



Memorandum

To: West Linn Planning Commission

From: Tom Soppe, Associate Planner

Date: March 28, 2013

Re: Citizen and applicant submittals through March 27, 2013

Attached are submittals submitted to the record by Mike Jones, Erich Kunrath, and Robert E. and Janet D. McCarthy. Also attached is the applicant's submittal in response to these comments.

March 20, 2013

West Linn Planning Commission
West Linn, Oregon

RE: DR-13-01; 1595 Burns Street Class II Design Review to Construct a Second Parking Lot and Path for the West Linn Public Library

Dear Commissioners,

We fully support the four design change recommendations submitted by our neighbor Erich Kunrath, 5725 Hood St. attached to this letter.

In addition, we submit two observations and recommendations for your consideration.

First, the difference between the staff report to the Planning Commission and the design that we reviewed in the first walk through of the property are different. The staff report includes information, such as lighting, and protection of residential privacy that I discussed with staff over the past year and in previous testimony in support of the project to provide additional library parking. We were assured that the lighting and buffer protections would be incorporated into the final design. We ask that you ensure that they are by adopting the recommendations spelled out by Mr. Kunrath.

Second, nearly 10 years of work went into developing the Bolton Neighborhood Plan. It was approved by the City Council, April 10, 2006. That plan was instrumental in shaping the development of the Bolton Central Village, that preventing a Walgreens pharmacy with 24 Hour drive-thru from being built across from our library and other egregious design flaws.

The Bolton Neighborhood Plan is specific about limiting the impacts of commercial development in residential neighborhoods. Goal #6 states it plainly, "Preserve existing single-family neighborhoods from over-sized infill residences and neighboring commercial development. Do not let new commercial development place unacceptable impacts such as traffic, noise, lighting, and building bulk upon existing residential neighborhoods."

We ask that you, as members of the Planning Commission, establish conditions that will ensure that the intent of the Bolton Neighborhood Plan guides the design and construction of the library parking and its use.

Thank you for your consideration.

Sincerely,

Robert E. McCarthy
Janet D. McCarthy
1535 Burns Street
5755 Hood Street
West Linn
H-503-557-0941
C-503-260-0931



Attachment

Attachment

To the Planning Commission regarding the Library Parking Lot Plan; File no DR-13-01

Erich Kunrath, 5725 Hood St

1. Change the parking lot lighting plan to eliminate light pollution and glare into the residential area.

The current lighting plan uses 3 lights on 20' poles directed downward, but without shielding. This will cause light pollution into neighboring residential areas and glare into house windows. All lighting will be installed at the lowest practical height, be directed downward and directed away from the residential area. Include shielding on the lights to prevent glare. My proposal is to use other lighting options such as lighting recessed into retaining walls. All lighting should only operate after dusk during library hours of operation. Item 7 of the Staff Report for the Planning Commission from March 13, 2013 includes verbiage directing the applicant to design the lighting so that it does not cross Hood St. "All new outdoor lighting shall be designed and installed to keep light and glare onsite and not onto or across Hood Street". I am requesting specific details on how the applicant plans on accomplishing this. The current plan does not meet this lighting requirement.

2. On the NE corner of the parking lot next to the transformer box, provide a year round screen by redesigning the current landscaping plan. The screen should cover from the parking lot level to the height of the parking lot lighting to block the view of the residential area from the parking lot.

The current natural vegetation and berm in this area provide a better screen to the neighboring residential area than what is proposed in the parking lot plan. The parking lot plan proposes a white oak delimbed 8 feet from the base and Oregon Grape around the base. This leaves open space above the Oregon Grape to the first tree limb. In the fall all the leaves will fall off, leaving no screen. Even after adjustments are made to the parking lot lighting plan, light will still enter the residential area from vehicle headlights. Redesign the landscaped area on the NE side of the parking lot to include a solid year round screen between the parking lot and residential area. It is critical that the screen block line of sight from the parking lot and lighting to the upstairs bedroom window on the north side of 5725 Hood St.

3. Remove the sidewalk proposed on the north side of the street and move the proposed rain garden to this area.

The rain garden takes away a spot from street parking on Hood street which contradicts this project's purpose of adding parking for the library. It also serves no function for the new construction on the lot.

