

**STAFF REPORT**

**PLANNING DIRECTOR DECISION**

**FILE**

**NUMBER:** DR-11-01/WAP-11-01

**REQUEST:** Request to build a bridge, install two sets of stairs, and implement minor lateral leveling on an existing nature trail in Robinwood Park at 3600 Fairview Way/18292 Shady Hollow Way

**PLANNER:** Tom Soppe, Associate Planner

---

**EXECUTIVE SUMMARY**

The Parks and Recreation Department proposes a 24-foot long, 4-foot wide pedestrian bridge across a tributary of Robinwood Creek contained in a ravine on an informal trail that predates the approved park. The applicant also proposes two sets of stairs along the east leg of the trail and minor lateral leveling in this area (see Page 88 of Exhibit PD-7, Detailed Site Plan, and Exhibits E and F on pages 94 and 95 respectively). The entire project is in the water resource and/or transition area for the aforementioned tributary and/or other nearby creeks, so a Water Resource Area permit is required. As a trail over 200 feet long, which was not previously approved, Class I Parks Design Review is required for the trail as well as the currently proposed construction per Community Development Code (CDC) subsections 56.020(C)(2) and (3).

The original Robinwood Park plan, approved in 2002, included a bridge that spanned the entire ravine, about 75 feet north of the proposed bridge location (see Page 34 of Exhibit PD-1). The approved site plan specified that the bridge would be built if it was financially feasible. Due to the expected high cost of constructing the approved bridge, and the fact that park acquisition and development costs have already exceeded the available budget, the Parks Department has concluded that it will not be financially feasible to construct the approved bridge in the foreseeable future, if ever. Since the approved bridge was contingent upon financial feasibility and since the Parks Department has determined that it is not financially feasible, the approved bridge is effectively no longer a binding element of the site plan. Consequently, the proposed bridge and improvements to an existing trail are considered new park features rather than an amendment to the original plan.

Key staff findings include that: a) the trail fits the criteria for a nature trail; b) the proposed improvements will improve erosion control on the slopes near the existing creek crossing upon the fulfillment of Condition of Approval 4 regarding vegetating newly exposed earth; c) the proposed improvements represent the most practical of the several alternatives analyzed, and d)

that the proposed improvements are acceptable in the water resource and transition areas as long as the plan for off-site mitigation is fulfilled. Staff finds that the trail and the proposed improvements associated creek crossing meet the criteria of Chapter 32 Water Resource Area Protection and Chapter 56 Parks and Natural Area Design Review upon the fulfillment of the four recommended conditions of approval. Staff therefore recommends approval of the project with the four recommended conditions of approval.

---

**TABLE OF CONTENTS**

---

	<u>Page</u>
<b>STAFF ANALYSIS AND RECOMMENDATION</b>	
EXECUTIVE SUMMARY .....	1-2
SPECIFIC DATA.....	3
BACKGROUND .....	3-6
PUBLIC COMMENTS.....	7-9
APPROVAL CRITERIA AND ANALYSIS.....	9-11
RECOMMENDATION.....	11-12
 <b>ADDENDUM</b>	
STAFF FINDINGS .....	13-31
 <b>EXHIBITS</b>	
PD-1 APPLICANT'S SUPPLEMENTAL SUBMITTAL.....	32-34
PD-2 STAFF MAP ESTIMATING TRANSITION AREA IN SITE AS WHOLE.....	35
PD-3 PUBLIC COMMENTS AND STAFF RESPONSES.....	36-49
PD-4 AFFADAVIT OF NOTICE.....	48
PD-5 NOTICE PACKET.....	49-55
PD-6 COMPLETENESS LETTER.....	56
PD-7 APPLICANT'S SUBMITTAL.....	57-99

