



## Memorandum

Date: January 4, 2009

To: Chris Jordan, City Manager

From: Tom Soppe, Associate Planner

Subject: AP-09-05- Suncrest PUD new submittals since December 23

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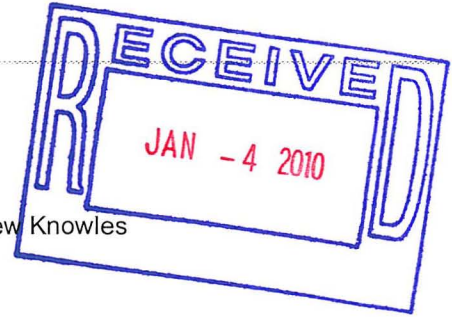
Attached are the new submittals and correspondence regarding this appeal that have been received or written since the previous such memo packet. This packet includes the string of emails among councilors and staff regarding storm water, as requested by Mayor Galle.

One of the correspondences attached is a letter signed and submitted by David Jones. Mr. Jones also provided other identical copies of this letter which were signed by 48 other residents. These copies of the letter are in the record, but only Mr. Jones' copy is attached to this packet.

P:/generalp/memos08-09/Memo AP-09-05 new submittals Jan 4

**Soppe, Tom**

**From:** david jones [david@davidsellsportland.com]  
**Sent:** Monday, January 04, 2010 4:20 PM  
**To:** Soppe, Tom  
**Cc:** davidjones@equitygroup.com; basargent@stoel.com; Matthew Knowles  
**Subject:** Letters from voters  
**Attachments:** PUD Letters.pdf; ATT00001.htm



Tom,  
Here are signed letters to those who voted during the annexation.

This was not a select group of people this was simply everyone we could get a hold of and ask their opinion. We gathered approximately 50 letters with more that will be coming in this evening and in the next week. Of the people we spoke too every single voter based their vote on the condition of the city owning and maintaining the 5 acres along the river. Without exception each person we spoke too regardless of how they originally voted, they were against this annexation and development completely. Out of those we spoke too every single person felt the city had no right to abstain from honoring the condition. Out of fifty people we spoke to every single one of them would have voted against the annexation based on the modifications made AFTER the vote was counted. Without exception every single person/voter we spoke too was against the annexation and development.

We maintain that the city had no right to waive the condition of ownership as it was a primary factor in the decision making process of the voters of West Lin. If the city could not have kept their obligation, the onus was on the city to make it clear to the voters BEFORE the election.

Also a quick question, when the voters cast their ballots concerning Measure 3-293: 19650 Suncrest Drive. All the printed material I can find indicate it was owned by David Sparks of Oregon City. Public Records indicate that Mark Handris via Handris Properties LLC was the owner of the property, not David Sparks, is this fraud or misrepresentation? Does an annexations still count if there was fraud and the conditions of the matter being voted upon aren't met?

Best Regards,

David

May 20 2008

Owner: David Sparks, Oregon City.

Information from ESET NOD32 Antivirus, version of virus signature database 4743  
(20100104)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

(1)

December 8, 2009

West Linn City Council  
22500 Salamo Rd.  
West Linn, Oregon 97068

Dear Mayor and Councilors:

I am writing to ask you to revoke Planning Commission's approval of PUD-09-01/SUB-09-01/WAP-09-02, commonly known as the Suncrest Planned Unit Development (PUD). This project consists of a 6-lot PUD subdivision at 19650 Suncrest Drive. Throughout the annexation and development approval process there has been consistent "material misrepresentation" by the applicant and/or his representatives to the citizens and officials of West Linn. Our City code (see below, sections 99.038(5)(f), 99.330 E) and our city values prohibit such actions.

In order to get the land annexed into the city, which is the first step to a subdivision development, the applicant/and/or representative made repeated statements that, "...about half of the site..." (3.8 acres/2 = 1.9 acres) would be "dedicated to the city." Similar statements were made by the applicant's representative at **five public hearings**/neighborhood association meetings which were held to build support for the annexation approval by the voters and citizens of West Linn.

This dedication argument played a significant role in the applicant's justification to the City Council as he was trying to get support and approval to move forward towards annexation and a vote by the citizens. During the West Linn City Council Meeting, November 26, 2007, the applicant (Mr. Altman as representative) dedicated 55% of his presentation time to explicitly explain how "about half of the site" would be "dedicated to the city."

After the land was annexed into the City of West Linn, the applicant's position changed drastically.

The applicant's representative made repeated statements that the owner, "...will not dedicate land to the city..." Similar statements were made by the applicant's representative at **twelve public hearings**/neighborhood association meetings which were held to build support for the PUD proposal which I am asking you to revoke. Other details regarding the chain of event and specific examples of misrepresentation have been recorded by City Staff in the document entitled, "2009-12-14\_Appeal\_Agenda\_Packet\_0.pdf."

I believe this is a clear misrepresentation by the applicant and that it affected both the annexation and PUD development in a material manner. I think that this is an important decision for the City Council. Your revoking of this PUD will demonstrate an adherence to City Code and to City values. Your approval of this PUD will not.

My vote depended on the city protecting and owning the land.

Thank you for your support.

