

Tannler Development Supplemental Land Use Application Narrative & Findings Document Ground-Floor Commercial

In a letter dated July 8, the consultant city attorney informed the applicant that the City intended to bifurcate the procedures applicable to this application treating the ground floor commercial component separately from the residential. This decision lead City staff to conclude that additional criteria, those that would apply to a commercial-only development, are also applicable. The Applicant disagrees with both conclusions as they violate state housing laws intended to facilitate the provision of housing. However, out of an abundance of caution, the Applicant provides this supplemental narrative addressing those criteria that staff has identified as applicable to the ground floor commercial component of these mixed-use buildings. What follows are responses to CDC 55.100, the design review standards that would apply if this were an application for stand-alone commercial. All other commercial-related responses are set forth in the initial application narrative.

ORS 197A.400(1)(a) requires that the City may apply only clear and objective standards to an application for the development of housing. What is before the City is an application for a housing development. The City requires that all residential development within the OBC zone include ground-floor commercial as a condition for building housing. CDC 21.050. This commercial development is an indivisible component of the housing application. As such, any criterion – whether it applies to housing or to commercial – must be clear and objective. Standards that are not clear and objective, even where they would otherwise apply to a commercial-only development, do not apply in this case. That said, every effort has been made to design a project that satisfy these standards in any event.

This supplemental narrative deals only with those criteria that are different and not already covered by the existing application. For example, CDC 55.100 requires a minimum amount of glazing on the frontage of a commercial building and as such, the Applicant has provided evidence to show that this standard is met.

Finally, the procedures, as well as the standards, that the City is applying in this case are the epitome of discouraging the provision of needed housing through unreasonable cost and delay. ORS 197A.400(1)(b)(B). Requiring that the applicant proceed through a bifurcated review procedure to evaluate whether an application for housing satisfies clear and objective standards has, and will continue to, substantially increase the costs and time associated with bringing this housing to market.

The state is in a severe housing shortage, not just for extreme low-income subsidized housing, but for all housing. According to the City's adopted 2024 housing needs study, West Linn currently has a severe shortage of affordable housing i.e. housing available to those at rents costing less than 30% of their income. According to the recently adopted West Linn Housing Production Strategy, 30% of the units currently needed within the City are for low and

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

moderate income households (those making \$46,000 - \$110,000). This application directly responds to that shortage by providing market rate, rental housing with studio to family-sized units at monthly rents between \$1,988-\$3,200. This is housing that West Linn needs to serve its underrepresented communities such as middle-income workers, seniors, or veterans who struggle to find a place in West Linn to call home.

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW – GENERAL/DISCRETIONARY

Except for applications subject to CDC [55.105](#), the approval authority shall make findings with respect to the following criteria when approving, approving with conditions, or denying a Class II design review application:

A. The provisions of the following chapters shall be met:

- 1. Chapter [34](#) CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.*
- 2. Chapter [38](#) CDC, Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards.*
- 3. Chapter [41](#) CDC, Building Height, Structures on Steep Lots, Exceptions.*
- 4. Chapter [42](#) CDC, Clear Vision Areas.*
- 5. Chapter [44](#) CDC, Fences.*
- 6. Chapter [46](#) CDC, Off-Street Parking, Loading and Reservoir Areas.*
- 7. Chapter [48](#) CDC, Access, Egress and Circulation.*
- 8. Chapter [52](#) CDC, Signs.*
- 9. Chapter [54](#) CDC, Landscaping.*

Response: All of the applicable standards listed above can be satisfied by the proposed development. Signs have not been applied for, but will meet the clear and objective sign requirements once designed. Where necessary relief has been requested through the mandatory adjustments offered to residential projects by Oregon SB 1537. Please see the responses within each chapter of the project narrative, as well as the supporting plan sets and reports to demonstrate that compliance with these requirements are satisfied.

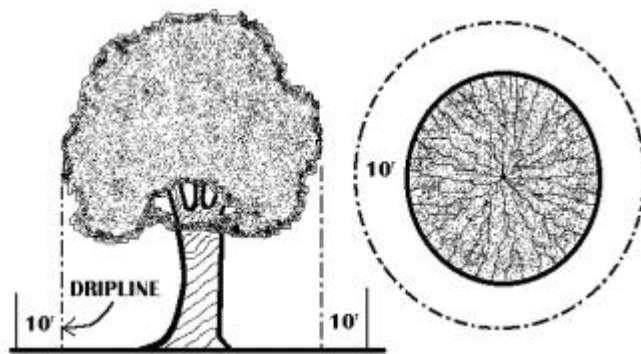
B. Relationship to the natural and physical environment.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

1. *The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at their direction.*
2. *All heritage trees, as defined in the municipal code, all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. In cases where there is a difference of opinion on the significance of a tree or tree cluster, the City Arborist's findings shall prevail. It is important to acknowledge that all trees are not significant and, further, that this code section will not necessarily protect all trees deemed significant.*

Response: There are no heritage trees on the subject property. This standard is not applicable to the proposed development.

- a. *Non-residential and residential projects on Type I and II lands shall protect all heritage trees and all significant trees and tree clusters by limiting development in the protected area. The protected area includes the protected tree, its dripline, and an additional 10 feet beyond the dripline, as depicted in the figure below. Development of Type I and II lands shall require the careful layout of streets, driveways, building pads, lots, and utilities to avoid heritage trees and significant trees and tree clusters, and other natural resources pursuant to this code. The method for delineating the protected trees or tree clusters ("dripline plus 10 feet") is explained in subsection (B)(2)(b) of this section. Exemptions of subsections (B)(2)(c), (e), and (f) of this section shall apply.*

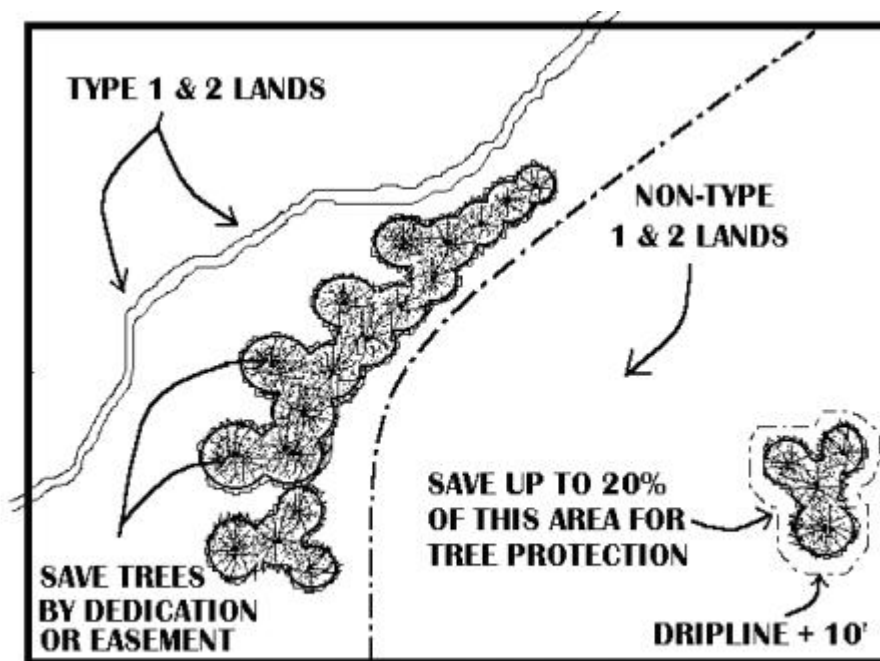


PROTECTED AREA = DRIPLINE + 10 FEET

- b. *Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the protected areas for significant trees and tree clusters, plus any heritage trees. Therefore, in the event that the City Arborist determines that a significant tree cluster exists at a development site, then up to 20 percent of the non-*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

Type I and II lands shall be devoted to the protection of those trees by limiting development in the protected areas. The exact percentage is determined by establishing the driplines of the trees or tree clusters that are to be protected. In order to protect the roots which typically extend further, an additional 10-foot measurement beyond the dripline shall be added. The square footage of the area inside this "dripline plus 10 feet" measurement shall be the basis for calculating the percentage (see figure below). The City Arborist will identify which tree(s) are to be protected. Development of non-Type I and II lands shall also require the careful layout of streets, driveways, building pads, lots, and utilities to avoid significant trees, tree clusters, heritage trees, and other natural resources pursuant to this code. Exemptions of subsections (B)(2)(c), (e), and (f) of this section shall apply. Please note that in the event that more than 20 percent of the non-Type I and II lands comprise significant trees or tree clusters, the developer shall not be required to save the excess trees, but is encouraged to do so.



METHOD OF PERCENTAGE CALCULATION

**E.G., DRIPLINE + 10 FT. AREA = 2,500 SQ. FT. OR 18% OF TOTAL NON-TYPE I AND II LAND DENSITY
CALCULATIONS FOR THIS PARCEL WILL BE BASED ON REMAINING NET SQ. FOOTAGE OF SITE
(EXCLUDING THE 2,500 SQ. FT.)**

- c. Where stubouts of streets occur on abutting properties, and the extension of those streets will mean the loss of significant trees, tree clusters, or heritage trees, it is understood that tree loss may be inevitable. In these cases, the objective shall be to minimize tree loss. These provisions shall also apply in those cases where access, per construction code standards, to a lot or parcel is blocked by a row or screen of significant trees or tree clusters.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

- d. *For both non-residential and residential development, the layout shall achieve at least 70 percent of maximum density for the developable net area. The developable net area excludes all Type I and II lands and up to 20 percent of the remainder of the site for the purpose of protection of stands or clusters of trees as defined in subsection (B)(2) of this section.*
- e. *For arterial and collector street projects, including Oregon Department of Transportation street improvements, the roads and graded areas shall avoid tree clusters where possible. Significant trees, tree clusters, and heritage tree loss may occur, however, but shall be minimized.*
- f. *If the protection of significant tree(s) or tree clusters is to occur in an area of grading that is necessary for the development of street grades, per City construction codes, which will result in an adjustment in the grade of over or under two feet, which will then threaten the health of the tree(s), the applicant will submit evidence to the Planning Director that all reasonable alternative grading plans have been considered and cannot work. The applicant will then submit a mitigation plan to the City Arborist to compensate for the removal of the tree(s) on an "inch by inch" basis (e.g., a 48-inch Douglas fir could be replaced by 12 trees, each four-inch). The mix of tree sizes and types shall be approved by the City Arborist.*

Response: Significant trees are defined as, "A tree with a minimum of six-inch DBH for Oregon white oak, Pacific madrone, and Pacific dogwood, and 12-inch DBH for all other tree species. If the tree splits into multiple trunks above grade but below breast height, the diameter shall be determined by adding the total diameter of all trunks two inches or greater DBH." Significant tree clusters are defined as, "Three or more significant trees with overlapping driplines," within the CDC. The lands on site have been classified and the trees on site have been evaluated and inventoried by a certified arborist. All onsite trees and those on adjoining properties identified as potentially subject to construction impacts were assessed. Trees suitable for preservation and trees proposed for removal were evaluated based on the proposed construction impacts in the plans provided to the arborist by the design team. Where it was determined to be unlikely that a tree would survive the construction impacts, removal was recommended. Please see the tree removal and protection plans on sheets C101-C107 and the Arborist report provided as attachment 007. The arborists assessment included the following conclusions.