Any water that drains from this site will continue down the hill and never be treated by a rain garden.

My eliminating the sidewalk the plan can eliminate the cost of building a sidewalk that does not lead any where. The rain garden can then go into this location to filter any water that drains down the street.

4. Provide proper signs to indicate that there is no outlet beyond the library parking lot.

Without proper notification to library patrons, vehicles will potentially continue down the street onto an even narrower street where the only turn around options are on private property.

Soppe, Tom

From: Erich Kunrath [erich_kunrath@hotmail.com]
Sent: Wednesday, March 20, 2013 2:28 PM
To: Soppe, Tom
Cc: Calvert, Lance; Le, Khoi; rmccarthy@mccarthyconsultants.com; billnalma@comcast.net; Mary Miller
Subject: Library Parking Lot: File No DR-13-01



Tom,

I met with the City Engineer, Lance Calvert and the Project Engineer Khoi Le regarding the plan proposing to build a parking lot at 5750 Hood St for the West Linn library. After reviewing the plans together I would like to address the following four concerns and request design changes to accommodate the neighboring residential area. Please publish these comments in the record and submit to the applicant for a written response. I'd like my concerns and the applicant's responses added to the record for the Planning commissioners to review in the next public hearing regarding the library parking lot proposal.

Please call me if you need any further information from me. My phone number is 503-412-9909. If you do not need any further information please send me a confirmation e-mail to let me know that you received my written testimony.

Regards,

Erich Kunrath
5725 Hood St

To the Planning Commission regarding the Library Parking Lot Plan; File no DR-13-01

Erich Kunrath, 5725 Hood St

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Soppe, Tom

From: Sonnen, John
Sent: Thursday, March 14, 2013 3:45 PM
To: Soppe, Tom
Subject: FW: Additional Written Testimony for the Library Parking Lot

Please add to the record

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.
Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.



From: Michael Jones [<mailto:michaelkjones@comcast.net>]
Sent: Thursday, March 14, 2013 2:41 PM
To: Sonnen, John
Cc: 'SHERRY SHENG'; Jordan, Chris; Wyatt, Kirsten; Erickson, Doug; Duke, Pat
Subject: Additional Written Testimony for the Library Parking Lot

John-

I would like, as a citizen, to submit the following written testimony for the Library Parking Lot on Hood Street (excuse me for not completing the File Number). I will make my points as brief as possible to minimize the Planning Commission's study time. I believe that all of these points (with one exception) are supported by either written or oral testimony:

1. The West Linn CDC Section 1.020.B States that the purpose of the CDC is to maintain and improve the existing Character and Quality of West Linn through "Providing for the natural and cultural resources of the community." This section does not give precedence to either natural or cultural resources. However, by purchasing land for a parking lot that it knew (from a previous land use case) was in a WRA, the City Council must have given precedence to a Cultural Resource; that is, the Library-which is one of our few Cultural Resources.
2. From the record, the City Council has, over time, looked at all available options and this is the only option that is reasonable.
3. The City is in the process of negotiating agreements with surrounding businesses to use their parking. While this will not be completed until we have a new Library Director it will not be completed at all if we do not have a parking lot. With the purchase of the land the signs prohibiting parking in Central Village (if you were not a customer in Central Village) were taken down and library patrons can now use that parking lot. If we wish to codify that use we must complete the lot. The same is true for Polar Systems and other neighbors around the Library.
4. This parking lot, with 12 spaces, will in fact repair more damage than it will create. Almost all of the construction will occur on land that is already historically disturbed and will mitigate the effects of that disturbance.
5. This is an application that asks for significant variances to help bring a significantly nonconforming structure (the Library) closer to conformance. The variances, in whole, greatly improve the ability of the Library to serve its patrons and, at the same time, will provide greater protection for the riparian zone than exists now.
6. The parking lot is a "BOGO" (Buy One Get One) or a "TUFUR" (Two for the price of one) as stated in "3." above. So, while the cost per space is very high, the benefits of obtaining other spaces that the City can use mitigate the direct cost of the spaces constructed.
7. I understand that the Commissioner Griffith asked whether or not this would set a precedent. Because I am acting as a citizen I have not talked to the Assistant City Attorney about this but my opinion would be that it

probably is a precedent. That is, I don't know of any other case where a variance has been granted when applying the hardship clause of the CDC. That being said, I would also think it is a very narrow precedent because of CDC 1.020.B. This section provides for the "natural and cultural" resources of the community and, as stated, it is my belief that the Council gave cultural resources precedent in this case. Please note that this section does not say "natural, residential, business, and cultural" resources or other such words. This is a truly unique case and a unique application. I cannot think of any other circumstances where it would be repeated. That being said, I am sure the City Attorney will weigh in on this issue.

