

## **Marylhurst Neighborhood Association**

Meeting Minutes  
February 26th, 2008

### **Opening:**

The regular meeting of the Marylhurst Neighborhood Association was called to order at 7:10 pm on Tuesday, February 26th, 2008 at the West Linn Adult Community Center by Vice President Dave Richards.

### **Present:**

11 association members were present.

City Councilor Michelle Eberle and Mayor Norm King were also present.

### **Approval of Minutes:**

A motion was made by Teri Cummings and seconded by Ralph Olson to approve the minutes of the January 22nd, 2008 meeting. The motion carried unanimously on a voice vote.

### **Committee Reports:**

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

##### **Annexation at 19650 Suncrest**

Mrs. Oakes reported that phase II of the annexation process was completed, with the City Council approving the proposal and placing the annexation on the May 2008 ballot

### **Treasurer's Report:**

Treasurer Jim Koll stated there was no change to the association finances. The current balance is \$1518.21

### **Old Business**

#### **Proposed Clackamas County Tree Ordinance**

Charlie Stephens of Clackamas County Urban Green provided information on a proposed Clackamas County Tree Ordinance. The effort to improve tree protection in un-incorporated county lands within the Urban Growth Boundary was instigated by the group and has been discussed with the Clackamas County Board of Commissioners. The desire to implement such protection stems out of

many landowners clearing their land prior to applying for annexation into cities that have tree ordinances.

Mr. Stephens stated that at this time, CC Urban Green is seeking the creation of a citizen task force that will draft a proposed ordinance as well as a draft management plan for code enforcement and outreach following the adoption of such a plan. The matter will be heard at a special meeting of the Clackamas County Commission on March 19<sup>th</sup>, 2008. Should the commission decide to create such a task force, public notice will be made seeking task force members. It is projected the task force would serve for 3-4 months.

Mr. Stephens noted that the support of local cities, residents and neighborhood associations for the concept of a task force would be valuable at this time.

A motion was made by Teri Cummings and seconded by Brian Eastman to draft a letter to the Clackamas County Board of Commissioners in support of the efforts of Clackamas County Urban Green to create such a task force.

During discussion, Mr. Eastman asked Mayor King if the city of West Linn would also act to support such an effort. Mayor King stated the city would also act to support this initiative.

The motion was passed unanimously on a voice vote.

### **Presentation by TVFR**

The crew of Tualatin Valley Fire and Rescue Engine 58, based at the Bolton Fire Station arrived at the meeting and asked if they could make a presentation. Mr. Richards granted them time to speak.

The fire crew opened with a presentation showing plan drawings for the new fire station that will be built at the site of the current Bolton Station. It is hoped that construction will take place in 2009. With 3 larger bays and access to Elliot St, the new station design will allow for more response equipment and reduced response times due to better access directly to Willamette Drive. This capital improvement was made possible by the approval of a recent bond issuance for TVFR. In addition to the new facility, the station will be receiving a new fire truck in May of this year, which will greatly enhance their ability to navigate the hills of West Linn.

A question and answer period followed. Members of the association asked various questions about the new station, programs offered by the fire department and the like.

The crew closed by reminding the members about the importance of working smoke alarms and a program offered by TVFR to inspect or install new smoke alarms free of charge.

## **Public Safety Update**

West Linn Police Officer John Hunstman then asked if he could provide a brief Police update, and was granted time to speak by Mr. Richards. Mr. Huntsman stated that the Marylhurst Neighborhood continues to have one of the lowest incident rates in the city. He did note that there had been a recent spate of vehicle break-ins in the city, and reminded the members to keep their vehicles locked and valuables out of sight.

## **Marylhurst Neighborhood Plan**

Treasurer Jim Koll presented information on the changes made to the Neighborhood Plan during the city approval process. He began with the following timeline:

May 10, 2007 The Neighborhood Plan was heard before the Planning Commission. The staff recommendation was to approve the plan without changes. The Planning Commission unanimously approved the Marylhurst Neighborhood Plan and forwarded it to the City Council with a recommendation for adoption.