Of the 408 inventoried trees on the property, 80 trees are proposed for retention, and 328 trees are proposed for removal to accommodate the proposed development. Of the 80 trees designated for retention, 70 are classified as significant. The remaining 10 trees designated for retention on properties owned or controlled by the applicant are classified as non-significant because they measure less than 12 inches DBH and are not one of the designated native species which are considered significant at six-inch DBH and greater, according to City of West Linn Code. These trees are being retained because they do not conflict with proposed site improvements.

Table 2. Number of Inventoried Trees Located Onsite by Treatment and Significance

Treatment	Remove	Retain	Total
Non-Significant Trees	154	10 (6%)	164
Significant Trees	174	70 (29%)	244
Total	328	80 (20%)	408

To the extent possible the significant trees on site have been preserved and are set aside in larger open spaces located at the north end of the proposed development. Protection measures, as prescribed by the project arborist, will be implemented during construction of the proposed development. Please see attachment 007 for arborist details.

3. *The topography and natural drainage shall be preserved to the greatest degree possible.*

Response: The site is sloped from north to south. The development was intentionally designed to step down the slope in order to minimize the impacts to the existing topography and natural drainage patterns. The proposal to step the buildings down the slope will also minimize the visual impacts to the single and multi-family homes located directly north of this site.

4. *The structures shall not be located in areas subject to slumping and sliding. The Comprehensive Plan Background Report's Hazard Map, or updated material as available and as deemed acceptable by the Planning Director, shall be the basis for preliminary determination.*

Response: While there are steep slopes on the subject property, there were not any areas identified by the geotechnical engineer or within the City's online maps to suggest that any of the development site is located in an area that is subject to slumping and sliding. In fact, the Geotech investigation indicated that shallow basalt bedrock was found on the site and made the following observations as it relates to slumping and sliding:

- *"The upper portion of the bedrock is weathered and decomposed and was possible to excavate using small excavator with a toothed bucket. The underlying intact bedrock could not be penetrated by the excavator, even with significant effort. Some site cuts are proposed below intact bedrock elevations, which will likely require specialized excavation methods such as hydraulic breakers, rock trenchers, or blasting."*
- *"Based on our explorations and the observed shallow depth to bedrock, liquefaction is not considered a hazard at the site."; and*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

- *"Based on USGS interactive fault mapping, the nearest mapped fault to the site is the Canby-Molalla fault, which is located approximately 3 km southwest of the site (USGS 2025). As such, fault rupture is not considered a hazard at the site."*

Please see the geotechnical report (attachment 005) provided with this submittal.

5. *There shall be adequate distance between on-site buildings and on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.*

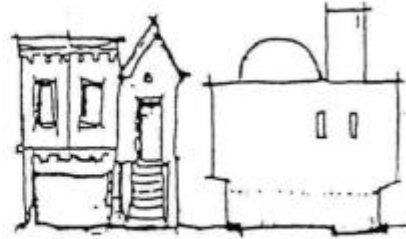
Response: The proposed buildings nearest to the property lines are residential. This standard does not apply to this application as it's not a clear and objective standard. As proposed and discussed on page 9 of the narrative and illustrated on the site plans, all of the buildings have been located to meet or exceed the setbacks prescribed in the underlying zone.

6. Architecture.

- a. *The proposed structure(s) scale shall be compatible with the existing structure(s) on site and on adjoining sites. Contextual design is required. Contextual design means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing of surrounding buildings in the proposed structure. The materials and colors shall be complementary to the surrounding buildings.*



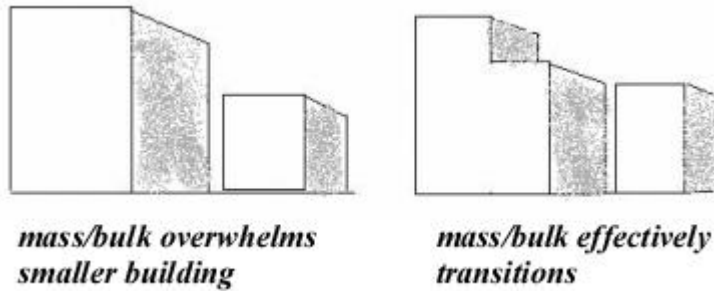
contextual design



contrasting design

- b. *While there has been discussion in Chapter [24](#) CDC about transition, it is appropriate that new buildings should architecturally transition in terms of bulk and mass to work with, or fit, adjacent existing buildings. This transition can be accomplished by selecting designs that "step down" or "step up" from small to big structures and vice versa (see figure below). Transitions may also take the form of carrying building patterns and lines (e.g., parapets, windows, etc.) from the existing building to the new one.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial



- c. *Contrasting architecture shall only be permitted when the design is manifestly superior to adjacent architecture in terms of creativity, design, and workmanship, and/or it is adequately separated from other buildings by distance, screening, grade variations, or is part of a development site that is large enough to set its own style of architecture.*
- d. *Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally.*

The human scale is enhanced by bringing the building and its main entrance up to the edge of the sidewalk. It creates a more dramatic and interesting streetscape and improves the "height and width" ratio referenced in this section.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial



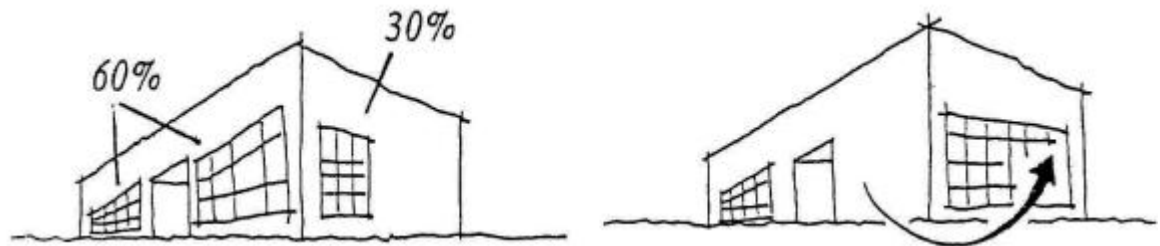
human scale is captured in this example

Response: These standards do not apply as they are not clear and objective. To the extent that they could apply to the commercial components of the mixed-use development, all of the proposed commercial spaces are located interior to the overall development site and are located on the ground floor of the residential buildings. The commercial spaces located within the proposed development is single story and capped on the upper stories by residential units that include architectural features that are comparable to the surrounding multi-story single and multi-family developments. The proposed buildings include gabled roofs, uniform windows, and a variety of building materials that would be comparable and consistent with the materials used in many of the surrounding homes (i.e. shingle roofs, windows, hardi-plank siding, and in some cases balconies or patios). All of these features are illustrated on the building elevations provided with the architectural plans included as attachment 11 to the submittal.

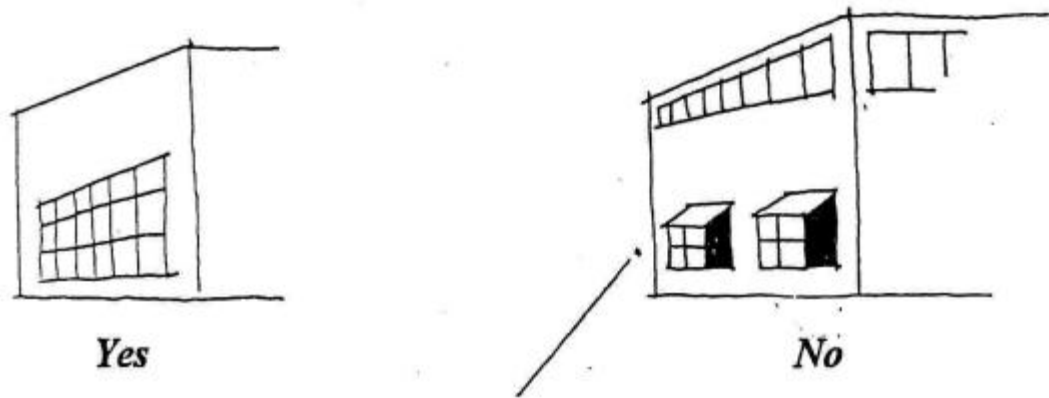
- e. *The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-foot-long building elevation shall have at least 60 feet (60 percent of 100 feet) in length of windows. The window height shall be, at minimum, three feet tall. The exception to transparency would be cases where*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

demonstrated functional constraints or topography restrict that elevation from being used. When this exemption is applied to the main front elevation, the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations at pedestrian level in addition to any transparency required by a side elevation, and vice versa. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.



60 percent of lineal street facing or main elevation is windows. 30 percent of one side elevation is windows. You may transfer windows from the side to front, or vice versa.



(Windows not at eye level and/or not flush with building.)

Response: All of the proposed commercial spaces are street facing and oriented to the realigned Tannler Drive. The development has been designed by a licensed and professional architect to satisfy the pedestrian-level window and transparency requirements through a linear distribution of windows that are flush with the building facades and meet the minimum height thresholds. As the attached revised elevation drawings show, the commercial-components of the main front elevations of each building will provide at least 60 percent windows and one side elevation includes over 30 percent windows as follows:

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

	Elevation Width	Transparency Width	% Transparency	Comments
Building D				
Primary Street Elevation	136.0	92.8	68.3%	Tannler - South
Side Street Elevation	15.5	7.3	47.3%	Tannler - East
Building E				
Primary Street Elevation	190.7	115.7	60.7%	Tannler - North
Side Street Elevation	52.0	31.5	60.6%	Tannler - West
Side Elevation	38.0	24.0	63.2%	Parking Lot - South
Side Elevation	32.0	18.0	56.3%	Park - East
Building F				
Primary Street Elevation	65.0	39.0	60.0%	Tannler - West
Side Street Elevation	35.0	22.0	62.9%	Blankenship - South
Side Elevation	35.0	23.0	65.7%	Parking Lot - North
Building H				
Primary Street Elevatoin	65.0	47.0	72.3%	Tannler - East
Side Street Elevation	14.0	8.0	57.1%	Blankenship - South
Side Elevation	14.0	8.0	57.1%	Parking Lot - North

f. Variations in depth and roof line are encouraged for all elevations.