## **SPECIFIC DATA**

- OWNER/  
APPLICANT:** City of West Linn Parks and Recreation Department, 22500 Salamo Road, West Linn, OR 97068
- SITE LOCATION:** Robinwood Park- 3600 Fairview Way/18292 Shady Hollow Way
- SITE SIZE:** Approximately 14 acres
- LEGAL  
DESCRIPTION:** 2 1E 14 DA tax lots 1800, 1900, 2000, 2100, 2200, 3000, 3300, 3400, and 3500
- COMP PLAN  
DESIGNATION:** Medium-Density Residential, Low-Density Residential
- ZONING:** R-4.5, Single-Family Residential Attached and Detached/Duplex; and R-10, Single-Family Residential Detached
- APPROVAL  
CRITERIA:** Community Development Code (CDC); Chapter 14, Single-Family Residential Detached and Attached/Duplex R-4.5; Chapter 32 Water Resource Area Protection; Chapter 56 Parks and Natural Area Design Review
- 120-DAY RULE:** The application became complete on February 1, 2011. The 120-day period therefore ends on June 1, 2011.
- PUBLIC NOTICE:** Notice was mailed to property owners within 500 feet of the subject property and the Robinwood Neighborhood Association on February 4, 2011. The notice was printed in the West Linn Tidings. A sign was placed on the property and on the nearest through street on February 8, 2011. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.

## **BACKGROUND**

The site, Robinwood Park, is shown outlined in purple on the following map. It consists of 9 parcels of the Robinwood plat in the Robinwood neighborhood at the north end of West Linn. Phase I of the park was approved in 2001 by the Planning Commission through Class II Parks Design Review, Planned Unit Development, and a Natural Drainageway Permit (DR-01-13/ZA-01-02/MISC-01-05). This decision was called up by the City Council as appeal file MISC-01-22, but the Planning Commission's approval was upheld with some changes to conditions of approval and the addition of a condition. The decision became effective on January 22, 2002.