Sincerely,

David D. Jones

19667 Sun Cir

West Linn OR 97068



Excerpts from West Linn City Code

*99.038 (5) (f) In the event that it is discovered by staff that the aforementioned procedures of this section were not followed, or that a review of the audio tape and meeting minutes show the applicant has made a material misrepresentation of the project at the neighborhood meeting, the application shall be deemed incomplete until the applicant demonstrates compliance with CDC Section 99.038.*

West Linn code reiterates the importance of truthful representation by authorizing revocation of approvals.

*99.330 E. The hearings authority may, after a hearing conducted pursuant to this chapter, modify or revoke any approval granted pursuant to this chapter, for any of the following reasons:*

*1. A material misrepresentation or mistake of fact made by the applicant in the application or in testimony and evidence submitted, whether such misrepresentation be intentional or unintentional;*

*99.038 Neighborhood Contact Required For Certain Applications*

*1. Purpose. The purpose of neighborhood contact is to identify potential issues or conflicts regarding a proposed application so that they may be addressed prior to filing. This contact is intended to result in a better application and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands, or denials. The City expects an applicant to take the reasonable concerns and recommendations of the neighborhood into consideration when preparing an application. The City expects the neighborhood association to work with the applicant to provide such input.*

**Soppe, Tom**

---

**From:** Zak, Teresa  
**Sent:** Monday, January 04, 2010 2:34 PM  
**To:** Soppe, Tom  
**Subject:** FW: Post Agendas for Meetings

Teresa Zak, Administrative Assistant  
Planning and Building, #1533

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**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 1:18 PM  
**To:** Zak, Teresa; Lynch, Tina  
**Subject:** FW: Post Agendas for Meetings

fyi

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** karieokee@aol.com [mailto:karieokee@aol.com]  
**Sent:** Monday, January 04, 2010 1:01 PM  
**To:** Burgess, Scott; Carson, Jody; Cummings, Teri; Kovash, John; Galle, Patti  
**Cc:** Jordan, Chris; Sonnen, John; treece@gsp.org; brian.eastman@comcast.net; JimK@SystemConsulting.com; frankwesson@earthlink.net  
**Subject:** Fwd: Post Agendas for Meetings

Dear Mayor and Councilors:

First, I want to thank Teri for her reply. It was the only reply that I received. I am disappointed that both of my emails below to Chris Jordan went unanswered. I want to understand the City policy for posting items on the web site. I had hoped that my suggestions to improve access to public information would be accepted as constructive criticism for discussion of ways to improve access to public information. I must respectfully say, that I no longer have any such expectation and question if the Council can affect change.

This morning, Jan. 4, 2010, I found that the information available to the public on the City web site through the links on the "Agendas" page for the City Council special meeting tonight is grossly insufficient. As you already know, I am interested in the appeal of the Planning Commission decision to approve development at 19650 Suncrest DR. It is the only agenda item for your meeting tonight, aside from electing a council president.

The only information posted is the agenda, where it lists the appeal as "**Public Hearing - Suncrest Appeal AP-09-05 - PUD-09-01 - SUB-09-01 - WAP-09-02.**" The general public should not be expected to understand what

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this means. It does not give reasonable information such as: 1) it is a land-use decision, 2) the location of the property, 3) an explanation of the development as approved by the PC.

In addition, there are no links for information about the appeal through the listed "View meeting details", where customarily there are links to the CC agenda packet and the project file of the PC. There is also not an Agenda Bill posted for this item.

In my three years as Land-use Representative to the Marylhurst Neighborhood Association, I have not seen such gross negligence in posting of information. It is very disappointing because I feel that I have been ineffective in promoting better communication between the City and the public as was set forth as a goal of the City, and which I sought to support as the land-use representative.

Most Sincerely,

Karie Oakes

-----Original Message-----

From: Cummings, Teri <tcummings@westlinnoregon.gov>  
To: kariookee@aol.com  
Sent: Mon, Dec 28, 2009 11:49 pm  
Subject: RE: Post Agendas for Meetings

Karie, thank you for calling attention to chronic problem of inadequate notice.  
Teri

Teri Cummings  
West Linn City Council  
22500 Salamo Road  
West Linn, OR  
97068

503-742-8637

 City of  
**West  
Linn**  
Councilor Teri Cummings  
tcummings@westlinnoregon.gov  
West Linn City Councilor  
22500 Salamo Rd  
West Linn, OR, 97068  
P: (503) 657-0331  
F: (503) 650-9041  
Web: [westlinnoregon.gov](http://westlinnoregon.gov)

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-----Original Message-----

From: kariookee@aol.com [mailto:kariookee@aol.com]  
Sent: Thu 12/24/2009 2:27 PM  
To: Jordan, Chris  
Cc: Burgess, Scott; Carson, Jody; Cummings, Teri; Kovash, John; Galle, Patti; Soppe, Tom; Sonnen, John  
Subject: Fwd: Post Agendas for Meetings

Mr. Jordan,

Today on the City web site the City Council meeting scheduled for Jan. 4, 2010 is not posted on the "Agendas" page, but remains on the "Tentative Agendas" page. I think that the web site should have the CC agenda posted sooner and I have requested so in my previous email below, to which I did not receive a response. I am interested in knowing your criteria for confirming a tentatively scheduled meeting and posting it.