To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.

g. Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.

h. The vision statement identified a strong commitment to developing safe and attractive pedestrian environments with broad sidewalks, canopied with trees and awnings.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial



trees, awnings, and building orientation enhance micro-climate

- i. *Sidewalk cafes, kiosks, vendors, and street furniture are encouraged. However, at least a four-foot-wide pedestrian accessway must be maintained per Chapter 53 CDC, Sidewalk Use.*

Response: These standards are not clear and objective and as such, do not apply. As shown in the submitted plans, the development consists of multiple buildings of varying heights and staggered, gabled rooflines situated over ground-floor commercial spaces. The structures are intentionally oriented along an east-west axis to maximize daily solar exposure, while the generous physical separation between the buildings optimizes natural light penetration and air circulation relative to regional wind patterns. The ground-floor commercial storefronts integrate directly with the realigned Tannler Drive sidewalk system. This configuration activates the public realm by providing dedicated space for sidewalk cafes, vendors, and street furniture, while also preserving room on site for a continuous, four-foot-wide clear pedestrian accessway.

7. Transportation. *The automobile shall be shifted from a dominant role, relative to other modes of transportation, by the following means:*

- a. *Commercial and office development shall be oriented to the street. At least one public entrance shall be located facing an arterial street; or, if the project does not front on an arterial, facing a collector street; or, if the project does not front on a collector, facing the local street with highest traffic levels. Parking lots shall be placed behind or to the side of commercial and office development. When a large and/or multi-building development is occurring on a large undeveloped tract (three plus acres), it is acceptable to focus internally; however, at least 20 percent of the main adjacent right-of-way shall have buildings contiguous to it unless waived per subsection (B)(7)(c) of*

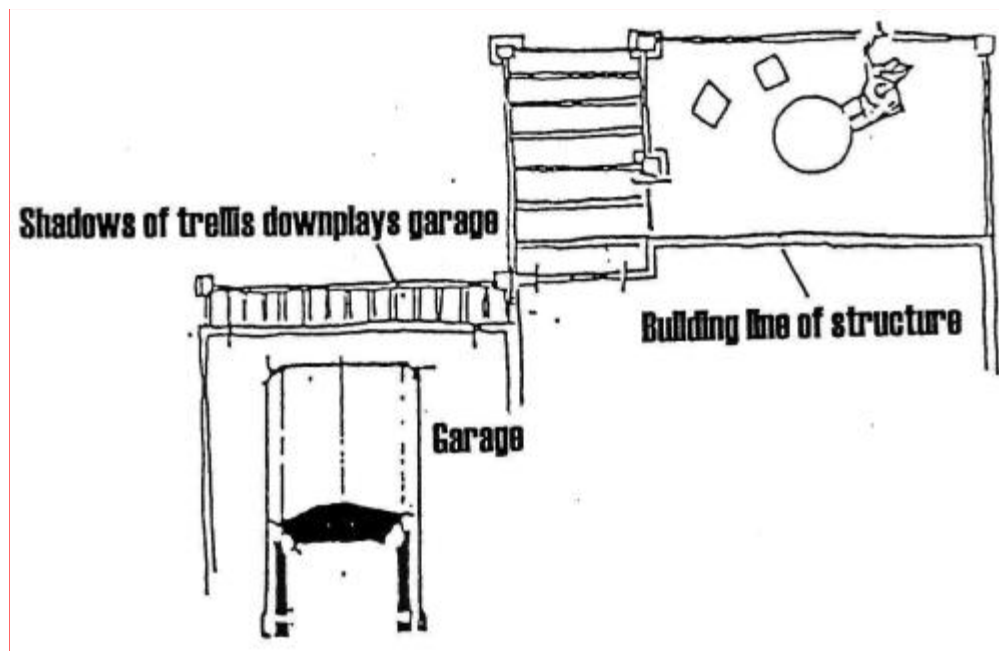
Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

this section. These buildings shall be oriented to the adjacent street and include pedestrian-oriented transparencies on those elevations.

For individual buildings on smaller individual lots, at least 30 lineal feet or 50 percent of the building must be adjacent to the right-of-way unless waived per subsection (B)(7)(c) of this section. The elevations oriented to the right-of-way must incorporate pedestrian-oriented transparency.

Response: The proposed development does not front onto any street classified as an arterial. As illustrated on the site plans provided in attachment 9 of the application submittal. The ground floor commercial spaces are all fronting onto Tannler Drive, a classified neighborhood route. While street parking is proposed along Tannler Drive, there is also parking provided for the ground floor commercial spaces located behind or to the side of each building. Building 8 does have frontage onto both Tannler Drive and Blankenship Road and direct pedestrian access is provided from both rights of way. The commercial components of the proposed mixed-use development all face and provide front entrances directly to Tannler Drive satisfying this requirement.

- b. *Multifamily projects shall be required to keep the parking at the side or rear of the buildings or behind the building line of the structure as it would appear from the right-of-way inside the multifamily project. For any garage which is located behind the building line of the structure, but still facing the front of the structure, architectural features such as patios, patio walls, trellis, porch roofs, overhangs, pergolas, etc., shall be used to downplay the visual impact of the garage, and to emphasize the rest of the house and front entry.*



Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

The parking may be positioned inside small courtyard areas around which the units are built. These courtyard spaces encourage socialization, defensible space, and can provide a central location for landscaping, particularly trees, which can provide an effective canopy and softening effect on the courtyard in only a few years. Vehicular access and driveways through these courtyard areas is permitted.

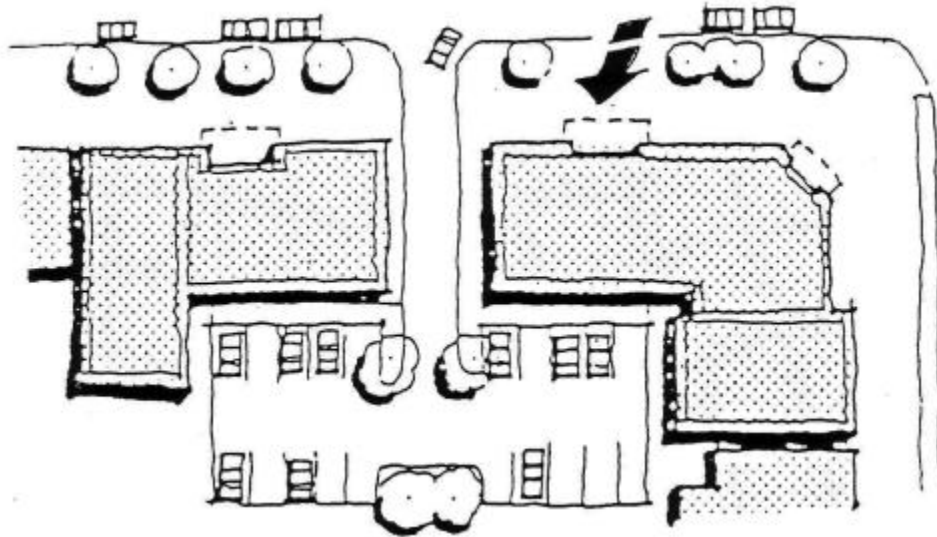
Response: This standard is not clear and objective and as such it does not apply. Further, this development as it does not include, nor is required to include any small courtyard areas. As illustrated in the attached civil and landscape plans, the proposed multifamily portion of this development satisfies the parking location and visual mitigation requirements by placing all vehicular parking outside of the front building setback along Tannler Drive and screening it from the public right-of-way with landscaping. As demonstrated on civil sheets C201, C202, C204, and C206, 100 percent of the proposed parking spaces, drive aisles, and vehicular circulation areas are located entirely to the side and rear of the multifamily buildings. No parking spaces or driving maneuvers are positioned between the public right-of-way and the primary front facades of the residential structures. The forward-facing building lines and proposed landscaping serve as a continuous visual screen, obscuring the parking areas from view from Tannler Drive and Blankenship Road.

None of the proposed garage doors face the public right-of-way. Because all parking is restricted to the interior of the development, the front elevations are entirely dedicated to pedestrian entries and active living spaces. By eliminating front-facing garages and parking courts, the design naturally emphasizes the residences. The public right-of-way interface is enhanced with sidewalks, plazas, and landscaping rather than vehicle-dominated facades. Based on the site layout and architectural elevations, the project complies with the multifamily parking location standard by keeping all parking behind the building lines as viewed from the right-of-way.

- c. *Commercial, office, and multifamily projects shall be built as close to the adjacent main right-of-way as practical to facilitate safe pedestrian and transit access. Reduced frontages by buildings on public rights-of-way may be allowed due to extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations, not just inconveniences or design challenges.*

entrance from right-of-way

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial



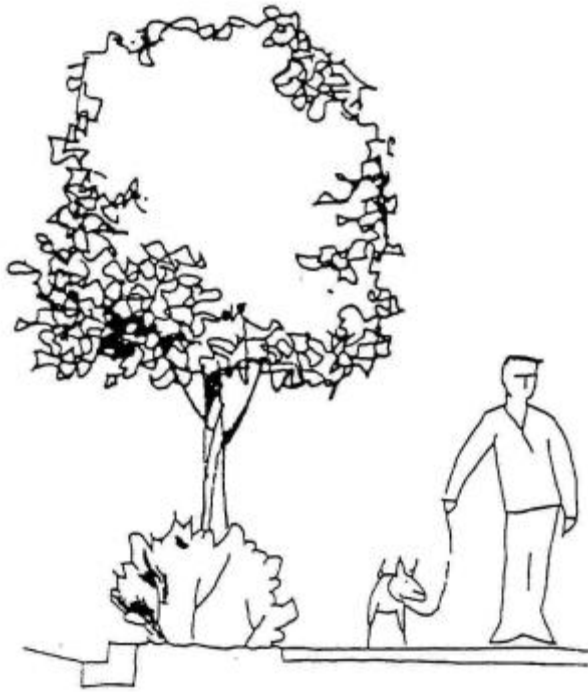
Response: This standard is not clear and objective and as such, it does not apply. As proposed, discussed in the primary narrative, and illustrated in the site plans provided within attachment 9, the multi-family buildings of the proposed development are located to meet the prescriptive setbacks of the zone and designed to meet the clear and objective standards in CDC chapter 55.105. All of the proposed ground floor commercial spaces are located adjacent to the realigned Tannler Drive. The buildings are located as close to the right of way as practicable to provide plazas and outdoor gathering areas within the public realm suggested previously in these standards.