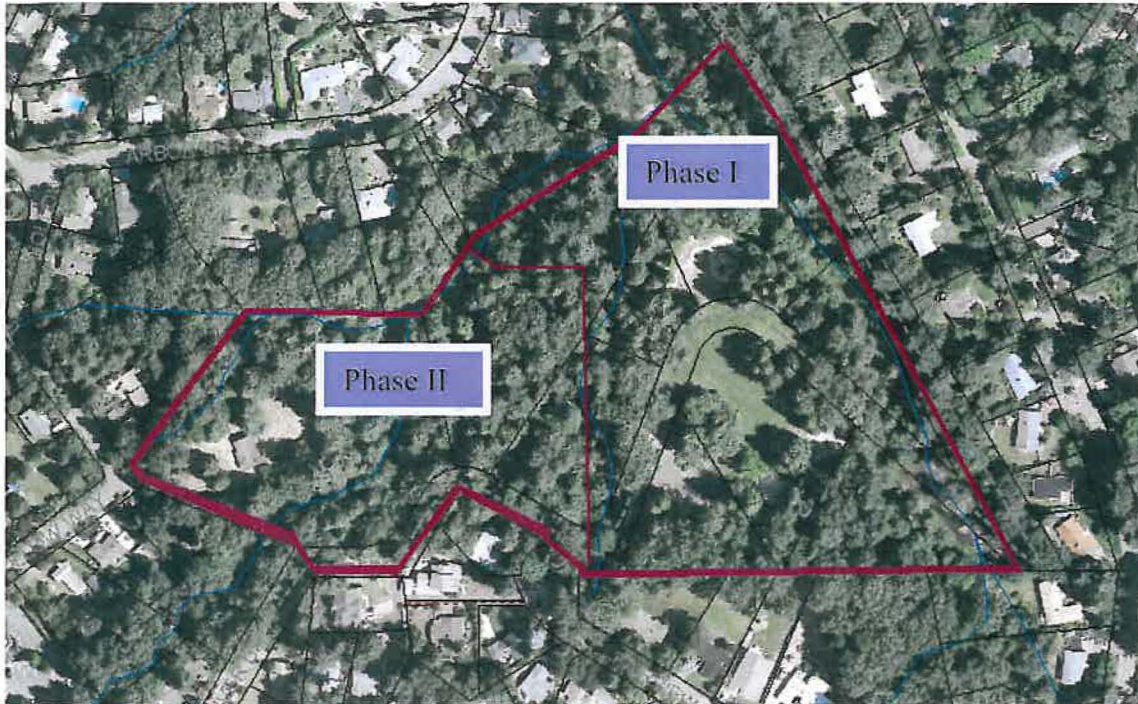


**Vicinity Map** (Robinwood Park is outlined in purple and labeled “SITE”, creeks are depicted as thin blue lines, significant riparian corridors are in green hatches, and wetlands are dark green patches)

Site Conditions. The site is located at the east dead end of Lazy River Drive and the north dead end of Fairview Way in the Robinwood neighborhood of West Linn. Also, the far west end of the park borders Shady Hollow Way, where a vacant single-family house is located within the park. A trail along the south side of the park connects Fairview and Lazy River Drive. Fairview Way curves into the site, terminating as a parking lot. Athletic fields lie north of this and restroom; picnic and play areas lie north of these fields. A system of paths circulates throughout this area of the park. East of this developed area of the park is a gully containing Fern Creek; the eastern slope of the Fern Creek gully mainly consists of an undeveloped part of the Arbor Drive right-of-way which forms the eastern edge of the park. The western portion of the park (Phase II) remains undeveloped.

The approved plans for Phase I designated a future pedestrian bridge spanning an unnamed creek that flows through a gully to Robinwood Creek approximately 75 feet south of where the currently proposed bridge would be located. This was anticipated to be a higher and larger bridge than the current proposal. A flat, wide concrete approach was built east of the creek as part of Phase I. The unnamed creek converges with Robinwood Creek at the north end of the site; near the confluence with Fern Creek. The creeks form a peninsula that contains most of the proposed improvements would occur and an existing trail. While the eastern part of the park contains the completed Phase I improvements, much of it is undeveloped water resource area and transition area around these gullies and ravines. The western part of the park contains the main branch and other tributaries of Robinwood Creek and some informal trails. Trees are plentiful throughout the park, but especially in the undeveloped western portion of the park, on

the “peninsulas” between creeks, and throughout the Phase I area except for the open fields. See the aerial photo map below for the boundary between Phase I and Phase II. As can be seen the development of the park in Phase I, the eastern half of the park, has largely been done.