(5)

1/4/2010

**Soppe, Tom**

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**From:** Soppe, Tom  
**Sent:** Monday, January 04, 2010 2:33 PM  
**To:** 'wlhsna@msn.com'  
**Subject:** Verdict from engineering/arborist staff on geotropism  
**Attachments:** FW: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02; RE: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Lynn,

Here is an email from Mike Perkins who walked the site today with Khoi Le from engineering. Also attached is the response I got from the applicant's rep.

Tom

**Soppe, Tom**

---

**From:** Le, Khoi  
**Sent:** Monday, January 04, 2010 1:48 PM  
**To:** Soppe, Tom  
**Cc:** Sonnen, John  
**Subject:** FW: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Khoi Le, Public Improvement Program Manager  
*Public Works, #1517*

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**From:** Perkins, Michael  
**Sent:** Monday, January 04, 2010 1:44 PM  
**To:** Le, Khoi  
**Subject:** RE: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

I don't think these photos show evidence of geotropism at all. The first picture, although very blurry, appears to be a big leaf maple that is growing out and away from other trees to get more light (phototropism). This is quite common. The second picture appears to be a dead pine which has either fallen, or been cut down. The next two appear to be photos of the dead or decaying understory and ornamental plants that are common at this site near the house, and the last picture shows some sort of understory tree or shrub that was probably bent over at some point by ice or snow and the horizontal limbs have taken over as the plant's vertical growth.

In walking the site with you this afternoon, a general observation of the trees found them all growing as one would expect on a site that receives little to no maintenance. Most trees were healthy, some with poor growth habits, and some dead or dying, but no evidence of geotropism.

Mike Perkins  
City Arborist/Park Development Coordinator  
503-723-2554  
mperkins@westlinnoregon.gov

Michael Perkins, City Arborist/Park Development Coordinator  
*Parks and Recreation, #1554*

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**From:** Le, Khoi  
**Sent:** Monday, January 04, 2010 11:06 AM  
**To:** Perkins, Michael  
**Subject:** FW: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Khoi Le, Public Improvement Program Manager  
*Public Works, #1517*

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(7)



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**From:** Soppe, Tom  
**Sent:** Monday, January 04, 2010 9:26 AM  
**To:** Le, Khoi; 'Kirsten Vanloo'  
**Subject:** FW: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Tom Soppe, Associate Planner  
Planning, #1521

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**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 9:24 AM  
**To:** Soppe, Tom  
**Subject:** FW: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Please forward this to the applicant and engineering

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Hidden Springs Neighborhood Assoc. [mailto:WLHSNA@msn.com]  
**Sent:** Monday, January 04, 2010 9:17 AM  
**To:** Soppe, Tom  
**Cc:** Sonnen, John  
**Subject:** Fw: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Good Morning Mr. Soppe,

Attached please find photographs of evidence of geotropism in trees on the property at 19650 Suncrest Drive, West Linn, Oregon. Geotropism demonstrates that the site is unstable and subject to slides.

Please provide copies of these pictures to the City Council and to the public record at the West Linn City Council meeting on January 4, 2009 regarding the appeal of PUD-09-01/SUB-09-01/WAP-09-02.

Lynn Fox, President  
Hidden Springs Neighborhood Association  
PO Box 236  
Marylhurst, Oregon 97036

**Soppe, Tom**

**From:** Kirsten Vanloo [kirsten@emeriodesign.com]  
**Sent:** Monday, January 04, 2010 1:37 PM  
**To:** Soppe, Tom; Le, Khoi  
**Cc:** Handris@aol.com  
**Subject:** RE: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02



Tom and Khoi:

I see no documentation with these photos to verify when/where they were taken.  
I see no written documentation prepared by a qualified professional to support the allegation of unstable slopes.

The on-site evaluation by the city arborist did not identify "geo-tropism" in any of the trees he evaluated.

Without a field visit and prepared report by a qualified professional – geotechnical engineer – engineering geologist – certified arborist – landscape architect – civil engineer – the submitted pictures carry no weight and are NOT substantial evidence of anything - other than potential trespass on private property.

The project developer will engage a qualified professional geo-technical engineer – as required by both the engineering department and the building department – to perform the necessary on-site analysis to determine the stability and strength of the underlying soils and design the proposed development accordingly.

Kirsten Van Loo

---

**From:** Soppe, Tom [mailto:tsoppe@westlinnoregon.gov]  
**Sent:** Monday, January 04, 2010 9:26 AM  
**To:** Le, Khoi; Kirsten Vanloo  
**Subject:** FW: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

 Tom Soppe  
tsoppe@westlinnoregon.gov  
Associate Planner  
22500 Salamo Rd  
West Linn, OR, 97068  
P: (503) 742-8660  
F: (503) 656-4106  
Web: westlinnoregon.gov

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Please forward this to the applicant and engineering

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Hidden Springs Neighborhood Assoc. [mailto:WLHSNA@msn.com]  
**Sent:** Monday, January 04, 2010 9:17 AM  
**To:** Soppe, Tom  
**Cc:** Sonnen, John  
**Subject:** Fw: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02

Good Morning Mr. Soppe,

Attached please find photographs of evidence of geotropism in trees on the property at 19650 Suncrest Drive, West Linn, Oregon. Geotropism demonstrates that the site is unstable and subject to slides.