John, thank you very much for adding this to the record.

All best-Mike Jones, 22860 Oregon City Loop, West Linn

Mike@keencommunication.com

503.344.4683 (Office and Fax)

503.432.6560 (Cell)

Keen Communications

Wilderness Press • Menasha Ridge Press • Clerisy Press

2204 First Avenue South, Suite 102

Birmingham, AL 35233

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Save the Salmon

Before you print, think about the ENVIRONMENT 

Memorandum

Date: March 27, 2013

To: Planning Commission

From: Pat Duke, Interim Library Director
Lance Calvert P.E., Public Works Director/City Engineer

Subject: Response to Written Testimony Regarding Proposed Library Parking Lot and Path at 1595 Burns Street and 5750 Hood Street, DR-13-01/WAP-13-01/VAR-13-01/VAR-13-02/VAR-13-03/VAR-13-04/MISC-13-01.

This memo is the applicant's written response to additional comments and testimony submitted through 3/20/2013 regarding the above subject application and proposed parking improvements at the City of West Linn Library. As the applicant, we believe the project will significantly benefit the citizens of West Linn and meets the criteria for approval as presented at the March 13, 2013 Planning Commission meeting.

1. Response to comment letter from Robert E. McCarthy & Janet D. McCarthy dated March 20, 2013.
 - a. Regarding difference between the staff report and design reviewed at walk through of property.

Response: All project designs reviewed at the walk through with the McCarthy's were preliminary in nature. Final project plans/designs will fully reflect information included in the staff report/Planning Commission submittals and in accordance with any additional conditions of approval as determined appropriate by the Planning Commission.

- b. Regarding compliance with the Bolton Neighborhood Plan.

Response: It is the applicant's intent to comply with the Bolton Neighborhood Plan meeting Goal #6 to preserve existing neighborhoods while also meeting the other plan goals such as Goal #3 to maintain community serving uses within Bolton and Goal #5 to make use of city-owned property for community uses .

2. Response to comment letter/e-mail from Erich Kunrath dated March 20, 2013.
 - a. Item #1 regarding parking lot lighting plan and shielding of residential areas.

Response: We intend to provide shielding on the proposed light fixtures that will provide a cutoff light style so all lighting is directed down towards the lot and not out to the residential areas. The applicant concurs with Item #7 "Lighting on Site" of the staff report conditions of approval to provide both a cutoff fixture equivalent to the existing lights at the existing Library parking lot and supplement those fixtures with custom glare shields as necessary.

- b. Item #2 regarding screening in NE corner of parking lot.

Response: After review of the site and location, we propose acceptance of an additional condition of approval to provide screening in the north corner of the parking lot using landscaping that will provide evergreen landscaping to shield line of sight from the parking lot to the home while providing adequate sight distance at the parking lot driveway entry.

- c. Item #3 regarding removal of the sidewalk at the northeast corner of the parking lot entry and relocation of the proposed rain garden to this area.

Response: We concur with the request and propose acceptance of an additional condition of approval to eliminate the proposed sidewalk along Hood Street northwest of the proposed driveway entrance and relocation of an appropriate storm water facility at this location thereby eliminating the rain garden on the north side of Hood Street.

- d. Item #4 regarding signage indicating no outlet beyond the library parking lot.

Response: There is an existing “Dead End” sign at the entrance to Hood Street at Burns. This sign can be replaced with a “No Outlet” sign near the entrance to the proposed library parking lot while still visible from the corner of Hood and Burns to provide the desired effect.

- 3. Response to comment letter/e-mail from Michael Jones dated March 14, 2013.
 - a. We believe that the proposed project as presented meets the needs of the community in accordance with the variance criteria requested and support Mr. Jones’s testimony.