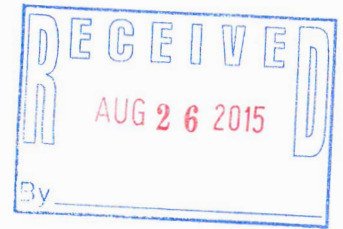


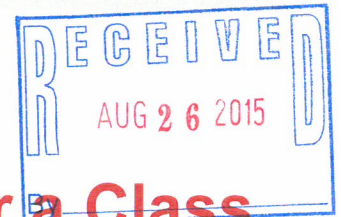
Submitted by M. Robinson
at 8/26/15 PC Mtg

FACT SHEET FOR TANNER DRIVE MIXED-USE DEVELOPMENT

- Property Location: 2410, 2422, and 2444 Tanner Drive
- Property Size: About 10.2 acres; 1.2 acre lot is excluded
- Comprehensive Plan Map Designation: Commercial
- Zoning Designation: OBC (Office Business Center)
- Applications: Design Review II and Property Line Adjustment
- Applicant: ConAm Properties, LLC
- Description of Proposed Development:
 - 180 multi-family residential units and 7 commercial units located in 7 buildings, garages, clubhouse, swimming pool, parking, and landscaping
 - Multi-family units include 61 one-bedroom units, 97 two-bedroom units, and 22 three-bedroom units
 - One commercial unit not to exceed 300 square feet is located on the first floor of each building
 - 5 of the 7 buildings are four stories in height, 2 are three stories in height
 - Two access points (existing access onto Blankenship to be shared with West Linn Corporate Park, one new access onto Tanner)
- Zoning Compliance:
 - All uses are permitted either by right or under prescribed conditions
 - Project complies with applicable development standards, including maximum height (45 feet), setbacks, minimum landscaping (25%), and minimum on-site parking (322 vehicular spaces)
 - Project will mitigate all transportation impacts
- Project Benefits: Increased ad valorem tax and SDC revenues, new off-site transportation improvements, provision of diverse housing types needed by City, 2.5 acres of open space, completion of public trail connection
- Staff Recommendation: Approval, subject to conditions



TANNER MIXED USE PROJECT WEST LINN FILE NOS. DR-15-11 AND LLA-15-01



Application by ConAm Properties, LLC for a Class II Design Review Application for 180 multiple family dwelling units and 7 commercial spaces. In the “OBC” zone on two lots containing about 10.2 acres and a 3-lot property line adjustment containing about 11.4 acres.