Please provide copies of these pictures to the City Council and to the public record at the West Linn City Council meeting on January 4, 2009 regarding the appeal of PUD-09-01/SUB-09-01/WAP-09-02.

Lynn Fox, President  
Hidden Springs Neighborhood Association  
PO Box 236  
Marylhurst, Oregon 97036

**Soppe, Tom**

---

**From:** Soppe, Tom  
**Sent:** Monday, January 04, 2010 10:45 AM  
**To:** 'wlhsna@msn.com'  
**Subject:** FW: Message from PWKonica  
**Attachments:** SPWKonica10010410300.pdf

Lynn,

CDC 85.200(E)(5) states:

5. Where landslides have actually occurred, where the area is identified as a hazard site in the West Linn Comprehensive Plan Report, or where field investigation by the City Engineer confirms the existence of a severe landslide hazard, development shall be prohibited unless satisfactory evidence is additionally submitted by a registered geotechnical engineer which certifies that methods of rendering a known hazard site safe for construction are feasible for a given site. The City Engineer's field investigation shall include, but need not be limited to, the following elements:

- a. Occurrences of geotropism.
- b. Visible indicators of slump areas.
- c. Existence of known and verified hazards.
- d. Existence of unusually erosive soils.
- e. Occurrences of unseasonably saturated soils.

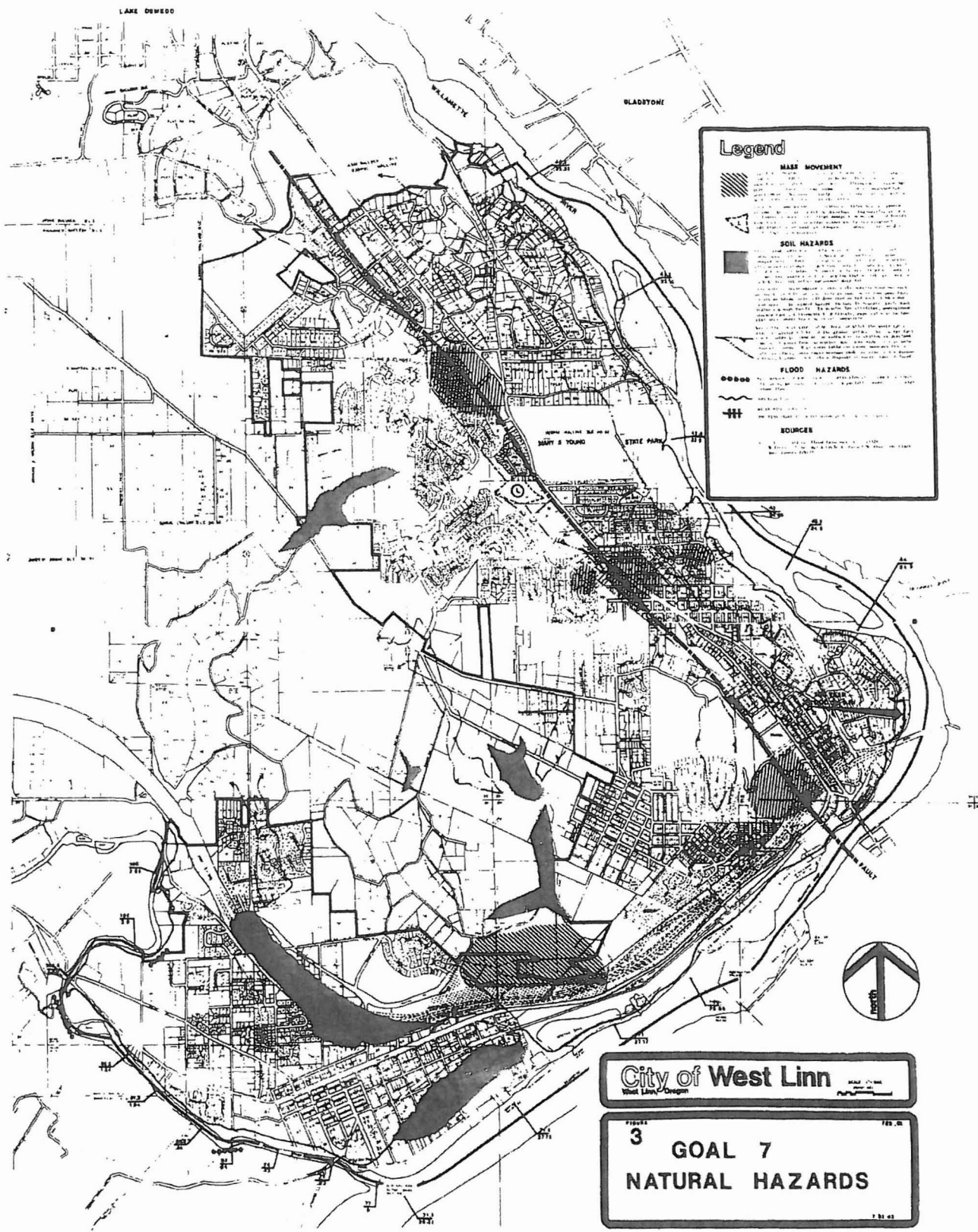
The City Engineer shall determine whether the proposed methods or designs are adequate to prevent landslide or slope failure. The City Engineer may impose conditions consistent with the purpose of these ordinances and with standard engineering practices including limits on type and intensity of land use, which have been determined necessary to assure landslide or slope failure does not occur.