- d. Accessways, parking lots, and internal driveways shall accommodate pedestrian circulation and access by specially textured, colored, or clearly defined footpaths at least six feet wide. Paths shall be eight feet wide when abutting parking areas or travel lanes. Paths shall be separated from parking or travel lanes by either landscaping, planters, curbs, bollards, or raised surfaces. Sidewalks in front of storefronts on the arterials and main store entrances on the arterials identified in CDC 85.200(A)(3) shall be 12 feet wide to accommodate pedestrians, sidewalk sales, sidewalk cafes, etc. Sidewalks in front of storefronts and main store entrances in commercial/OBC zone development on local streets and collectors shall be eight feet wide.*

Response: The proposed development provides a comprehensive, interconnected pedestrian network that accommodates safe pedestrian circulation through a system of wide, physically separated, and clearly defined footpaths connecting all internal uses, parking areas, adjacent rights-of-way, and the neighboring office complex located to the west. As illustrated on the submitted site plans in attachment 9, a combination of pedestrian pathways and sidewalks are provided throughout the entirety of the project site. Continuous walkways are provided along all parking areas and internal accessways to eliminate vehicular conflicts and ensure a walkable environment.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

All of the proposed internal pedestrian walkways which as mentioned previously include sidewalks and paths, maintain a minimum clear width of six feet and are clearly defined using concrete as opposed to pavement to differentiate the pedestrian zone from vehicular travel ways. Where internal sidewalks run directly adjacent to parking stalls or active travel lanes, the pathway width is increased to a minimum of eight feet to ensure adequate clearance and pedestrian safety. Further, all of the proposed sidewalks running along parking areas or travel lanes are physically protected and separated from vehicular traffic by a raised curb. Sidewalks located directly in front of the commercial storefronts and main building entrances along Tannler Drive are designed to be at least eight feet wide, fulfilling the standards for sidewalks on non-arterial streets.

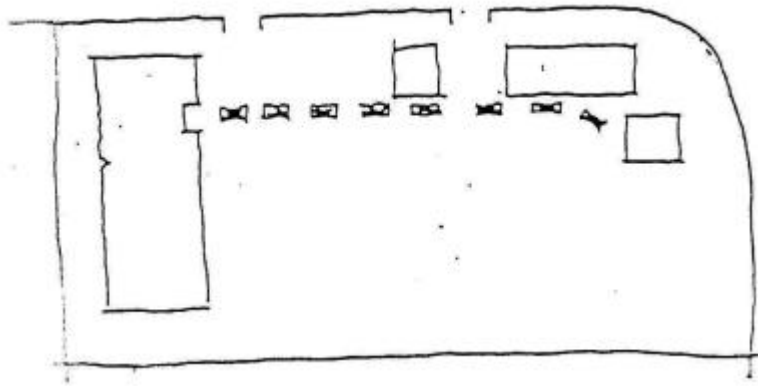


landscaping

- e. *Paths shall provide direct routes that pedestrians will use between buildings, adjacent rights-of-way, and adjacent commercial developments. They shall be clearly identified. They shall be laid out to attract use and to discourage people from cutting through parking lots and impacting environmentally sensitive areas.*

Response: As mentioned previously, the proposed pedestrian system extends beyond the property boundaries, directly connecting the proposed development to all interior buildings, adjacent public rights-of-way, and a dedicated sidewalk provided at the western property line, establishing a direct, unobstructed pedestrian link to the existing office complex located immediately west of the site.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial



direct pedestrian route required (- -)

- f. *At least one entrance to the building shall be on the main street, or as close as possible to the main street. The entrance shall be designed to identify itself as a main point of ingress/egress.*

Response: The residential buildings are subject to clear and objective standards and a mandatory adjustment, as permitted under BS 1537, has been requested to the building orientation requirements. However, at least one entrance to all of the ground floor commercial spaces is provided adjacent to Tannler Drive or in some cases the widened sidewalk and pedestrian plaza along Tannler Drive. Each one of these entrances would identify as a main entrance to each commercial space.

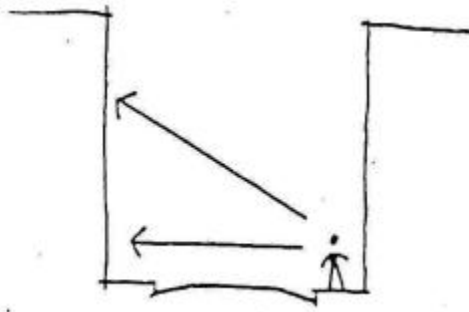
- g. *Where transit service exists, or is expected to exist, there shall be a main entrance within a safe and reasonable distance of the transit stop. A pathway shall be provided to facilitate a direct connection.*

Response: This standard is not clear and objective and as such, it does not apply. As discussed on page 59 of the project narrative, the pedestrian system has been designed to provide pedestrian access throughout the site and to the adjacent public streets including the existing transit stop located along Blankenship Road across from the hardware store. The TIA (attachment 008) indicates that the existing transit stop on Blankenship Rd. serves TriMet line 153, which operates between West Linn and Lake Oswego. The route operates hourly between approximately 6AM and 5PM on weekdays. At the time of their reporting, TriMet was evaluating significant changes in service levels, including the potential elimination of Route 153. The stop is located within the project site and within 200 yards of the commercial entrances to both buildings 8 and 10.

- h. *Projects shall bring at least part of the project adjacent to or near the main street right-of-way in order to enhance the height-to-width ratio along that particular street. (The "height-to-width ratio" is an architectural term that emphasizes height or vertical dimension of buildings adjacent to streets. The higher and closer the building is, and the narrower the width of the street, the more attractive and intimate the streetscape*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

becomes.) For every one foot in street width, the adjacent building ideally should be one to two feet higher. This ratio is considered ideal in framing and defining the streetscape.



1:1 height to width ratio is ideal

(example only)

Response: This criterion is not clear and objective and therefore, it does not apply. Further, application of this discretionary standard creates a conflict with the city's established dimensional standards, engineering requirements, and other design objectives identified in this chapter. A strict height-to-width ratio cannot be mathematically achieved under the base zoning code for the following reasons:

The base zone limits maximum building height to 45 feet, while the minimum standard right-of-way width for a neighborhood route with parking is 78 feet. Even with the applicant's mandatory adjustment request to increase building height to 54 feet, the geometry required to satisfy this standard does not exist. The proposed design provides community benefits and responds to neighborhood concerns related to parking. As proposed, the commercial frontage of Tannler Drive, is proposed to be 92 feet (as detailed on Sheet C-801). This width is intentionally design-driven to accommodate angled pull-in parking, wider sidewalks, and outdoor gathering spaces. This layout physically widens the streetscape corridor, further altering the height-to-width ratio, but it directly fulfills other priority standards in this chapter.

The 92-foot right-of-way design, specifically the inclusion of angled parking, serves as a critical traffic-calming mechanism. It slows vehicular speeds through a high-activity commercial zone, and adds protections for pedestrians in the plazas. The proposed design requires a design modification to be approved by the City engineer, but balances competing community interests.

This is a discretionary standard. Discretionary standards require balancing competing municipal objectives. During three neighborhood meetings, local residents overwhelmingly

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

identified parking availability as a primary concern for the development. Utilizing angled parking directly addresses this community need by providing additional parking. Replacing it with parallel parking to artificially narrow the street corridor would reduce available parking and fail to satisfy the height-to-width standard. Narrowing the right-of-way by reducing the plaza depths would also eliminate the exact spaces dedicated to outdoor sales, café seating, and civic activities called for elsewhere in these guidelines. Therefore, the proposed configuration represents the best possible compromise of competing code goals. It sacrifices a rigid, mathematically impossible height-to-width ratio in order to deliver superior pedestrian safety, robust public plazas, vital commercial vitality, and provides additional parking for the development.

- i. These architectural standards shall apply to public facilities such as reservoirs, water towers, treatment plants, fire stations, pump stations, power transmission facilities, etc. It is recognized that many of these facilities, due to their functional requirements, cannot readily be configured to meet these architectural standards. However, attempts shall be made to make the design sympathetic to surrounding properties by landscaping, setbacks, buffers, and all reasonable architectural means.*
- j. Parking spaces at trailheads shall be located so as to preserve the view of, and access to, the trailhead entrance from the roadway. The entrance apron to the trailhead shall be marked: "No Parking," and include design features to foster trail recognition.*

Response: The proposed development does not propose public facilities called for in this section or provide parking spaces for any trailheads. These standards are not applicable to this development.

C. Compatibility between adjoining uses, buffering, and screening.

- 1. In addition to the compatibility requirements contained in Chapter 24 CDC, buffering shall be provided between different types of land uses; for example, buffering between single-family homes and apartment blocks. However, no buffering is required between single-family homes and duplexes or single-family attached units.*

The following factors shall be considered in determining the adequacy of the type and extent of the buffer:

- a. The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier.*
- b. The size of the buffer required to achieve the purpose in terms of width and height.*
- c. The direction(s) from which buffering is needed.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

- d. The required density of the buffering.*
- e. Whether the viewer is stationary or mobile.*

Response: These standards are not clear and objective and do not apply. The residential uses are subject to stepped down heights relative to those developments and landscape buffers and screening associated with the clear and objective standards of the Community Development Code. Those specific standards are addressed on page 10, 16, 17, 43-49, 54, 56, and 61-64 of the project narrative. The ground-floor commercial uses will not be visible or audible to existing residential uses as they will be located down the slope from these homes. As proposed, those standards are satisfied by the proposed development.

- 2. *On-site screening from view from adjoining properties of such things as service areas, storage areas, and parking lots shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:*
 - a. What needs to be screened?*
 - b. The direction from which it is needed.*
 - c. How dense the screen needs to be.*
 - d. Whether the viewer is stationary or mobile.*
 - e. Whether the screening needs to be year-round.*

Response: These standards are not clear and objective and do not apply. The residential uses are subject to stepped down heights relative to those developments and landscape buffers and screening associated with the clear and objective standards of the Community Development Code. Those specific standards are addressed on page 10, 16, 17, 43-49, 54, 56, and 61-64 of the project narrative. As proposed, those standards are satisfied by the proposed development.

- 3. *Rooftop air cooling and heating systems and other mechanical equipment shall be screened from view from adjoining properties.*

Response: This standard is not clear and objective and will not apply. There are no proposed rooftop air cooling and heating systems or other mechanical equipment associated with the residential uses for this development. Buildings 7,8,9, and 10 have been designed with equipment wells integrated into the roof design to conceal rooftop mechanical equipment from view from adjoining properties. All of the proposed mechanical equipment will either be placed in the attics or within mechanical rooms located in the buildings, or will be located in the equipment wells integrated into the roofs for buildings 7, 8, 9, and 10, and concealed from view from adjoining properties.

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

D. Privacy and noise.

1. *Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view from adjoining units.*

Response: This standard is not clear and objective and does not apply. Required private outdoor areas have already been addressed and satisfied under the clear and objective standards for the residential development.

2. *Residential dwelling units shall be placed on the site in areas having minimal noise exposure to the extent possible. Natural-appearing sound barriers shall be used to lessen noise impacts where noise levels exceed the noise standards contained in West Linn Municipal Code Section 5.487.*

Response: This standard is not clear and objective and not applicable to this proposal.

3. *Structures or on-site activity areas which generate noise, lights, or glare shall be buffered from adjoining residential uses in accordance with the standards in subsection C of this section where applicable.*

Response: This standard is not clear and objective and it does not apply. These items are addressed under the clear and objective standards in the project narrative.

4. *Businesses or activities that can reasonably be expected to generate noise in excess of the noise standards contained in West Linn Municipal Code Section 5.487 shall undertake and submit appropriate noise studies and mitigate as necessary to comply with the code. (See CDC 55.110(B)(11) and 55.120(M).)*

If the decision-making authority reasonably believes a proposed use may generate noise exceeding the standards specified in the municipal code, then the authority may require the applicant to supply professional noise studies from time to time during the user's first year of operation to monitor compliance with City standards and permit requirements.