Initial evidentiary hearing, August 26, 2015

Continued hearing, September 2, 2015

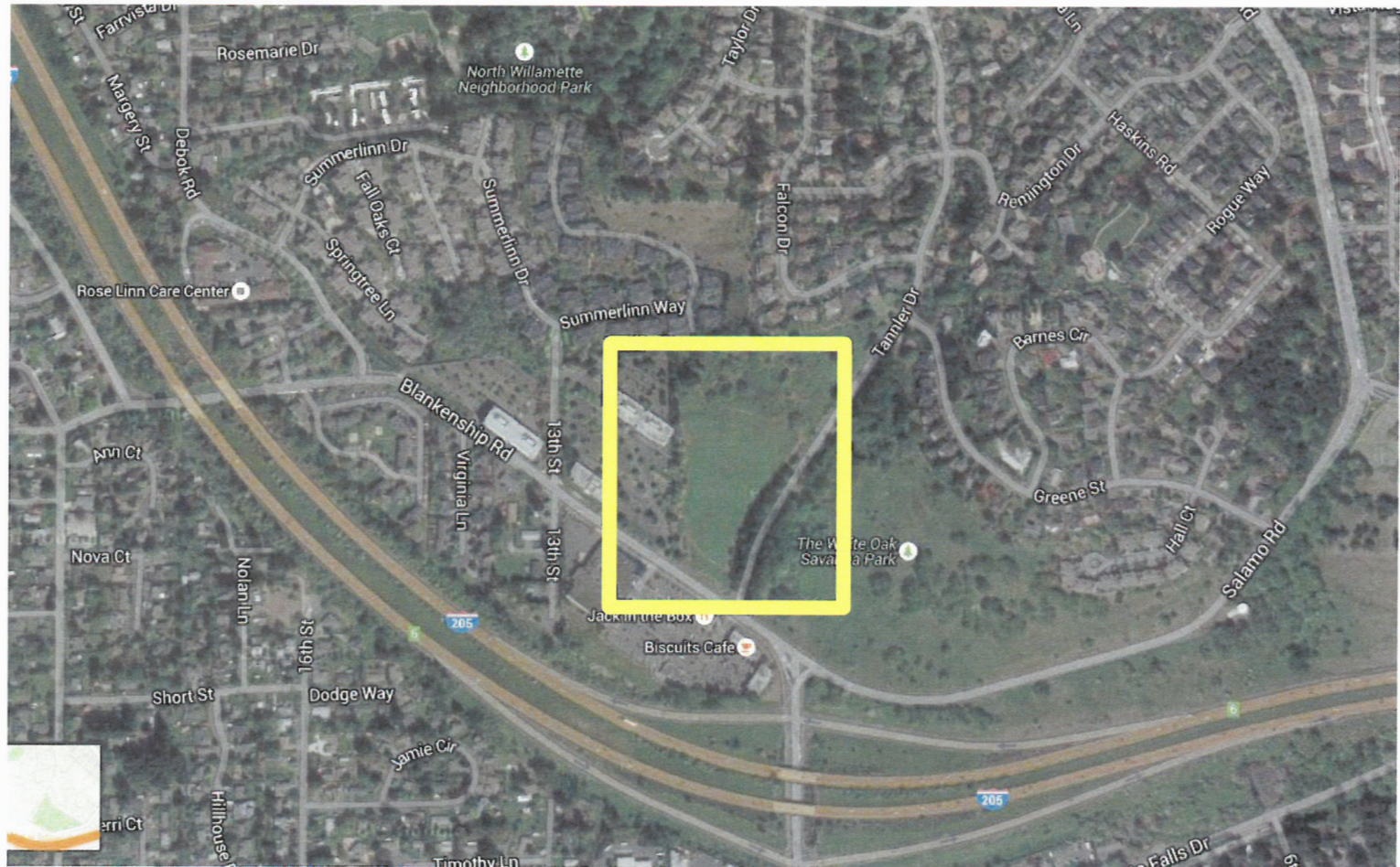
ConAm Properties, LLC
Mixed-Use Project Application

APPLICANT'S REPRESENTATIVES.

- Rob Morgan, ConAm Properties, LLC
- Brent Ahrend, MacKenzie (traffic engineer)
- Michael Robinson and Seth King, Perkins Coie, LLP
- Gary Alfson and Ron Dean, OTAK (engineering and architecture)
- Morgan Holan (arborist)