Attached is the Comp Plan Report map referred to in (5) above. The site is not shown to be a hazard site on that map. This is further confirmed by the Potential Landslides map of the Natural Hazards Mitigation Plan. Also all building will be at least 50 feet back from the top of bank.

Tom

---

**From:** PWKonica@ci.west-linn.or.us [mailto:PWKonica@ci.west-linn.or.us]  
**Sent:** Monday, January 04, 2010 11:30 AM  
**To:** Soppe, Tom  
**Subject:** Message from PWKonica



**Soppe, Tom**

---

**From:** Hidden Springs Neighborhood Assoc. [WLHSNA@msn.com]  
**Sent:** Monday, January 04, 2010 9:17 AM  
**To:** Soppe, Tom  
**Cc:** Sonnen, John  
**Subject:** Fw: Pics of tropism re Appeal of PUD-09-01/SUB-09-01/WAP-09-02  
**Attachments:** IMG\_0510.jpg; IMG\_0568.jpg; IMG\_0505.jpg; IMG\_0506.jpg; IMG\_0507.jpg

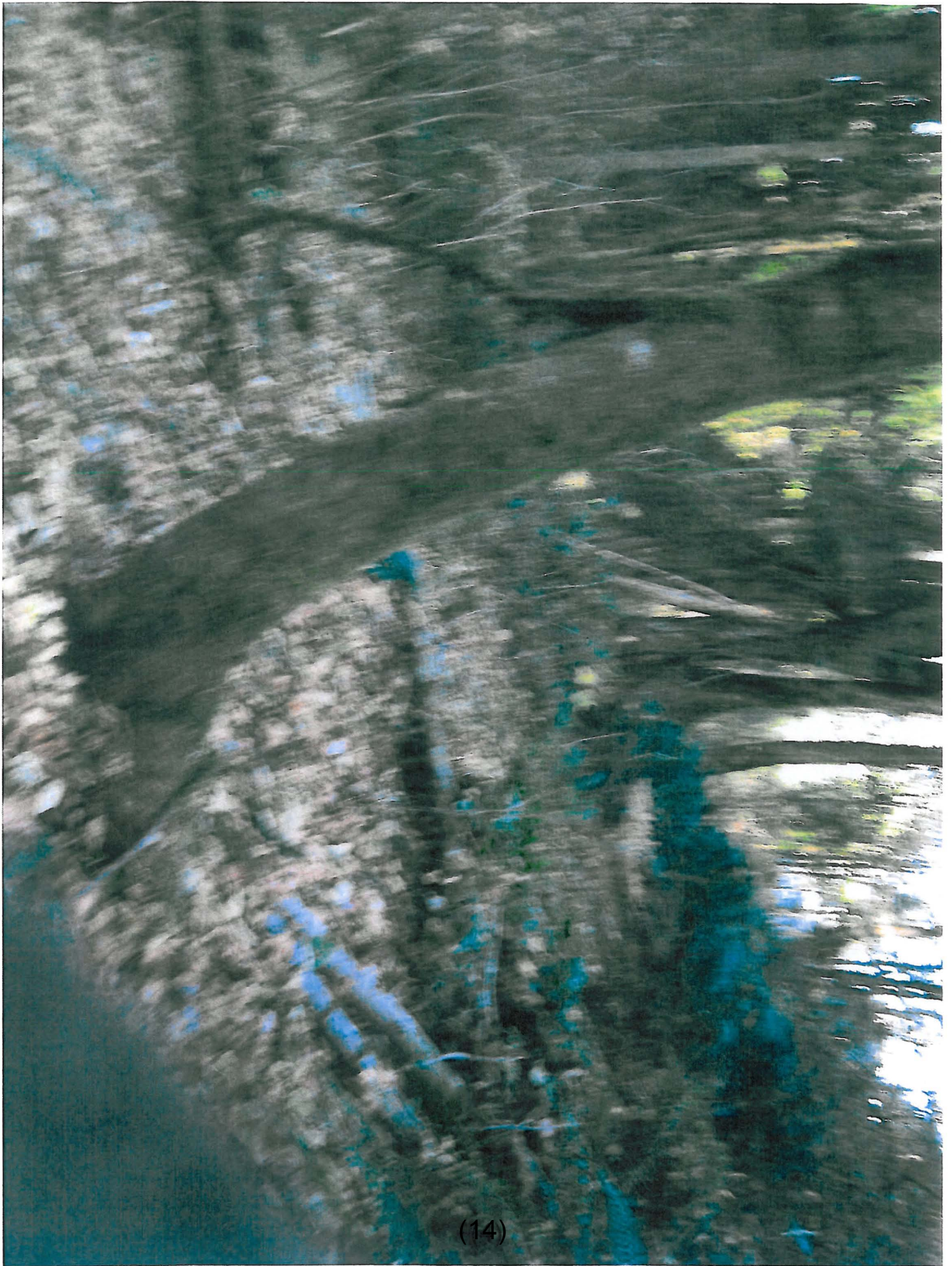
Good Morning Mr. Soppe,

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Lynn Fox, President  
Hidden Springs Neighborhood Association  
PO Box 236  
Marylhurst, Oregon 97036







