

## 2008-04-22

Marylhurst Neighborhood Association  
Meeting Minutes  
April 22nd, 2008

### OPENING:

The regular meeting of the Marylhurst Neighborhood Association was called to order at 7:06 pm on Tuesday, April 22nd, 2008 at the West Linn Adult Community Center by President Jeff Treece

### Present:

5 association members were present. Their being no quorum, President Treece declared an informal meeting. City Councilor Jody Carson was also present

### Approval of Minutes:

As the membership was functioning without a quorum, approval of the March minutes was deferred to the May 27, 2008 meeting.

### COMMITTEE REPORTS:

#### Treasurer's Report:

Treasurer Jim Koll stated there was not change to the association balance of \$1461.22.

Mr. Koll also had a catalog of trees that could potentially be purchased with NA funds and planted in the future park site. It was recommended that a mailing be sent to the neighborhood inviting participation in this decision at the next meeting in May.

#### Neighborhood Representative to Land Use Pre-Applications Conference Report

Karie Oakes reported there were no new land use applications in the neighborhood.

### GUEST PRESENTATION

Ron Adams, candidate for the Clackamas Board of Commissioners, position 5 asked if he could speak to the membership. President Treece granted him this opportunity.

### OLD BUSINESS:

#### Marylhurst Neighborhood Plan

President Jeff Treece informed the membership that he had received a written response from Bryan Brown, Planning Director of West Linn regarding the neighborhood's request to amend the Neighborhood Plan and strike some language that had been altered by the city council to be in direct contrast with the goals of the neighborhood. He explained in summary that Mr. Brown did some research on the topic and found the language changes to be "scriveners errors", meaning the proposed change to the text was not accurately reflected in the document and the qualifying word "only" was left out in both instances. With the word "only", the city could accomplish its goal of keeping the Neighborhood Plan in conformance with the CDC and Comprehensive Plan to allow flag lots and sub-division, while still trying to honor the intent of the original Neighborhood Plan. Since this was a scriveners error, if the neighborhood association were to approve the language with the word "only" added, there would be no need for an amendment process to update the neighborhood plan.

With the lack of a quorum, President Treece opted to keep this matter open until the next meeting in May. He stated that he would communicate to Mr. Brown that the association would not be able to respond until after the May meeting.

A copy of the letter from Mr. Brown is included as an appendix to this document.

#### Neighborhood Cleanup Day

There was some additional discussion on the topic of a neighborhood cleanup day. Mr. Treece had contacted the city and learned that we simply need to schedule a date and provide the city enough lead time to work with Metro on obtaining dumpsters. It was decided to wait until the May meeting to pick a date.

#### Marylhurst Park Status

Secretary Brian Eastman provided an update on the status of the development of Marylhurst Park. He reported that

he had spoken with Parks Director Ken Worcester and learned that the project was on hold pending legal discussion between the city and the Peterson family that sold the land to the city. Apparently, there is land to the SW of the park that is still owned by the Peterson family. They expected to have access to this land via the region where there is currently a walkway between Carriage Way and Kapteyns St. This region had been dedicated for access back when Kaptyens Crest Subdivision was platted in the 1970s. Such access was, unfortunately, not recorded as part of the sales transaction, and now the region has since been designated as park land. There is question whether the city can legally re-change the designation of the land away from that of park without a vote of the public, which is a process not desired by the Peterson family or the city. Both sides are working with the state court to determine if there is a means by which the city can correct this minor issue without having to hold a public referendum. As a way to retain leverage, the Peterson family has appealed the park development plan, and agreed to defer that appeal pending a resolution of this issue.

#### Amendments to CDC Chapter 99

Karie Oakes reported that the City Council, at their April 21st meeting, had reviewed the changes to CDC Chapter 99 regarding the quasi-judicial decision making process for land use cases. The key element that the neighborhood association had been following was proposed changes to the structure of the Planning Commission. The Planning Commission had opted not to recommend a structural change and the City Council accepted this recommendation. There were however several other "minor changes" to the CDC language relating to the decision making authorities, notification rules and key elements of citizen participation such as the ability to attend pre-application conferences and appeal quasi-judicial decisions. Mrs. Oakes stated that many of these changes were not at all minor, and could limit the ability of the public to be informed and participate as guaranteed by Oregon Land Use Goal One. Mrs. Oakes also noted that this particular issue was heard over many months in the Planning Commission, and then kind of rushed onto the City Council agenda without much notice. As such, and combined with the staff mis-characterization of "minor" changes, there was little public testimony at the City Council hearing on this matter.

A board decision was made to send a letter to the city council asking that this issue be remanded to the Planning Commission for further review and public participation. Secretary Brian Eastman was asked to draft such a letter and submit it to the City Council by Friday, April 25th, when written testimony would be closed on this matter.

#### Agenda Items for Next Meeting:

- Approval of March 25th minutes
- Selection of a "gathering tree" for Marylhurst Park
- Request by Phil Gentemann and neighbors on Mountain View Ct. to change the boundaries of the Marylhurst Neighborhood Association and move Mountain View Ct. to the Skyline Ridge Neighborhood Association.
- Neighborhood Cleanup Day
- Marylhurst Neighborhood Plan.
- CDC Chapter 99 Revisions

#### Adjourn

President Treece adjourned the meeting at 8:25pm. The next regular association meeting will be at 7:00pm on Tuesday, May 27th, 2008 at the West Linn Adult Community Center.

Minutes submitted by: Brian Eastman, Secretary

#### Supporting Documents



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