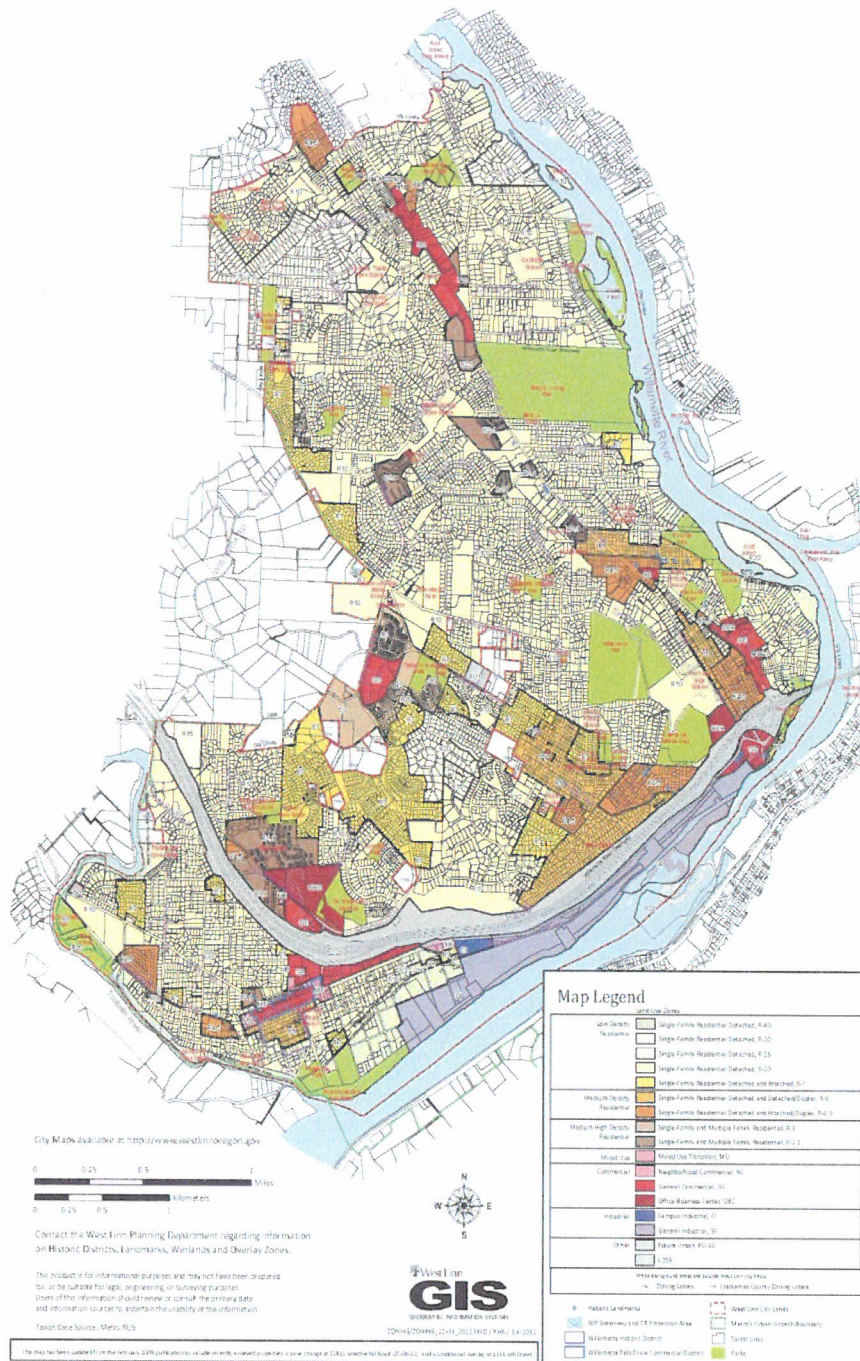
We are here to answer your questions.

AREA MAP SHOWING APPLICATION SITE



Zoning Map

West Linn Zoning Map



SITE MAP SHOWING SURROUNDING LAND USES



SITE INFORMATION

The approximately 10.2 acre mixed-use development site consists of two (2) lots:

- Approximately 7.0 acre lot in the center of the site to be developed for mixed-use project with 180 dwelling units and 7 commercial units.
- Approximately 3.2 acre lot for open space on the north end of the site. This lot contains most of the significant trees on the site. This lot may be retained in private ownership, dedicated or sold to the public, or a public trail easement granted. ConAm will make this decision later.
- The approximately 3.2 acre open space lot will not be developed with residential or commercial uses.
- The 1.2 acre lot on Blankenship is not part of this application and will be retained by the property owner.

LAND USES, ZONING DESIGNATIONS AND STREET CLASSIFICATIONS AROUND THE SITE

- Six (6) single-family dwellings are located on the south side of Falcon Drive adjacent to the north portion containing the open space lot of the site in the R10 zone.
- The northwest corner of the open space lot also abuts apartments south of Summerlinn Way in the R2.1 zone.
- The west side of the site abuts the I-205 Corporate Center with three (3) office buildings in the OBC zone.
- The east side of the site abuts Tannler Drive. Across Tannler Drive is property zoned OBC. A portion of that property has been purchased for the development of the White Oak Savanna Park but the entire property remains designated as “Commercial” on the West Linn Comprehensive Plan Map.
- The property across Blankenship Road is developed as the River Falls Shopping Center in the GC zone.
- Blankenship Road and Tannier Drive are Collector Streets; Green Street is a Neighborhood Route.

MIXED-USE PROJECT DESCRIPTION

- The mixed use project contains seven (7) mixed-use buildings.
- Each building has an approximately 300 S.F. commercial development (7 commercial development spaces) and parking on the first floor, with multi-family dwellings on the floors above.
- The three (3) southerly buildings (Buildings 4, 5 and 6) are 3 stories high and the other four (4) buildings are four (4) stories high. No building is higher than 45'. The OBC maximum height did not change in 2014.
- The multi-family dwellings consist of:
 - 61 one-bedroom units/77 parking spaces
 - 97 two-bedroom units/146 parking spaces
 - 22 three-bedroom units/39 parking spaces
- The site includes a clubhouse and a swimming pool.
- The site plan meets the OBC dimensional standards in CDC 21.070.
- The site has 2 driveways, one on Tanner Drive and a shared driveway with the I-205 Corporate Park on Blankenship Road. The applicant will install a traffic signal at this driveway.