(15)









## Soppe, Tom

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**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 4:03 PM  
**To:** Soppe, Tom  
**Subject:** FW: Maintenance of stormwater systems involved in Suncrest PUD

John Sonnen, Planning Director  
Planning and Building, #1524

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-----Original Message-----

**From:** Kovash, John  
**Sent:** Monday, January 04, 2010 3:21 PM  
**To:** Cummings, Teri; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

Teri, I am sure we can get an opinion on the role of the Municipal Code in land use decisions. But again, my concern is that we adhere to applying the CDC to this application and not get sidetracked onto issues that are not relevant.

John

Councilor John Kovash  
mailto:jkovash@westlinnoregon.gov  
West Linn City Councilor  
22500 Salamo Rd  
West Linn, OR, 97068  
P: (503) 657-0331  
F: (503) 650-9041  
Web: <http://westlinnoregon.gov>

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**From:** Cummings, Teri  
**Sent:** Monday, January 04, 2010 1:24 PM  
**To:** Kovash, John; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

John, I appreciate your concerns regarding time, especially with a very tight time frame unfortunately due to improper notice but please remember discretionary decisions are best served by asking questions and getting advice.

I am seeking advice from environmental services because Municipal Code section 4.065 spells out City Responsibilities for public facilities. 4.070 Lists terms for Private Responsibilities for facilities on private property. It sounds like this arrangement may fall between the two, hence the need for discretion if not a ministerial decision. I have not made up my mind about whether this makes sense and would like to know more about exactly who will take responsibility for maintenance and at who's expense?

## Soppe, Tom

---

**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 1:41 PM  
**To:** Zak, Teresa; Soppe, Tom  
**Subject:** FW: Maintenance of stormwater systems involved in Suncrest PUD

Please add to record

John Sonnen, Planning Director  
Planning and Building, #1524

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**Sent:** Monday, January 04, 2010 1:24 PM  
**To:** Kovash, John; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

John , I appreciate your concerns regarding time, especially with a very tight time frame unfortunately due to improper notice but please remember discretionary decisions are best served by asking questions and getting advice.

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PS, Planning staff, please add this to the record Thank you, Teri

Teri Cummings  
West Linn City Council  
22500 Salamo Road  
West Linn, OR  
97068

503-742-8637

Councilor Teri Cummings  
mailto:tcummings@westlinnoregon.gov  
West Linn City Councilor  
22500 Salamo Rd  
West Linn, OR, 97068  
P: (503) 657-0331  
F: (503) 650-9041  
Web: <http://westlinnoregon.gov>

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## Soppe, Tom

---

**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 9:26 AM  
**To:** Zak, Teresa; Soppe, Tom  
**Subject:** FW: Maintenance of stormwater systems involved in Suncrest PUD

Please take of this and let me know when it is done

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Galle, Patti  
**Sent:** Monday, January 04, 2010 9:20 AM  
**To:** Galle, Patti; Kovash, John; Cummings, Teri; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

John Sonnen,

Will you please make these emails part of the record for this evening and be sure they are in the packets for the citizens attending. Thank you very much!

Patti Galle  
Mayor, City of West Linn

22500 Salamo Rd  
West Linn, Or 97068  
503-657-0331 office  
503-636-0714 home

-----Original Message-----

**From:** Galle, Patti  
**Sent:** Mon 1/4/2010 9:15 AM  
**To:** Galle, Patti; Kovash, John; Cummings, Teri; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

Teri,

I will give you what time you need to explore what topics you feel are prudent to make a decision that is in the best interest of the citizen, taxpayer and applicant. No one has the right to pre-determine what issues are allowed or not at this point in the process. I will support you and let the citizens know this and distribute these emails tonight so they can see that you are being charged before we start! I know that this issue is very important to a lot of people. I know the citizens and applicant will appreciate your efforts to make the best decisions with the best information. How many copies do you think I need to make?

Patti Galle  
Mayor, City of West Linn

22500 Salamo Rd  
West Linn, Or 97068  
503-657-0331 office  
503-636-0714 home

-----Original Message-----

From: Galle, Patti  
Sent: Mon 1/4/2010 9:13 AM  
To: Kovash, John; Cummings, Teri; Jordan, Chris  
Cc: Cardwell, Mike; Sonnen, John; City Council  
Subject: RE: Maintenance of stormwater systems involved in Suncrest PUD

All,

Be sure to forward any correspondence sent to Chris that has not been cc'd to council.

Patti Galle  
Mayor, City of West Linn

22500 Salamo Rd  
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503-657-0331 office  
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-----Original Message-----

From: Kovash, John  
Sent: Mon 1/4/2010 9:11 AM  
To: Cummings, Teri; Jordan, Chris  
Cc: Cardwell, Mike; Sonnen, John; City Council  
Subject: RE: Maintenance of stormwater systems involved in Suncrest PUD

I have a couple of concerns about exploring the maintenance of riparian corridors in tonight's meeting. You bring up a great topic but we have to make a land use decision tonight and I doubt if we have the time to give the topic an adequate hearing. Also the owner the code and points of law may not afford us discretion in this decision. Let's see how it goes.

