October 1, 20014

Planning Commission and City Council
City of West Linn
West Linn, Oregon

Re: Potential 200 unit apartment development by ConAm at the NWC or Blankenship and Tannler in the City of West Linn, Oregon

Dear Planning Commissioners and City Councilors:

My wife and I have been residents in West Linn since December, 2007. My wife was a small business owner for many years prior to moving our family to this great city. We have two young boys that attend Cedar Oak Primary School.

I am in full support of ConAm's proposed development at the NWC or Blankenship and Tannler in the City of West Linn. My understanding is that ConAm is proposing to develop a portion of the total 10.13 acres (7-7.5 acre) as a 200 unit (approximate) multi-family apartment property while leaving the northern portion as open space.

This a much needed develop for the following reasons.

- This apartment development will have a significantly reduced traffic impact than the previously approved 289,000 sf office project
- New apartments will have a very beneficial economic impact on local small business retailers, restaurants, and service providers
- Will produce additional System Development Charges, fees, and excise taxes for our City and School District
- Helps to satisfy strong need for additional housing options within the City
- Creates new jobs through the construction, operation, and maintenance of the new community
- Generates ongoing benefit to schools, public safety, library, and other City and County services through annual property tax

Thank you for your consideration.



Casey Davidson
4262 Mapleton Drive
West Linn, Oregon 97068

Library

Community Residents

Contact the City

Email Newsletter

Automatic Site Notifications

Update Newsletter

Online Payments

Court Tickets

Business License

Utility Bill

Recreation Registration

RSS

You Tube

Let's Connect!

Pinterest

Overview About Demographics History Maps Videos Sustainability Parks & Recreation Garbage & Recycling

Planning

- Schools Athey Creek Middle School Bolton Elementary Cedaroak Park Elementary Rosemont Middle School Stafford Elementary Sunset Elementary Tilton Elementary West Linn High School Willamette Elementary Library

Home » Planning Home » Development Review

Families

Public Hearing Procedure and Approval Criteria

Business



Resources Available Properties Start or Grow
Business Recycling
Home Based Business License Film & Application Public Hearing Procedure Liquor

- Connect Economic Development Committee Business Community

Approval or denial of an application is based upon standards and approval criteria. The decision-maker must decide whether or not to approve the application based solely on the applicable criteria and on the information provided in the record. See the supporting documents below to a summary of the Public Hearing Procedure and Developmental Review Approval Criteria.

Departments

News Letter Linn Chamber of Commerce Business Directory