MIXED USE PROJECT DESCRIPTION

(Continued)

- The OBC Zone allows the mixed-use project under CDC 21.050.2 (use allowed under prescribed conditions):

“Multiple-family units, as a mixed use in conjunction with commercial development, only above the first floor of the structure.”
- The prescribed condition in CDC 21.050.2 is that multi-family units above the first floor of a structure are allowed in conjunction with commercial development.
- ODC 21.050.2 does not:
 - Require a minimum percentage of commercial square footage, or a minimum number of commercial spaces;
 - Limit the amount of multiple-family dwelling units; or
 - Require that the commercial or residential units be assured of occupancy, which is no different than any other commercial or residential development.
 - The applicant has no reason not to use its best efforts to lease all of the spaces.

MIXED USE PROJECT DESCRIPTION

(Continued)

- Legislative history of CBC zone adoption supports the plain reading of CDC 21.050.2.
- The mixed-use project's commercial development meets the definition of "development" in CDC 02.010 and the uses may be the commercial uses allowed in the OBC zone under CDC 21.030, 21.050 and 21.060.
- CDC 21.020.B. provides that uses allowed under CDC 21.050 will be approved if "all conditions are satisfied."
 - CDC 21.050.2 contains only 1 condition – commercial development – and the application satisfies the condition.

APPROVAL CRITERIA FOR THE CLASS II DESIGN REVIEW APPLICATION

- West Linn Community Development Code (“CDC”) 55.100 contains the majority of the approval criteria:
- This application is a limited land use application as defined in ORS 197.015(12) and 197.195.
- The only approval criteria are those in CDC Chapter 55. other CDC Chapters referenced by CDC 55.100 and CDC 99.110.
- The West Linn Comprehensive Plan (the “Plan”) is not an approval criterion, nor is the Willamette Neighborhood Vision Statement or the SONA Neighborhood Plan because CDC 55.100 does not reference these Plans and limited land use applications approval criteria do not include comprehensive plans as approval criteria.
- The OBC zone purpose statement in CDC 21.010 is not an applicable approval criterion.
 - CDC 55.100 does not require compliance with zoning district purpose statements.
 - Oregon law holds that purpose statements are not approval standards unless made so.
 - CDC 21.050.2 expressly allows multiple-family dwelling units in conjunction with commercial development above the ground floor and CDC 21.020.B. provides for approval without referencing the purpose statement.
- ORS 197.303-197.307 are the “Needed Housing” statutes. Only clear and objective standards may be applied to the housing element of this application.

CRITERIA ARE MET

- CDC 55.100, “Class II Design Review” standards are met.
 - Significant trees on non-Type I and II lands as defined in CDC 02.010 are retained.
 - Architecture meets the applicable standards.
 - Site design and arrangement of buildings meets the applicable standards.
 - Outdoor and private recreation areas are provided.
 - Proximity to Tri-Met bus stop on Blankenship Drive.
 - Driveway spacing standards are met.
 - Public facilities are sufficient (memorandum from Assistant City Engineer Khoi Le), including water, storm drainage and sanitary sewer.
 - TVFRD standards are met (email from TVFRD).
 - Noise standards met.
 - Referenced CDC Chapters are met.
- CDC 55.125, “Transportation,” is met.
 - MacKenzie 8/25/15 memorandum.
 - ODOT 8/24/15 memorandum.
 - DKS 8/25/15 memorandum.
 - Mitigation addresses the mixed use project’s traffic impacts.

ACCESS POINT MAP



CRITERIA ARE MET

(Continued)

- No exceptions or variances requested.
- All conditions of approval are feasible to be achieved.
- CDC Chapter 46, “Off-Street Parking,” is met.
- Meets CDC 46.080 and 46.090 computation of required parking, including 46.090(4)(e) allowing on-street visitor spaces.
- No shared parking with other uses on other sites.