John

Councilor John Kovash  
<mailto:jkovash@westlinnoregon.gov>  
West Linn City Councilor  
22500 Salamo Rd  
West Linn, OR, 97068  
P: (503) 657-0331  
F: (503) 650-9041  
Web: <http://westlinnoregon.gov>

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. -----Original Message-----

From: Cummings, Teri  
Sent: Sunday, January 03, 2010 9:44 PM  
To: Kovash, John;  
Cc:  
Subject: RE: Maintenance of stormwater systems involved in Suncrest PUD

John, Unless I missed something, we have heard from Parks about possible maintenance of

potential trail but my understanding is that environmental services dept is responsible for storm-water quality and that includes assessment/maintenance of riparian corridors. It may be wrong to assume that this is entirely a parks issue. When we make a discretionary decision it helps to have professional advice on what methods produce best results, don't you agree?

Teri Cummings  
West Linn City Council  
22500 Salamo Road  
West Linn, OR  
97068

503-742-8637

Councilor Teri Cummings  
mailto:tcummings@westlinnoregon.gov  
West Linn City Councilor  
22500 Salamo Rd  
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From: Kovash, John  
Sent: Sun 1/3/2010 8:50 PM  
To: Cummings, Teri; Jordan, Chris  
Cc: Cardwell, Mike; Sonnen, John; City Council  
Subject: RE: Maintenance of stormwater systems involved in Suncrest PUD

Teri's question in her second paragraph is a very good one. Best practices for water quality is pertinent to discussions about the content of our code and if it can be improved. However, the Sunset PUD hearing is about an application and if it complies with current code and the law. Best practices do not seem to be a relevant discussion at subject hearing.

John

Councilor John Kovash  
jkovash@westlinnoregon.gov  
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---

From: Cummings, Teri  
Sent: Saturday, January 02, 2010 7:58 PM  
To: Jordan, Chris  
Cc: Cardwell, Mike; Sonnen, John; City Council  
Subject: Maintenance of stormwater systems involved in Suncrest PUD

Mr. Jordan, in late November or early December you agreed to my request for a table of contents for the Suncrest PUD. Sorry I do not recalling receiving it if it was done but if so, could you please forward a copy to me?

In particular, I hope to hear professional advice from environmental services on best practices for water quality/ stability of riparian/conservation zone management. What produces superior long term results for water quality and environmental protection, management/stewardship by private entities or municipa environmental services?

Thank you,

Teri

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tcummings@westlinnoregon.gov  
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## Soppe, Tom

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**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 9:13 AM  
**To:** Soppe, Tom  
**Subject:** FW: Maintenance of stormwater systems involved in Suncrest PUD

John Sonnen, Planning Director  
Planning and Building, #1524

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Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

**From:** Kovash, John  
**Sent:** Monday, January 04, 2010 9:12 AM  
**To:** Cummings, Teri; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

I have a couple of concerns about exploring the maintenance of riparian corridors in tonight's meeting. You bring up a great topic but we have to make a land use decision tonight and I doubt if we have the time to give the topic an adequate hearing. Also the owner the code and points of law may not afford us discretion in this decision. Let's see how it goes.

John

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mailto:jkovash@westlinnoregon.gov  
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**From:** Cummings, Teri  
**Sent:** Sunday, January 03, 2010 9:44 PM  
**To:** Kovash, John;  
**Cc:**  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

John, Unless I missed something, we have heard from Parks about possible maintenance of potential trail but my understanding is that environmental services dept is responsible for storm-water quality and that includes assessment/maintenance of riparian corridors. It may be wrong to assume that this is entirely a parks issue.  
When we make a discretionary decision it helps to have professional advice on what methods produce best results, don't you agree?

Teri Cummings  
West Linn City Council  
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West Linn, OR  
97068

503-742-8637

Councilor Teri Cummings  
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From: Kovash, John  
Sent: Sun 1/3/2010 8:50 PM  
To: Cummings, Teri; Jordan, Chris  
Cc: Cardwell, Mike; Sonnen, John; City Council  
Subject: RE: Maintenance of stormwater systems involved in Suncrest PUD

Teri's question in her second paragraph is a very good one. Best practices for water quality is pertinent to discussions about the content of our code and if it can be improved. However, the Sunset PUD hearing is about an application and if it complies with current code and the law. Best practices do not seem to be a relevant discussion at subject hearing.

John

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jkovash@westlinnoregon.gov  
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## Soppe, Tom

---

**From:** Sonnen, John  
**Sent:** Monday, January 04, 2010 8:25 AM  
**To:** Soppe, Tom  
**Subject:** FW: Maintenance of stormwater systems involved in Suncrest PUD

**Attachments:** image001.gif; imageb886c1.gif@ced52409.57474c06



imageb886c1.gif@c  
ed52409.57474...