June 11, 2007 The plan was brought before the City Council. Included with the plan presentation to the city council were several changes recommended by staff. Many were inconsequential and of a proofreading nature, but several were of significance such as stock verbiage describing the relationship of the Neighborhood Plan to the West Linn Comprehensive Plan. Most importantly, 2 key points in Goal 3 – Land Use were changed in such a way as to reverse the intentions of the neighborhood association in drafting these sections of the plan. Mr. Koll’s documentation highlighted these changes as follows:

On Page 12 under Goal 3, Policy 2, change Action 2 to “Support only the creation of flag lots that provide the best design that is most compatible with the existing neighborhood.” The original plan language was: “Restrict the creation of flag lots”

On Page 12 under Goal 3, Policy 2, change Action 3 to “Support subdivision of existing lots only to the extent that is compatible with the atmosphere of the neighborhood.” The original plan language was: “Restrict further sub-division of existing platted lots”

The staff report was not provided to the neighborhood association prior to the city council hearing on June 11<sup>th</sup>, and, unfortunately, the neighborhood association was not well represented at this hearing due to illnesses and out of town travel. As such, the neighborhood association did not testify with regard to these changes. After brief discussion, the public hearing was closed, subsequent to which several of the councilors recommended changes to the neighborhood plan. Mr. Koll highlighted several changes and key points of dialog from the minutes of the June 11<sup>th</sup> City Council meeting that seem to indicate an indifference to proper

process and communications with the affected neighborhood in the revisions process.

The matter was then continued until July 9<sup>th</sup>, such that staff could make the recommended changes. Again, the neighborhood association was not provided with the staff report prior to the city council meeting, and the public hearing had been closed, so there was no chance for the neighborhood to review or comment on the changes. Further, the staff report for the July 9<sup>th</sup> meeting was not at all clear on what the substance of the changes were, with vague references such as:

“P.18. Goal 3, Policy 2, Actions 2 & 3. Rewritten as requested.”

Considering that the minutes of the June 11<sup>th</sup> City Council meeting were not publicly available, and the revised plan document was not provided to the neighborhood association, there was absolutely no opportunity for the neighborhood association to evaluate or respond.

In closing, Mr. Koll indicated that there were 3 options before the neighborhood association at this time: 1) do nothing, 2) Petition for an amendment of the plan and ask that the offensive language in Goal 3, Policy 2 simply be stricken from the plan rather than fight to have the original language restored, or 3) Withdraw support for the plan in it's entirety and ask to start the process of a more comprehensive amendment that might include adding some of the better things included in the neighborhood plans that have come after the Marylhurst Neighborhood Plan was adopted.

Discussion then followed. Much of the discussion centered on frustration with the process and lack of timely or transparent communications from the city. Mr. Koll stated that he was certainly shocked to hear several months after the adoption of the plan from planning staff during a Planning Commission hearing on a partition to create a flag lot that “the neighborhood plan states support for the creation of flag lots”, when the plan approved by the neighborhood association clearly stated opposition to the creation of additional flag lots. He described this as a real slap in the face. In this regard, Mr. Koll was supported by several members.

A motion was made by Teri Cummings and seconded by Cary Cummings to “Formally withdraw neighborhood support of the plan as adopted and begin the process of plan amendments.” During discussion of this motion, it was noted by councilor Eberle that such a process could take a considerable amount of time, and it might be more effective to withdraw support only for the noted sections regarding flag lots and subdivisions, and therefore not lose the benefits of the rest of the plan document during the amendment process. It was noted by both Councilor Eberle and Mayor King that these language changes were required to keep the Neighborhood Plan from conflicting with the Comprehensive Plan or being construed as land use regulations, but that they were supportive of the concept of simply striking the language from the plan.

Teri Cummings opted to amend her motion such that the neighborhood withdraw support only for the two offending sections under Goal 3, Policy 2. The amended motion was approved unanimously by a voice vote.

Related Documents:

[Appendix A](#): Neighborhood Plan as approved by the Marylhurst Neighborhood Association.

[Appendix B](#): Staff Reports, Minutes and Plan Markup relating to adoption of the Marylhurst Neighborhood Plan

## **New Business**

### **Oregon Goal One Training**

Teri Cummings notified the membership that the League of West Linn Neighborhoods would be sponsoring a training session on Oregon Land Use Goal One, which calls for citizen involvement in land use decisions. This training will take place at West Linn City hall at 6:00pm on April 10<sup>th</sup>, 2008.

### **Agenda Items for Next Meeting:**

- Marylhurst Neighborhood Plan.

### **Adjourn**

Vice President Dave Richards adjourned the meeting at 8:45pm. The next regular association meeting will be at 7:00pm on Tuesday, March 25th, 2008 at the West Linn Adult Community Center.

Minutes submitted by: Brian Eastman, Secretary