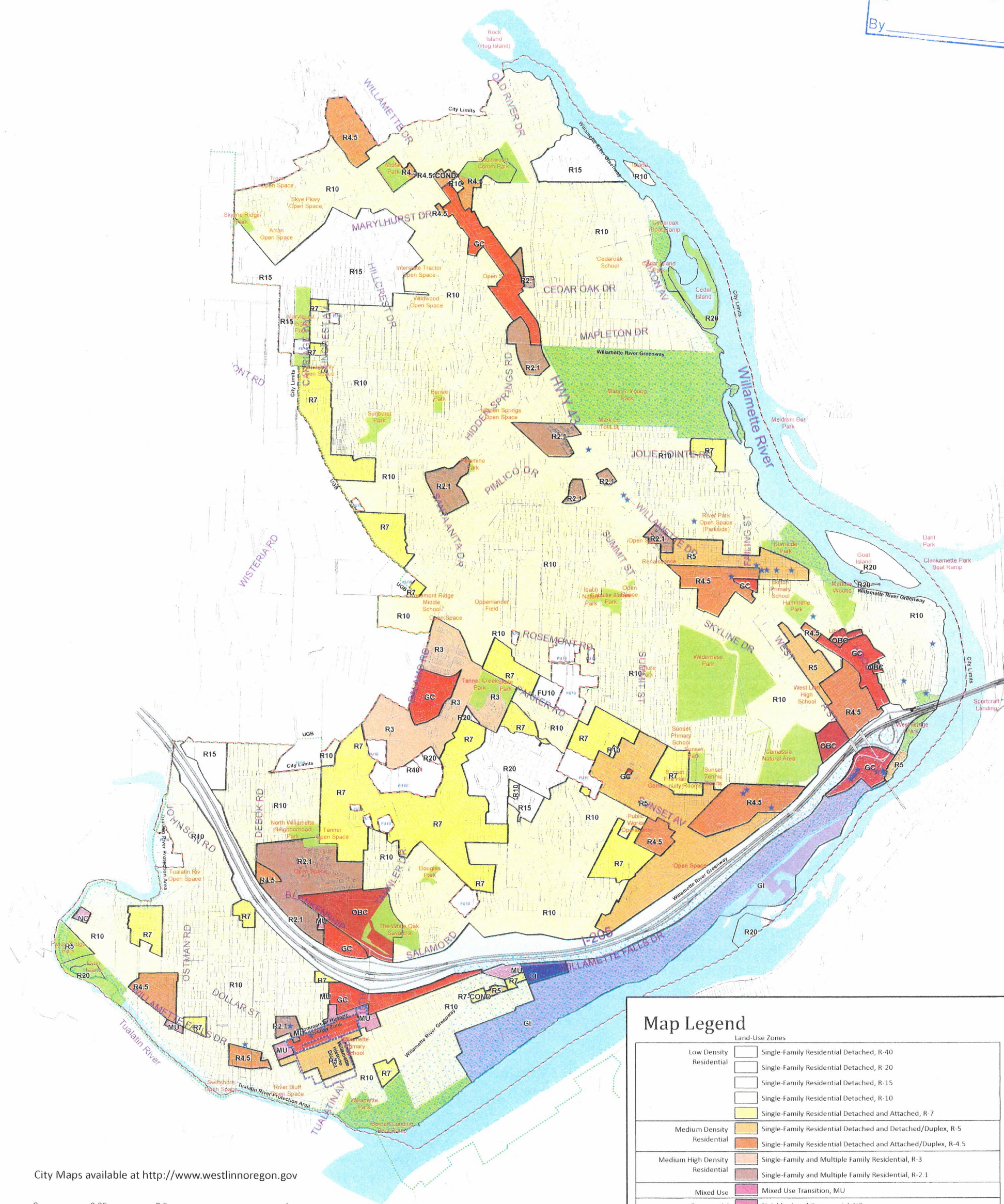
OTHER ISSUES

- 1.3 acre lot is not part of application and future design review approval is required for the lot's development.
- Low income apartments not proposed.
- School capacity is not an approval standard.
- On-street visitor parking is allowed by the CDC .
- Transportation impacts are mitigated.
- Ownership of mixed use project is not an approval standard.
- No “end run” around future TSP; ORS 227.178(3) , the “Goal Post” Rule.
- No “end run” around OBC zone; the mixed-use is allowed.
- OBC height not increased.
- OBC zoning preserved.
- Encourages new commercial development and supports existing commercial development.