John Sonnen, Planning Director  
Planning and Building, #1524

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-----Original Message-----

**From:** Galle, Patti  
**Sent:** Monday, January 04, 2010 12:04 AM  
**To:** Kovash, John; Cummings, Teri; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

John,

Be sure to forward any correspondence to Chris from yourself on city business to the council. Thank you.

Patti Galle  
Mayor, City of West Linn

22500 Salamo Rd  
West Linn, Or 97068  
503-657-0331 office  
503-636-0714 home

-----Original Message-----

**From:** Kovash, John  
**Sent:** Sun 1/3/2010 8:50 PM  
**To:** Cummings, Teri; Jordan, Chris  
**Cc:** Cardwell, Mike; Sonnen, John; City Council  
**Subject:** RE: Maintenance of stormwater systems involved in Suncrest PUD

Teri's question in her second paragraph is a very good one. Best practices for water quality is pertinent to discussions about the content of our code and if it can be improved. However, the Sunset PUD hearing is about an application and if it complies with current code and the law. Best practices do not seem to be a relevant discussion at subject hearing.

John

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From: Cummings, Teri  
Sent: Saturday, January 02, 2010 7:58 PM  
To: Jordan, Chris  
Cc: Cardwell, Mike; Sonnen, John; City Council  
Subject: Maintenance of stormwater systems involved in Suncrest PUD

Mr. Jordan, in late November or early December you agreed to my request for a table of contents for the Suncrest PUD. Sorry I do not recalling receiving it if it was done but if so, could you please forward a copy to me?

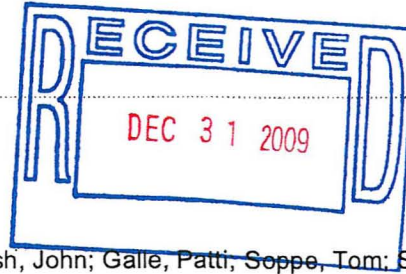
In particular, I hope to hear professional advice from environmental services on best practices for water quality/ stability of riparian/conservation zone management. What produces superior long term results for water quality and environmental protection, management/stewardship by private entities or municipa environmental services?

Thank you,

Teri

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tcummings@westlinnoregon.gov  
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**Soppe, Tom**



**From:** karieokee@aol.com  
**Sent:** Thursday, December 24, 2009 2:28 PM  
**To:** Jordan, Chris  
**Cc:** Burgess, Scott; Carson, Jody; Cummings, Teri; Kovash, John; Galle, Patti; Soppe, Tom; Sonnen, John  
**Subject:** Fwd: Post Agendas for Meetings

Mr. Jordan,

Today on the City web site the City Council meeting scheduled for Jan. 4, 2010 is not posted on the "Agendas" page, but remains on the "Tentative Agendas" page. I think that the web site should have the CC agenda posted sooner and I have requested so in my previous email below, to which I did not receive a response. I am interested in knowing your criteria for confirming a tentatively scheduled meeting and posting it.

I notice that both a Historical Resources Board and a Planning Commission meeting, scheduled for Jan. 5 and Jan. 6 respectively, are posted on the "Agendas" page. I would have expected the CC meeting for Jan. 4 to be posted as well, especially given that the CC appeal hearing for the land-use decision AP-09-05 for 19650 Suncrest DR required a 20 day notice, and was mailed on Dec. 10.

It is confusing for the public to receive such notice or to read in the newspaper and on the property sign, of such an appeal hearing and not find it scheduled on the "Agendas" page. The information is also not as readily accessible when it has to be accessed via the "Tentative Agenda" page, as it requires first knowing to go to that page by clicking the additional link.

The CC appeal hearing for Suncrest concerns many more people than is usual for a typical land use decision because of the voters who voted to annex the property based on the property owner's commitment to dedicate the water resource land to the City. Many of those people do not know to find more information about it on the "Land-use Projects" page of the web site.

The applicable code is 99.080 NOTICE

Notice shall be given in the following ways: (ORD 1568)

A. Class A Notice. Notice of proposed action or a development application pursuant to Section 99.060 shall be given by the Director in the following manner:

5. The City shall make reasonable efforts to post notice of the application on the City's web site at least 10 days prior to the hearing, meeting, or decision date.

I am interested in seeing the City encourage and support public participation by providing reasonable access to information. I hope you will consider my suggestion for posting agenda information in a timely manner that coordinates with the other required public notice.

Thank you,

Karie Oakes

-----Original Message-----

From: karieokee@aol.com

To: cjordan@westlinnoregon.gov

Cc: sburgess@westlinnoregon.gov; jcarson@westlinnoregon.gov; tcummings@westlinnoregon.gov;

jkovash@westlinnoregon.gov; pgalle@westlinnoregon.gov

Sent: Wed, Dec 2, 2009 9:26 am

Subject: Post Agendas for Meetings

Dear Mr. Jordan,

The City web site Agenda page needs to be updated immediately. There are no postings of all the meetings scheduled beyond today, December 2, 2009.

(26)

12/31/2009

The City Council meeting of December 14 has a hearing scheduled for the appeal of the Planning Commission decision approving the development at 19650 Suncrest DR. As this was officially noticed on November 23 and the notice refers to the City web site for more information, the City is negligent in its duties.

Thank you for your prompt attention.

Karie Oakes