Response: This standard is not clear and objective and it does not apply. Commercial uses located on the ground floor not adjacent to any existing residential uses are unlikely to generate noise and any levels that would exceed the WLMC Section 5.487 standards.

E. Private outdoor area. *This section only applies to multifamily projects.*

1. *In addition to the requirements of residential living, unit shall have an outdoor private area (patio, terrace, porch) of not less than 48 square feet in area;*
2. *The outdoor space shall be oriented towards the sun where possible; and*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

3. *The area shall be screened or designed to provide privacy for the users of the space.*
4. *Where balconies are added to units, the balconies shall not be less than 48 square feet, if they are intended to be counted as private outdoor areas.*

Response: These standards are not applicable as they are not clear and objective and have no application to the ground-floor commercial component of this project in any event. See response to CDC 55.105(J).

F. *Shared outdoor recreation areas.* *This section only applies to multifamily projects and projects with 10 or more duplexes or single-family attached dwellings on lots under 4,000 square feet. In those cases, shared outdoor recreation areas are calculated on the duplexes or single-family attached dwellings only. It also applies to qualifying PUDs under the provisions of CDC 24.170.*

1. *In addition to the requirements of subsection E of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:*
 - a. *Studio up to and including two-bedroom units: 200 square feet per unit.*
 - b. *Three or more bedroom units: 300 square feet per unit.*
2. *The required recreation space may be provided as follows:*
 - a. *It may be all outdoor space; or*
 - b. *It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room; and*
 - c. *Where some or all of the required recreation area is indoor, such as an indoor recreation room, then these indoor areas must be readily accessible to all residents of the development subject to clearly posted restrictions as to hours of operation and such regulations necessary for the safety of minors.*
 - d. *In considering the requirements of this subsection F, the emphasis shall be on usable recreation space. No single area of outdoor recreational space shall encompass an area of less than 250 square feet. All common outdoor recreational space shall be clearly delineated and readily identifiable as such. Small, marginal, and incidental lots or parcels of land are not usable recreation spaces. The location of outdoor recreation space should be integral to the overall design concept of the site and be free of hazards or constraints that would interfere with active recreation.*
3. *The shared space shall be readily observable to facilitate crime prevention and safety.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

Response: These standards are not applicable to the commercial component of this development and are otherwise satisfied through CDC 55.105(K). This development will include 69,948 SF of shared recreation space including a clubhouse, pool, dog park, picnic pavilion, and plaza.

G. *Demarcation of public, semi-public, and private spaces. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semi-public areas, and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, to provide for crime prevention, and to establish maintenance responsibility. These areas may be defined by:*

1. *A deck, patio, fence, low wall, hedge, or draping vine;*
2. *A trellis or arbor;*
3. *A change in level;*
4. *A change in the texture of the path material;*
5. *Sign; or*
6. *Landscaping.*

Use of gates to demarcate the boundary between a public street and a private access driveway is prohibited.

Response: These standards are not clear and objective and do not apply. Further, they are addressed as part of CDC 55.105(L).

H. *Public transit.*

1. *Provisions for public transit may be required where the site abuts an existing or planned public transit route. The required facilities shall be based on the following:*
 - a. *The location of other transit facilities in the area.*
 - b. *The size and type of the proposed development.*
 - c. *The rough proportionality between the impacts from the development and the required facility.*
2. *The required facilities shall be limited to such facilities as the following:*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

- a. A waiting shelter with a bench surrounded by a three-sided covered structure, with transparency to allow easy surveillance of approaching buses.*
 - b. A turnout area for loading and unloading designed per regional transit agency standards.*
 - c. Hard-surface paths connecting the development to the waiting and boarding areas.*
 - d. Regional transit agency standards shall, however, prevail if they supersede these standards.*
- 3. The transit stop shall be located as close as possible to the main entrance to the shopping center, public or office building, or multifamily project. The entrance shall not be more than 200 feet from the transit stop with a clearly identified pedestrian link.*
- 4. All commercial business centers (over three acres) and multifamily projects (over 40 units) may be required to provide for the relocation of transit stops to the front of the site if the existing stop is within 200 to 400 yards of the site and the exaction is roughly proportional to the impact of the development. The commercial or multifamily project may be required to provide new facilities in those cases where the nearest stop is over 400 yards away. The transit stop shall be built per subsection (H)(2) of this section.*

Response: These standards are not clear and objective and do not apply. Rather, the Applicant has satisfied CDC 55.105(M), which does apply.

- I. Public facilities. An application may only be approved if adequate public facilities, as defined in CDC 2.030, will be available to provide service to the property prior to occupancy.*
 - 1. In situations where the level-of-service or volume-to-capacity performance standard for an affected City or State roadway is currently failing or projected to fail to meet the standard at a date determined within a traffic impact analysis, and an improvement project is not programmed, the development shall avoid further degradation of the affected transportation facility. Mitigation must be provided to bring the facility performance standard to existing conditions at the time of occupancy.*
 - 2. Streets. Sufficient right-of-way and slope easement shall be dedicated to accommodate all abutting streets to be improved to the City's Improvement Standards and Specifications. The City Engineer shall determine the appropriate level of street and traffic control improvements to be required, including any off-site street and traffic control improvements, based upon the transportation analysis submitted. The City Engineer's determination of developer obligation, the extent of road improvement and City's share, if any, of improvements and the timing of improvements shall be made based upon the City's systems development charge ordinance and capital improvement program, and the*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

rough proportionality between the impact of the development and the street improvements.

In determining the appropriate sizing of the street in commercial, office, multifamily, and public settings, the street should be the minimum necessary to accommodate anticipated traffic load and needs and should provide substantial accommodations for pedestrians and bicyclists. Road and driveway alignment should consider and mitigate impacts on adjacent properties and in neighborhoods in terms of increased traffic loads, noise, vibrations, and glare.

The realignment or redesign of roads shall consider how the proposal meets accepted engineering standards, enhances public safety, and favorably relates to adjacent lands and land uses. Consideration should also be given to selecting an alignment or design that minimizes or avoids hazard areas and loss of significant natural features (drainageways, wetlands, heavily forested areas, etc.) unless site mitigation can clearly produce a superior landscape in terms of shape, grades, and reforestation, and is fully consistent with applicable code restrictions regarding resource areas.

Streets shall be installed per Chapter 85 CDC standards. The City Engineer has the authority to require that street widths match adjacent street widths. Sidewalks shall be installed per CDC 85.200(A)(3) for commercial and office projects, and CDC 85.200(A)(16) and 92.010(H) for residential projects, and applicable provisions of this chapter. Where streets bisect or traverse water resource areas (WRAs) the street width shall be reduced to the appropriate "constrained" cross-section width indicated in the TSP or alternate configurations which are appropriate to site conditions, minimize WRA disturbance or are consistent with an adopted transportation system plan. The street design shall also be consistent with habitat friendly provisions of CDC 32.060(I).

Based upon the City Manager's or Manager's designee's determination, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC 55.125 that are required to mitigate impacts from the proposed development. Proportionate share of the costs shall be determined by the City Manager or Manager's designee, who shall assume that the proposed development provides improvements in rough proportion to identified impacts of the development.

3. *Storm detention and treatment and geologic hazards. Per the submittals required by CDC 55.130 and 92.010(E), all proposed storm detention and treatment facilities must comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and the applicant must provide sufficient factual data to support the conclusions of the submitted plan.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

Per the submittals required by CDC 55.130(E), the applicant must demonstrate that the proposed methods of rendering known or potential hazard sites safe for development, including proposed geotechnical remediation, are feasible and adequate to prevent landslides or other damage to property and safety. The review authority may impose conditions, including limits on type or intensity of land use, which it determines are necessary to mitigate known risks of landslides or property damage.

- 4. Municipal water. A registered civil engineer shall prepare a plan for the provision of water which demonstrates to the City Engineer's satisfaction the availability of sufficient volume, capacity, and pressure to serve the proposed development's domestic, commercial, and industrial fire flows. All plans will then be reviewed by the City Engineer.*
- 5. Sanitary sewers. A registered civil engineer shall prepare a sewerage collection system plan which demonstrates sufficient on-site capacity to serve the proposed development. The City Engineer shall determine whether the existing City system has sufficient capacity to serve the development.*
- 6. Solid waste and recycling storage areas. Appropriately sized and located solid waste and recycling storage areas shall be provided. Metro standards shall be used.*

Response: These standards are not clear and objective and do not apply. Further, these standards have been addressed under the clear and objective standards in the project narrative beginning on page 59. As proposed, the development will satisfy these requirements.

J. Crime prevention and safety/defensible space.

- 1. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants.*
- 2. Interior laundry and service areas shall be located in a way that they can be observed by others.*
- 3. Mailboxes, recycling, and solid waste facilities shall be located in lighted areas having vehicular or pedestrian traffic.*
- 4. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime.*
- 5. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes.*
- 6. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person. All commercial, industrial, residential, and public*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

facility projects undergoing design review shall use low or high pressure sodium bulbs and be able to demonstrate effective shielding so that the light is directed downwards rather than omni-directional. Omni-directional lights of an ornamental nature may be used in general commercial districts only.

7. *Lines of sight shall be reasonably established so that the development site is visible to police and residents.*
8. *Security fences for utilities (e.g., power transformers, pump stations, pipeline control equipment, etc.) or wireless communication facilities may be up to eight feet tall in order to protect public safety. No variances are required regardless of location.*

Response: These standards are not clear and objective and do not apply. Further, these standards have been addressed under the clear and objective standards in the project narrative beginning on page 61. As proposed, the development will satisfy these requirements.

K. Provisions for persons with disabilities.

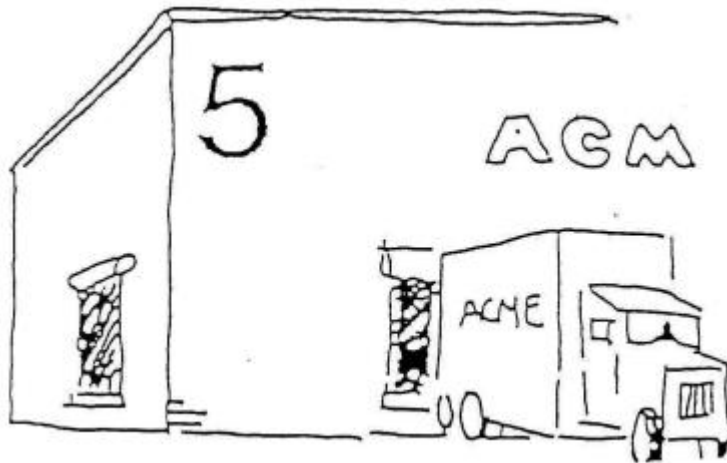
1. *The needs of a person with a disability shall be provided for. Accessible routes shall be provided between all buildings and accessible site facilities. The accessible route shall be the most practical direct route between accessible building entries, accessible site facilities, and the accessible entry to the site. An accessible route shall connect to the public right-of-way and to at least one on-site or adjacent transit stop (if the area is served by transit). All facilities shall conform to, or exceed, the Americans with Disabilities Act (ADA) standards, including those included in the Uniform Building Code.*

Response: These standards are not clear and objective and do not apply. Further, these standards have been addressed under the clear and objective standards in the project narrative beginning on page 62. As proposed, the development will satisfy these requirements.