CONCLUSION

The Planning Commission can find that this Application meets the applicable approval criteria for the change. The Applicant agrees with the recommended conditions of approval. The Applicant asks that the Planning Commission approve this application.

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














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West Linn
GIS
GEOGRAPHIC INFORMATION SYSTEMS

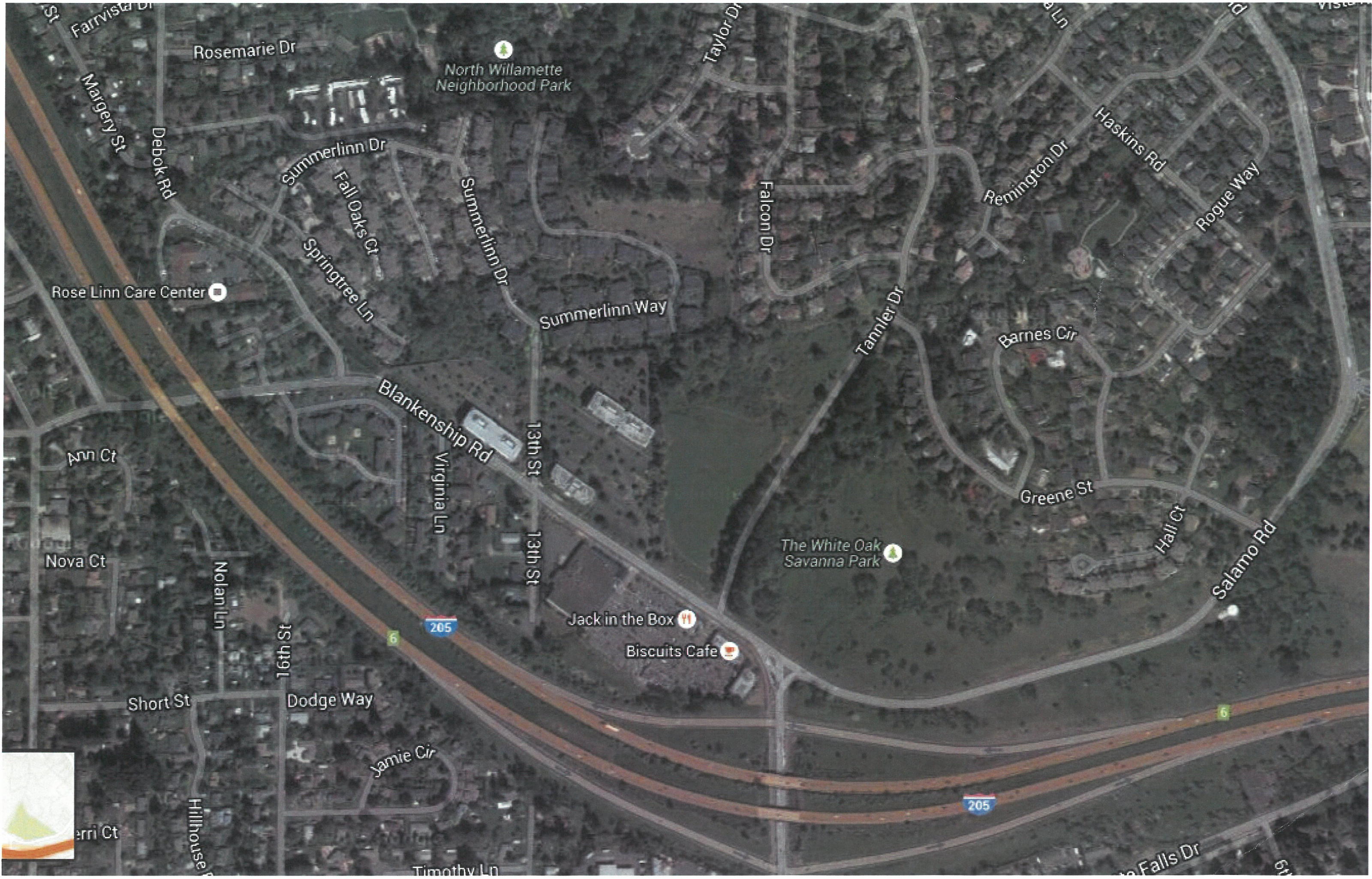
ZONING/ZONING_22x34_2011.MXD / AHA / 1-4-2011

This map has been updated from the February 2009 publication to include recently annexed properties, a zone change at 22810 Weatherhill Road (ZC-08-02), and a conditional overlay at 1555 6th Street.