### **Robinwood Park Phase Area Designations**

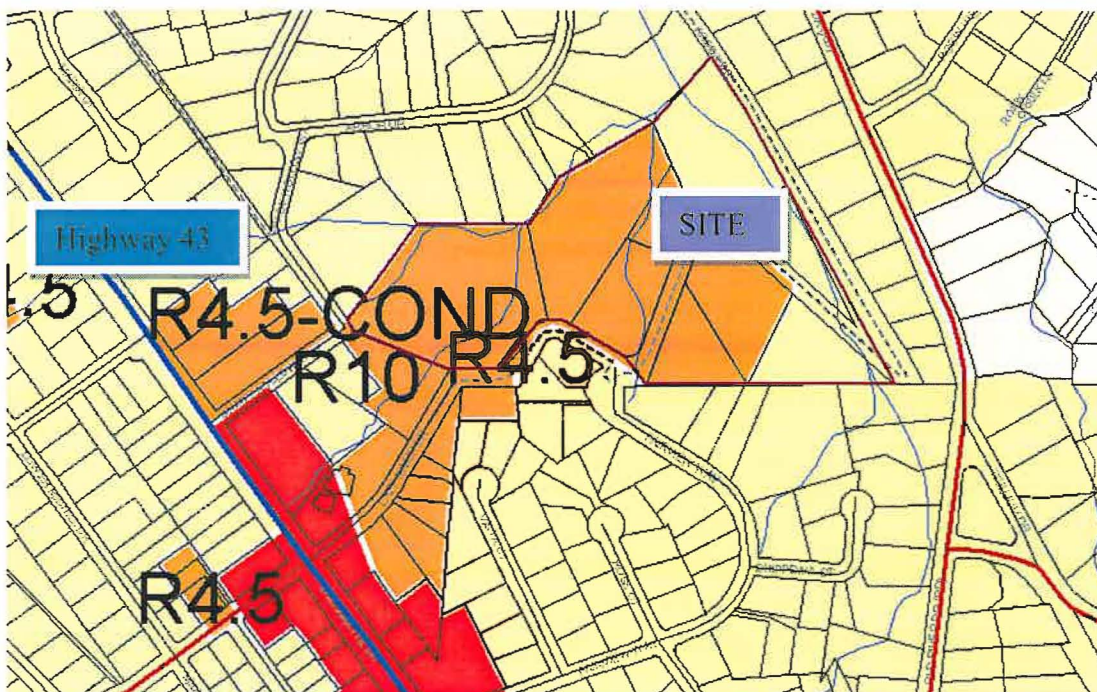
Project Description. The project consists of improvements to an existing, informal trail that predates Robinwood Park but which was not included in the approval of Phase I. Therefore in terms of design review, it is considered a new trail over 200 feet long. This trail begins at the trail along the Lazy River Drive right-of-way along the south edge of the park. It traverses north approximately 400 feet to where it turns east and winds down a steep hill to the Robinwood Creek tributary that it crosses, via a log. The trail then extends east and south approximately 150 feet to the developed area of Robinwood Park, close to the existing restroom north of the parking lot. The proposed project includes: a) a bridge across the unnamed Robinwood Creek tributary that would replace the log that currently spans the creek, b) two new sets of stairs on a steep portion of the east leg of the trail, and c) minor lateral leveling of certain portions of the trail (see Page 88 of Exhibit PD-7, the applicant’s site plan labeled, “Sheet 2: Detailed Site Plan”). The new projects’ components will require mitigation as it involves new developed area (i.e., stairs, leveled/widened trail areas, and the bridge) within the water resource and transition area. The long-established trail predates the mitigation requirements, so mitigation is not needed for the unchanged sections of this trail. The applicant has submitted a mitigation plan, which involves restoring an unhealthy section of a natural drainageway transition area in the central area of Mary S. Young Park. See Finding No. 16 and pages 69-78 and 93 in Exhibit PD-7, related to the mitigation plan.

**Surrounding Land Use.** The site is mainly surrounded by single-family residential uses, with some variation in this pattern to the west and south, particularly along Willamette Drive nearby. See Table 1 below regarding surrounding land uses. The border between the cities of West Linn and Lake Oswego lies approximately three blocks north of the site, with the Marylhurst College campus immediately on the other side of this border. The closest other park within West Linn is approximately three blocks west (as the crow flies) from the site. This is Midhill Park, located between Upper and Lower Midhill drives across Willamette Drive. The Willamette River lies approximately four blocks to the east of the site.

**Table 1** Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	Single-family residential	R-10
East	Single-family residential	R-10, R-15 nearby
South	Single-family residential, Duplex, Commercial	R-4.5, R-10. GC going south on Willamette Dr
West	Single-family residential, Duplex	R-4.5, R-10

Source: West Linn GIS, 2011



**Zoning Vicinity Map (The subject site is outlined in purple, R-4.5 zoning is in orange, R-10 zoning in yellow, R-15 zoning in off white, General Commercial zoning in red)**

## **PUBLIC COMMENTS**

### **Linda Morrell, 3444 Arbor Drive, February 7, 2011**

Thank you for the notice regarding the proposed trail, in which property owners are given a chance to weigh in. That would be easier if we knew where the trail would be and, especially, the proposed bridge. Is that available somewhere online? Or is it the pink highlight lines on the map on the back of the notice? Thanks for clarification!