L. Signs.

1. *Based on considerations of crime prevention and the needs of emergency vehicles, a system of signs for identifying the location of each residential unit, store, or industry shall be established.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial



buildings shall be numbered for emergency identification

2. *The signs, graphics, and letter styles shall be designed to be compatible with surrounding development, to contribute to a sense of project identity, or, when appropriate, to reflect a sense of the history of the area and the architectural style.*
3. *The sign graphics and letter styles shall announce, inform, and designate particular areas or uses as simply and clearly as possible.*
4. *The signs shall not obscure vehicle driver's sight distance.*
5. *Signs indicating future use shall be installed on land dedicated for public facilities (e.g., parks, water reservoir, fire halls, etc.).*
6. *Signs and appropriate traffic control devices and markings shall be installed or painted in the driveway and parking lot areas to identify bicycle and pedestrian routes.*

Response: These standards are not clear and objective and do not apply. A comprehensive wayfinding, signage, and striping plan will be included with the final construction documents to illustrate compliance with these requirements. Project signage will be applied for as commercial spaces are leased and will be designed to satisfy the applicable approval criteria at that time.

- M. Utilities. *The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting, and cable television, shall be placed underground, as practical. The design standards of Tables 1 and 2 above, and of subsection 5.487 of the West Linn Municipal Code relative to existing high ambient noise levels shall apply to this section.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

Response: As mentioned in the project narrative, the design team has been coordinating the design of the site with the applicable utility companies. The applicant anticipates meeting this requirement by placing all new and relocated utilities underground as required.

N. Wireless communication facilities (WCFs). *(This section only applicable to WCFs.) WCFs as defined in Chapter 57 CDC may be required to go through Class I or Class II design review. The approval criteria for Class I design review is that the visual impact of the WCF shall be minimal to the extent allowed by Chapter 57 CDC. Stealth designs shall be sufficiently camouflaged so that they are not easily seen by passersby in the public right-of-way or from any adjoining residential unit. WCFs that are classified as Class II design review must respond to all of the approval criteria of this chapter.*

Response: This criterion is not applicable to the proposed development. No Wireless communication facilities are proposed.

O. Refuse and recycling standards.

1. *All commercial, industrial and multifamily developments over five units requiring Class II design review shall comply with the standards set forth in these provisions. Modifications to these provisions may be permitted if the Planning Commission determines that the changes are consistent with the purpose of these provisions and the City receives written evidence from the local franchised solid waste and recycling firm that they are in agreement with the proposed modifications.*
2. *Compactors, containers, and drop boxes shall be located on a level Portland cement concrete pad, a minimum of four inches thick, at ground elevation or other location compatible with the local franchise collection firm's equipment at the time of construction. The pad shall be designed to discharge surface water runoff to avoid ponding.*
3. Recycling and solid waste service areas.
 - a. *Recycling receptacles shall be designed and located to serve the collection requirements for the specific type of material.*
 - b. *The recycling area shall be located in close proximity to the garbage container areas and be accessible to the local franchised collection firm's equipment.*
 - c. *Recycling receptacles or shelters located outside a structure shall have lids and be covered by a roof constructed of water and insect-resistive material. The maintenance of enclosures, receptacles and shelters is the responsibility of the property owner.*
 - d. *The location of the recycling area and method of storage shall be approved by the local fire marshal.*

Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

- e. Recycling and solid waste service areas shall be at ground level and/or otherwise accessible to the franchised solid waste and recycling collection firm.*
 - f. Recycling and solid waste service areas shall be used only for purposes of storing solid waste and recyclable materials and shall not be a general storage area to store personal belongings of tenants, lessees, property management or owners of the development or premises.*
 - g. Recyclable material service areas shall be maintained in a clean and safe condition.*
4. *Special wastes or recyclable materials.*
- a. Environmentally hazardous wastes defined in ORS 466.005 shall be located, prepared, stored, maintained, collected, transported, and disposed in a manner acceptable to the Oregon Department of Environmental Quality.*
 - b. Containers used to store cooking oils, grease or animal renderings for recycling or disposal shall not be located in the principal recyclable materials or solid waste storage areas. These materials shall be stored in a separate storage area designed for such purpose.*
5. *Screening and buffering.*
- a. Enclosures shall include a curbed landscape area at least three feet in width on the sides and rear. Landscaping shall include, at a minimum, a continuous hedge maintained at a height of 36 inches.*
 - b. Placement of enclosures adjacent to residentially zoned property and along street frontages is strongly discouraged. They shall be located so as to conceal them from public view to the maximum extent possible.*
 - c. All dumpsters and other trash containers shall be completely screened on all four sides with an enclosure that is comprised of a durable material such as masonry with a finish that is architecturally compatible with the project. Chain link fencing, with or without slats, will not be allowed.*
6. *Litter receptacles.*
- a. Location. Litter receptacles may not encroach upon the minimum required walkway widths.*
 - b. Litter receptacles may not be located within public rights-of-way except as permitted through an agreement with the City in a manner acceptable to the City Attorney or their designee.*

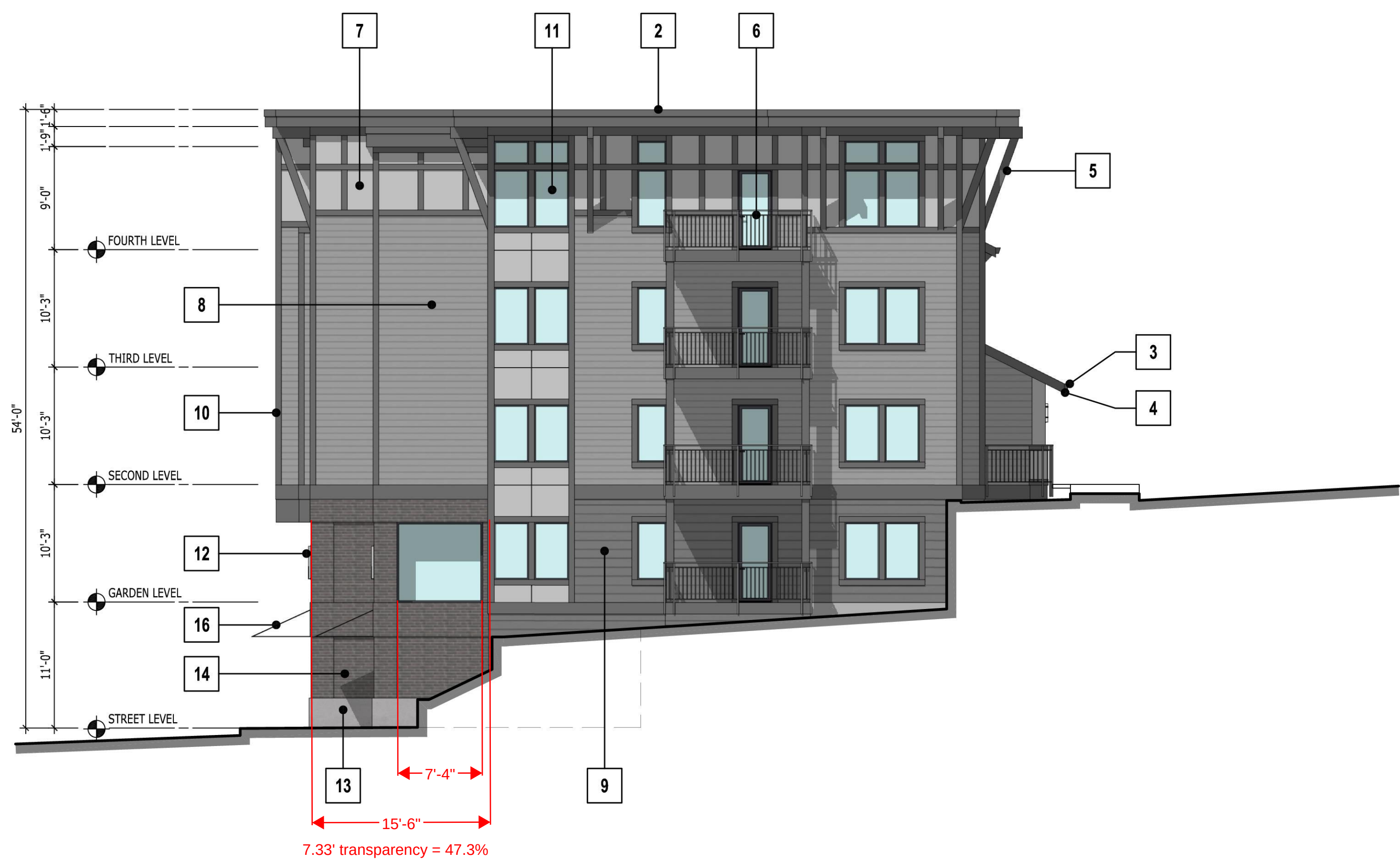
Tannler Development
Supplemental Land Use Application Narrative & Findings Document
Ground-Floor Commercial

- c. *Number. The number and location of proposed litter receptacles shall be based on the type and size of the proposed uses. However, at a minimum, for non-residential uses, at least one external litter receptacle shall be provided for every 25 parking spaces for first 100 spaces, plus one receptacle for every additional 100 spaces. (Ord. [1547](#), 2007; Ord. [1604](#) § 52, 2011; Ord. [1613](#) § 12, 2013; amended during July 2014 supplement; Ord. [1623](#) § 6, 2014; Ord. [1635](#) § 26, 2014; Ord. [1636](#) § 37, 2014; Ord. [1647](#) § 6, 2016; Ord. [1650](#) § 1 (Exh. A), 2016; Ord. [1662](#) § 8, 2017; Ord. [1675](#) § 45, 2018; Ord. [1745](#) § 1 (Exh. A), 2023)*