Map Legend

Land-Use Zones	
Low Density Residential	 Single-Family Residential Detached, R-40
	 Single-Family Residential Detached, R-20
	 Single-Family Residential Detached, R-15
	 Single-Family Residential Detached, R-10
	 Single-Family Residential Detached and Attached, R-7
Medium Density Residential	 Single-Family Residential Detached and Detached/Duplex, R-5
	 Single-Family Residential Detached and Attached/Duplex, R-4.5
Medium High Density Residential	 Single-Family and Multiple Family Residential, R-3
	 Single-Family and Multiple Family Residential, R-2.1
Mixed Use	 Mixed Use Transition, MU
Commercial	 Neighborhood Commercial, NC
	 General Commercial, GC
	 Office-Business Center, OBC
Industrial	 Campus Industrial, CI
	 General Industrial, GI
Other	 Future Urban, FU-10
	 I-205
<p>White background areas are outside West Linn city limits</p> <p>R10 Zoning Labels R100 Clackamas County Zoning Labels</p>	

	Historic Landmarks		West Linn City Limits
	WR Greenway and TR Protection Area		Metro's Urban Growth Boundary
	Willamette Historic District		Taxlot Lines
	Willamette Falls Drive Commercial District		Parks



DIMENSIONAL REQUIREMENTS BY ZONE

RESIDENTIAL

ZONE	FRONT	REAR	INT SIDE	ST SIDE	MAX BUILDING HEIGHT	MIN STREET FRONTAGE	FLOOR TO AREA RATIO	MAX LOT COVERAGE
R2.1	20'	20'	5'	15'	45ft (b)	35'	45%	50%
R3	15' (a)	15'	5'	15'	35ft (e)	35'	45%	50%
R4.5	20'	20'	5'	15'	35ft (e)	35'	45%	40%
R-5	20'	20'	5'	15'	35ft (e)	35'	45%	40%
R-7	20'	20'	7.5'	15'	35ft (e)	35'	45%	35%
R-10	20'	20'	7.5'	15'	35ft (e)	35'	45%	35%
R-15	20'	20'	7.5'	15'	35ft (f)	35'	45%	30%
R-20	20'	20'	7.5'	15'	35ft (f)	150'	45%	25%
R-40	30'	30'	10'	30'	35ft (f)	150'	45%	35%
MU	12' to 20'	20' (d)	12'	12'	2 Story or 35ft, whichever is less	35'	40%	

COMMERCIAL

NC	25'	25'	7.5'	15'	35ft	35'		50%
GC	0' (c)	0' (c)	7.5'	0' (c)	35ft to 45ft (b)	35'		50%
OBC	0' (h)	25'	7.5'	0'	SAME AS GC	35'		50%

INDUSTRIAL

CI	15'	15'	15'	15'	2 Story (35ft) to 3.5 Story (45ft)	50'		VARIES
GI	VARIES				2 Story (35ft) to 3.5 Story (45ft)	50'		50%