### **Kimberly Gibbs, 3375 Arbor Drive, February 11, 2011**

My name is Kimberly Gibbs. I recently moved to Robinwood neighborhood on 3375 Arbor Drive. I received the information about the improvements to the park/trails near my home. I am writing to express how excited this proposal makes me. Our neighborhood desperately needs access to parks and Old River Road. We don't have easy access due to Highway 43. Thank you for your hard work. I support this completely and look forward to easy trail access and parks near my home. Thank you very much. If further support is needed please feel free to contact me. I am more than happy to get involved with the trail system/parks etc. Thank you again for your efforts to better our neighborhood and community.

### **Susan E. Koepping, 3466 Arbor Drive, February 13, 2011**

We reside at 3466 Arbor Drive and are interested in the proposed trail. We received written public notice of this change. Today, while walking through the park we saw your posted notice which is **not** the same as the notice we received. The notice posted in the park has a bright orange line, curved, indicating the location of a bridge and stairs. None of this is indicated on the written notice we and our neighbors received.

Since the information mailed to us is incomplete I question that it qualifies as a legal Public Notice and I think you are required to change your date of final vote and submit to property owners within 500 feet the actual parameters of the proposed path. I would appreciate a response from your office. (**Staff Note:** See Page 42 of Exhibit PD-3 wherein staff responds to explain how both the sign notice and mailed notice were in compliance with noticing requirements.)

### **Alan & Susan E. Koepping, 3466 Arbor Drive, February 14, 2011 (Staff summary of conversation at front counter)**

Mr. and Mrs. Koepping are concerned about the proposed improvements leading to more kids taking this trail, then going past the trail to the north where there is a hazardous muddy area along Robinwood Creek that straddles the boundary between Robinwood Park and the properties on Arbor Drive, including the Koepping property. They said that when the park was new, the Parks and Recreation Department said that markers indicating the northern property line of the park would be eventually installed, but those have never been installed. Kids come to this area and get stuck in the mud; one kid in the last few years got stuck in the mud and was into the mud halfway up his body. They are concerned about the hazards to kids and about their potential liabilities as property

owners. North of the trail, the main branch of Robinwood Creek is fully on their property, just outside the park property. They would like to see at least some signage indicating where the park ends and where private property begins along here.

**Nancy Daum, 18304 Shady Hollow Way, February 14, 2011 (Staff summary of conversation on phone)**

Her driveway is where the only pedestrian access is located from Shady Hollow Way into Robinwood Park. People have to walk in her driveway through a bit of her property to use this entrance to the park. She has felt that when the park was developed it should have entailed a City-marked, City-developed entrance to the park here, only on Park property. Now that there are further improvements happening to the trail system in the park, it may cause more people to take the route through here as well. She has advocated in the past for the improvements at the entrance at her property, and she would like to see the improvements happen now.

**Jerry & Veronika Newgard, 19117 Old River Drive, February 16, 2011 (Staff summary of conversation at front counter)**

Supporting proposed improvements to trail; looking forward to using it.

**Alan & Susan E. Koepping, 3466 Arbor Drive, February 17, 2011**

My wife and I received notification of the "trail improvement" in Robinwood Park immediately adjacent to our property (tax lot 2300). Since the map attached to the notification showed nothing more than the park as it now exists, we walked the existing trail and located a posted sign which did indicate the general location and configuration of the proposed change. The next day we talked with Tom Soppe expressing our concerns.

First, while this trail exists informally on the ridge top, the idea of extending it to the creek tributary is fairly recent. In fact, the park master plan shows a bridge from the ridge top back to the developed portion of the park; not a path extension to the bottom of the ridge and a bridge that opens access to private property.

Second, by extending the trail to the creek tributary at the bottom of the ridge, other problems are created. Where our property abuts the park land adjacent to the proposed bridge, there is an abandoned beaver dam, fallen trees and a very muddy creek structure. (Note: *If the beavers return the creek under the proposed bridge will likely be flooded again.*) Although we posted "private property" signs that has not deterred an adventurous child from exploring and getting stuck in the wetland mire.