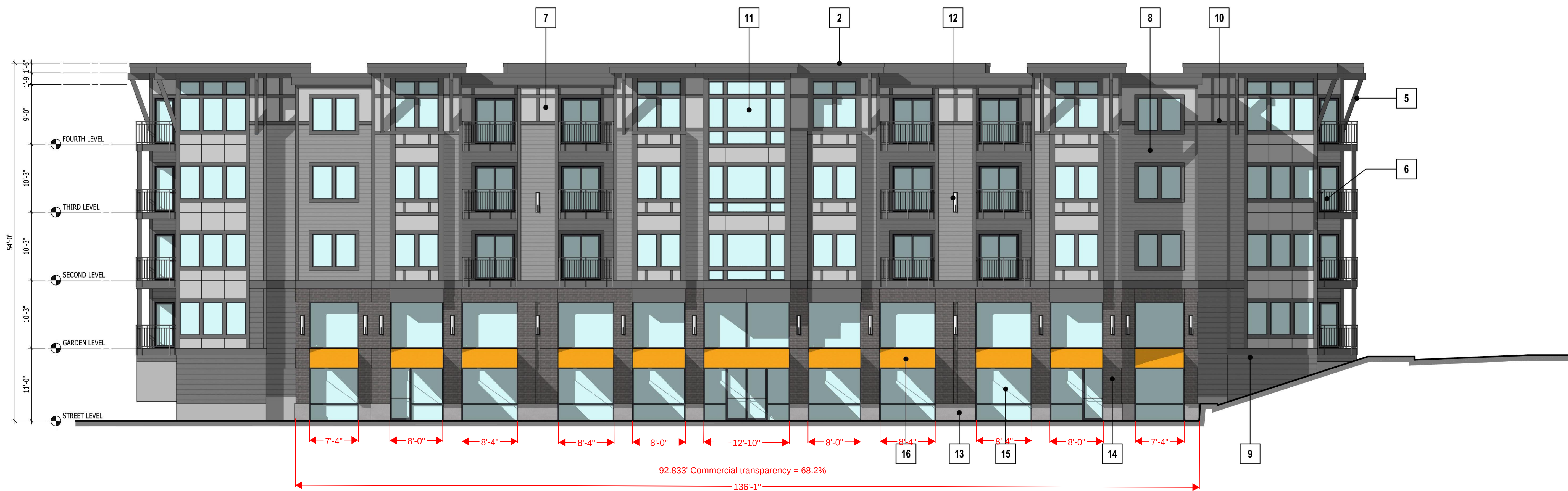
Response: Many of these standards are not clear and objective and do not apply. These standards have been addressed under the clear and objective standards in the project narrative beginning on page 63-65. As proposed, the development will satisfy the clear and objective requirements.

- RESIDENTIAL-MIXED USE
- COMMERCIAL
- GARAGES
- CARPORTS
- COMMUNITY CENTER/CLUBHOUSE
- TRASH & RECYCLING ENCLOSURE





EAST ELEVATION

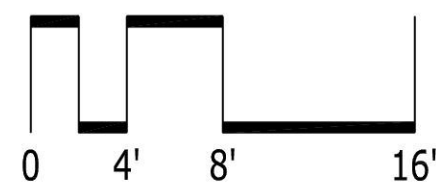


SOUTH ELEVATION

- | | | | |
|--|--------------------------|-----------------------------|---|
| 1 COMPOSITION SHINGLE ROOFING | 2 PAINTED METAL FLASHING | 3 PAINTED METAL GUTTER | 4 WOOD FASCIA |
| 5 WOOD KNEE BRACE | 6 STEEL GUARDRAIL | 7 FIBER CEMENT PANEL SIDING | 8 FIBER CEMENT LAP SIDING - 7" EXPOSURE |
| 9 FIBER CEMENT LAP SIDING - 10" EXPOSURE | 10 FIBER CEMENT TRIM | 11 VINYL WINDOWS | 12 WALL MOUNTED LIGHT FIXTURE |
| 13 FINISHED CONCRETE | 14 BRICK VENEER | 15 ALUMINUM STOREFRONT | 16 FABRIC OR METAL AWNING |
| 17 MEMBRANE ROOFING | 18 ENTRANCE | 19 BREEZEWAY/STAIR | |

GLAZING AREAS

	WALL AREA	GLAZING			
		WINDOWS	DOORS	TOTAL	PERCENT
EAST ELEVATION					
UPPER FLOORS	1,895	289	63	352	18.5
GROUND FLOOR	765	140	21	161	18.5
TOTAL	2,660	429	84	513	19.2
SOUTH ELEVATION					
UPPER FLOORS	5,600	1,244	504	1,748	31.2
GROUND FLOOR	3,519	1,256	234	1,490	42.0
TOTAL	9,119	2,500	738	3,238	35.5



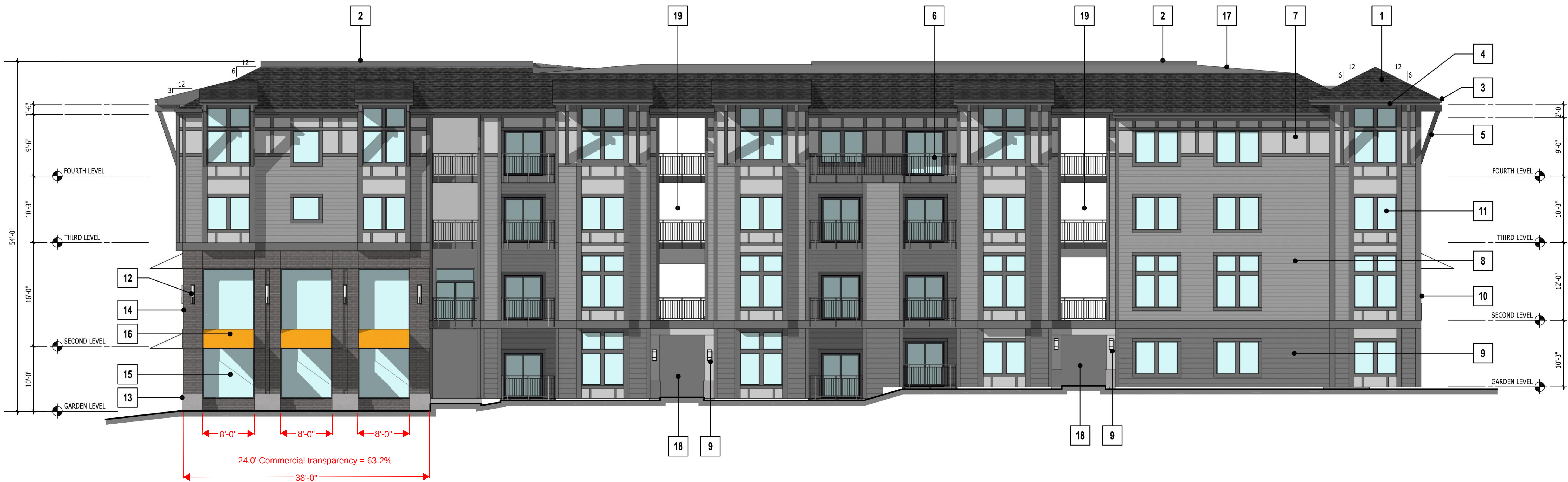
MODERA WEST LINN
WEST LINN, OREGON
HILL ARCHITECTS

BUILDING D - EXTERIOR ELEVATIONS
OPTION-1
FEBRUARY 26, 2026

3.1D-1



EAST ELEVATION



SOUTH ELEVATION

- 1

COMPOSITION SHINGLE ROOFING
- 5

WOOD KNEE BRACE
- 9

FIBER CEMENT LAP SIDING - 10" EXPOSURE
- 13

FINISHED CONCRETE
- 17

MEMBRANE ROOFING
- 2

PAINTED METAL FLASHING
- 6

STEEL GUARDRAIL
- 10

FIBER CEMENT TRIM
- 14

BRICK VENEER
- 18

ENTRANCE
- 3

PAINTED METAL GUTTER
- 7

FIBER CEMENT PANEL SIDING
- 11

VINYL WINDOWS
- 15

ALUMINUM STOREFRONT
- 19

BREEZEWAY/STAIR
- 4

WOOD FASCIA
- 8

FIBER CEMENT LAP SIDING - 7" EXPOSURE
- 12

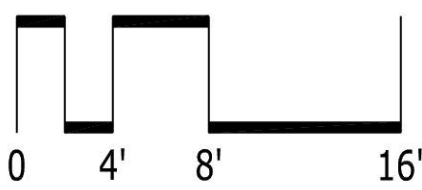
WALL MOUNTED LIGHT FIXTURE
- 16

FABRIC OR METAL AWNING

GLAZING AREAS					
	WALL AREA	GLAZING			
		WINDOWS	DOORS	TOTAL	PERCENT
EAST ELEVATION	2,663	603	294	897	33.7
SOUTH ELEVATION	7,081	1,666	462	2,128	30.0

MODERA WEST LINN
WEST LINN, OREGON
HILL ARCHITECTS

BUILDING E - EXTERIOR ELEVATIONS
OPTION-1
FEBRUARY 26, 2026
3.1E-1





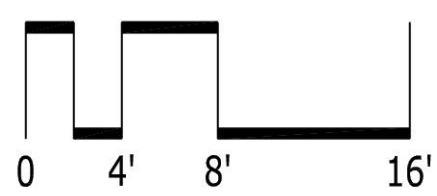
- | | | | |
|--|--------------------------|-----------------------------|---|
| 1 COMPOSITION SHINGLE ROOFING | 2 PAINTED METAL FLASHING | 3 PAINTED METAL GUTTER | 4 WOOD FASCIA |
| 5 WOOD KNEE BRACE | 6 STEEL GUARDRAIL | 7 FIBER CEMENT PANEL SIDING | 8 FIBER CEMENT LAP SIDING - 7" EXPOSURE |
| 9 FIBER CEMENT LAP SIDING - 10" EXPOSURE | 10 FIBER CEMENT TRIM | 11 VINYL WINDOWS | 12 WALL MOUNTED LIGHT FIXTURE |
| 13 FINISHED CONCRETE | 14 BRICK VENEER | 15 ALUMINUM STOREFRONT | 16 FABRIC OR METAL AWNING |
| 17 MEMBRANE ROOFING | 18 ENTRANCE | 19 BREEZEWAY/STAIR | |

GLAZING AREAS				
	WALL AREA	GLAZING		
		WINDOWS	DOORS	TOTAL
WEST ELEVATION				
UPPER FLOORS	784	234	--	234
GROUND FLOOR	852	344	--	344
TOTAL	1,636	578	--	578
NORTH ELEVATION				
UPPER FLOORS	3,816	745	228	973
GROUND FLOOR	2,836	496	464	960
TOTAL	6,652	1,241	692	1,933