(a) 20' for garage

(b) Depends on location of building type

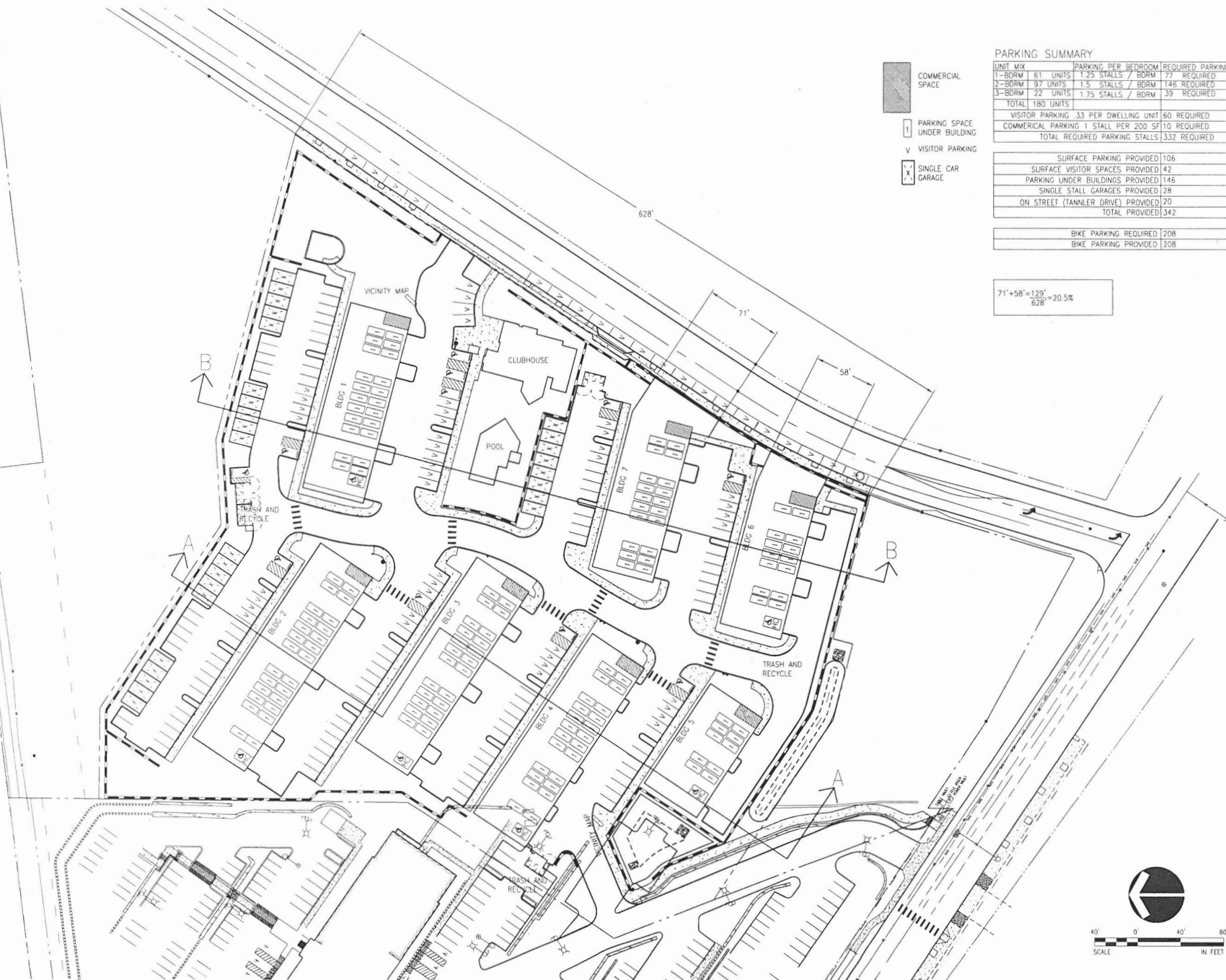
(c) Maximum 20' when fronting an arterial roadway

(d) Same as abutting residential district with at least 10' landscaped in addition to fence.

(e) See CDC Ch. 41, R-3 thru R10 45 ft in steep lots

(f) See CDC Ch. 41, R-3 thru R10 45 ft in steep lots

(h) Maximum 20' Front Setback



PARKING SUMMARY

UNIT MIX	PARKING PER BEDROOM	REQUIRED PARKING
1-BDRM 61 UNITS	1.25 STALLS / BDRM	77 REQUIRED
2-BDRM 97 UNITS	1.5 STALLS / BDRM	146 REQUIRED
3-BDRM 22 UNITS	1.75 STALLS / BDRM	39 REQUIRED
TOTAL 180 UNITS		
VISITOR PARKING .33 PER DWELLING UNIT		60 REQUIRED
COMMERCIAL PARKING 1 STALL PER 200 SF		10 REQUIRED
TOTAL REQUIRED PARKING STALLS		332 REQUIRED

SURFACE PARKING PROVIDED	106
SURFACE VISITOR SPACES PROVIDED	42
PARKING UNDER BUILDINGS PROVIDED	146
SINGLE STALL GARAGES PROVIDED	28
ON STREET (TANNER DRIVE) PROVIDED	20
TOTAL PROVIDED	342

BIKE PARKING REQUIRED	208
BIKE PARKING PROVIDED	208

$$71' \times 58' = 129' = 20.5\%$$