MODERA WEST LINN
WEST LINN, OREGON

HILL ARCHITECTS

BUILDING E - EXTERIOR ELEVATIONS
OPTION-1
FEBRUARY 26, 2026
3.2E-1





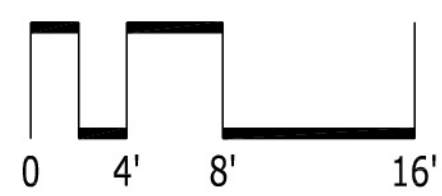
EAST ELEVATION



SOUTH ELEVATION

- | | | | |
|--|--------------------------|-----------------------------|---|
| 1 COMPOSITION SHINGLE ROOFING | 2 PAINTED METAL FLASHING | 3 PAINTED METAL GUTTER | 4 WOOD FASCIA |
| 5 WOOD KNEE BRACE | 6 STEEL GUARDRAIL | 7 FIBER CEMENT PANEL SIDING | 8 FIBER CEMENT LAP SIDING - 7" EXPOSURE |
| 9 FIBER CEMENT LAP SIDING - 10" EXPOSURE | 10 FIBER CEMENT TRIM | 11 VINYL WINDOWS | 12 WALL MOUNTED LIGHT FIXTURE |
| 13 FINISHED CONCRETE | 14 BRICK VENEER | 15 ALUMINUM STOREFRONT | 16 FABRIC OR METAL AWNING |
| 17 MEMBRANE ROOFING | 18 ENTRANCE | 19 BREEZEWAY/STAIR | 20 ROLL UP DOOR |

	WALL AREA	GLAZING			
		WINDOWS	DOORS	TOTAL	PERCENT
EAST ELEVATION	2,786	482	336	818	29.4
SOUTH ELEVATION					
UPPER FLOORS	6,687	1,296	504	1,800	26.9
GROUND FLOOR	3,303	484	393	877	26.6
TOTAL	9,990	1,780	897	2,677	26.8



MODERA WEST LINN
WEST LINN, OREGON
HILL ARCHITECTS

BUILDING F - EXTERIOR ELEVATIONS
OPTION-1
MAY 26, 2026
3.1F-1



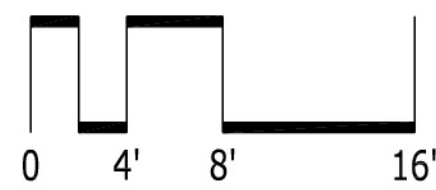
WEST ELEVATION



NORTH ELEVATION

- | | | | | | | | |
|----|--|----|------------------------|----|---------------------------|----|---------------------------------------|
| 1 | COMPOSITION SHINGLE ROOFING | 2 | PAINTED METAL FLASHING | 3 | PAINTED METAL GUTTER | 4 | WOOD FASCIA |
| 5 | WOOD KNEE BRACE | 6 | STEEL GUARDRAIL | 7 | FIBER CEMENT PANEL SIDING | 8 | FIBER CEMENT LAP SIDING - 7" EXPOSURE |
| 9 | FIBER CEMENT LAP SIDING - 10" EXPOSURE | 10 | FIBER CEMENT TRIM | 11 | VINYL WINDOWS | 12 | WALL MOUNTED LIGHT FIXTURE |
| 13 | FINISHED CONCRETE | 14 | BRICK VENEER | 15 | ALUMINUM STOREFRONT | 16 | FABRIC OR METAL AWNING |
| 17 | MEMBRANE ROOFING | 18 | ENTRANCE | 19 | BREEZEWAY/STAIR | 20 | ROLL UP DOOR |

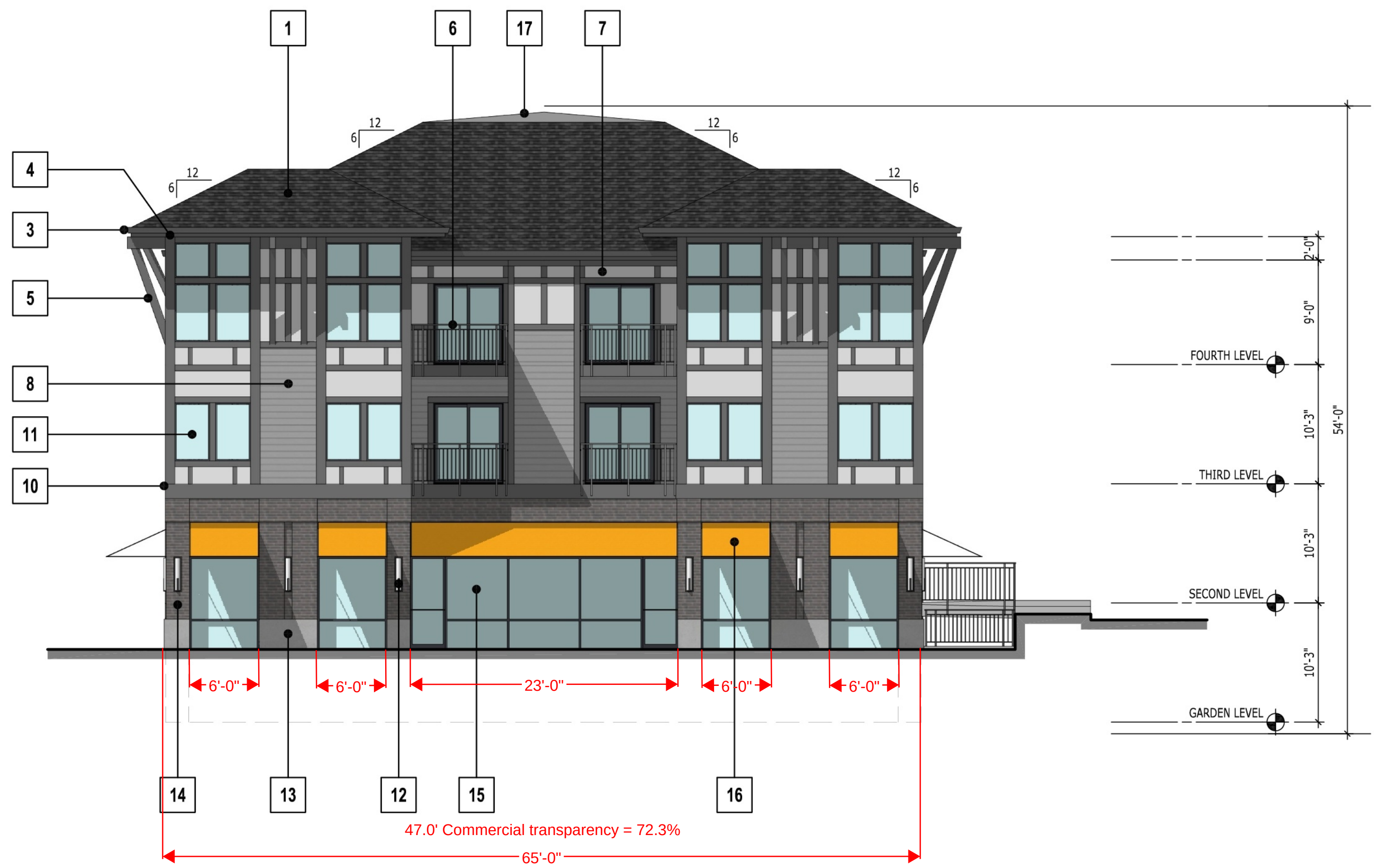
	WALL AREA	GLAZING			
		WINDOWS	DOORS	TOTAL	PERCENT
WEST ELEVATION					
UPPER FLOORS	1,334	229	168	397	29.8
GROUND FLOOR	1,203	531	54	585	48.6
TOTAL	2,537	757	222	982	38.7
NORTH ELEVATION	8,472	1,567	504	2,071	24.4



MODERA WEST LINN
WEST LINN, OREGON
HILL ARCHITECTS

BUILDING F - EXTERIOR ELEVATIONS
OPTION-1
JUL 16, 2026

3.2F-1



EAST ELEVATION



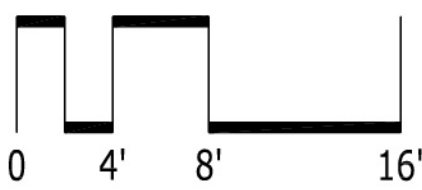
SOUTH ELEVATION

- | | | | |
|--|--------------------------|-----------------------------|---|
| 1 COMPOSITION SHINGLE ROOFING | 2 PAINTED METAL FLASHING | 3 PAINTED METAL GUTTER | 4 WOOD FASCIA |
| 5 WOOD KNEE BRACE | 6 STEEL GUARDRAIL | 7 FIBER CEMENT PANEL SIDING | 8 FIBER CEMENT LAP SIDING - 7" EXPOSURE |
| 9 FIBER CEMENT LAP SIDING - 10" EXPOSURE | 10 FIBER CEMENT TRIM | 11 VINYL WINDOWS | 12 WALL MOUNTED LIGHT FIXTURE |
| 13 FINISHED CONCRETE | 14 BRICK VENEER | 15 ALUMINUM STOREFRONT | 16 FABRIC OR METAL AWNING |
| 17 MEMBRANE ROOFING | 18 ENTRANCE | 19 BREEZEWAY/STAIR | 20 ROLL UP DOOR |

	WALL AREA	GLAZING			
		WINDOWS	DOORS	TOTAL	PERCENT
EAST ELEVATION					
UPPER FLOORS	1,352	348	168	516	38.2
GROUND FLOOR	926	447	48	495	53.4
TOTAL	2,278	795	216	1,011	44.4
SOUTH ELEVATION					
UPPER FLOORS	4,952	796	294	1,090	22.0
GROUND FLOOR	1,754	280	126	406	23.1
TOTAL	6,706	1,076	420	1,496	22.3

MODERA WEST LINN
WEST LINN, OREGON
HILL ARCHITECTS

BUILDING H - EXTERIOR ELEVATIONS
OPTION-1
MAY 26, 2026
3.1H-1





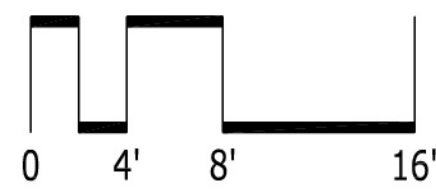
WEST ELEVATION



NORTH ELEVATION

- | | | | |
|--|--------------------------|-----------------------------|---|
| 1 COMPOSITION SHINGLE ROOFING | 2 PAINTED METAL FLASHING | 3 PAINTED METAL GUTTER | 4 WOOD FASCIA |
| 5 WOOD KNEE BRACE | 6 STEEL GUARDRAIL | 7 FIBER CEMENT PANEL SIDING | 8 FIBER CEMENT LAP SIDING - 7" EXPOSURE |
| 9 FIBER CEMENT LAP SIDING - 10" EXPOSURE | 10 FIBER CEMENT TRIM | 11 VINYL WINDOWS | 12 WALL MOUNTED LIGHT FIXTURE |
| 13 FINISHED CONCRETE | 14 BRICK VENEER | 15 ALUMINUM STOREFRONT | 16 FABRIC OR METAL AWNING |
| 17 MEMBRANE ROOFING | 18 ENTRANCE | 19 BREEZEWAY/STAIR | 20 ROLL UP DOOR |

	WALL AREA	GLAZING			
		WINDOWS	DOORS	TOTAL	PERCENT
NORTH ELEVATION	6,706	1,076	420	1,496	22.3
WEST ELEVATION	2,684	604	336	940	35.0



MODERA WEST LINN
WEST LINN, OREGON
HILL ARCHITECTS

BUILDING H - EXTERIOR ELEVATIONS
OPTION-1
MAY 26, 2026
3.2H-1