You can see why we are concerned about danger to unwary children and our liability when this action by the city is going to improve access to our property and that of our neighbor, Sweeney/Louie, tax lot 1700.

If this project is approved, we ask that a barrier be constructed to limit off-trail access to our property. Since the primary impetus for this project seems to be an Eagle project for



a boy scout, perhaps he could instead install the picnic table and bridge as indicated in the master plan for this park.

**Betasha Louie & Michael Sweeney, 3488 Arbor Drive, February 23, 2011**

We received notification of the trail improvement at Robinwood Park and have a few questions since the trail will run adjacent our property at 3488 Arbor Drive, tax lot 1700. We bought the property because of the privacy it afford us and would like to ensure that our needs will be considered when deciding on constructing a trail that will give the public easy access onto our property.

Is there a time where my neighbors and I can ask questions and voice our concerns? Similar to tax lot 2300, we prefer to have a fence or another barrier constructed and maintained by the city to limit off-trail access to our property.

**David Dodds, 18931 Old River Drive, February 23, 2011**

Opposes proposed trail realignment and major change of approved Robinwood Park plan. By bypassing approved bridge trail plan, proposal is a major modification of existing park development plan, not merely a new trail. It should therefore be considered a Class 2 Design Review not a Class I. The proposed trail goes directly counter to the intention of the approved bridge design that was intended to foster connectivity while keeping people out of the wetland area. This plan would have the effect of going directly counter to the purpose and intentions of the original approved plans and as such would constitute a major not minor modification of the approved plan.

**Approval Criteria and Analysis.** Due to the number of creeks in and around the park that are hemmed by relatively wide expanses of steep slope and the fact that two of the creeks are designated as significant riparian corridors , much of the park is deemed water resource area and associated transition area. Exhibit PD-2 on Page 35 is a map delineating the approximate boundaries of the transition area throughout the site consistent with CDC Subsection 32.050(E). As can be seen on Exhibit PD-2, the entire area of the existing trail and the proposed bridge and related improvements are located in water resource areas or transition areas. They therefore require a Water Resource Area permit. CDC Section 32.025 states, "No person shall be permitted to fill, strip, install pipe, undertake construction, or in any way alter an existing water resource area without first obtaining a permit to do so from the decision making authority, paying the requisite fee, and otherwise complying with all applicable provisions of this ordinance." Per Section 32.040(D), the approval criteria of Section 32.050 apply to all Water Resource Area permits. As the proposed improvements constitute new permanent development of the transition area, the Mitigation Plan provisions of Section 32.070 also apply. According to Page 78 of Exhibit PD-7 in the applicant's submittal, a revegetation plan is not needed as there will not be temporarily disturbed areas.

The trail is existing but only in the informal sense since it existed before (but was not part of the proposal for) the original design review for Robinwood Park. Therefore the new improvements proposed in this application constitute the first time the trail will have undergone Planning review. Because of this, it is considered a "new trail" from a

regulatory perspective. Chapter 56 provides for design review for new park, recreation, and open space areas, and improvements to existing ones. Subsections 56.020(C)(2) and (3) state that new paths and trails over 200 feet long (such as the subject trail ) require a Class I Design Review permit. For this permit the criteria of Section 56.090 apply.

The improvements are all proposed in sections of the park that have R-4.5 zoning, so the criteria of Chapter 14 of the CDC also apply.

The original application for Robinwood Park was a planned unit development as well as a Class I Design Review and a Natural Drainageway Permit. Therefore chapters 24 and 32 applied, but Chapter 55 applied as Chapter 56 specifically regarding parks design review was not yet part of the CDC. However the applicant's addressing of chapters 32 and 56 only in the current application is acceptable, as Class I Parks Design Review and Water Resource Area permits are needed for this particular proposal currently in a park, regardless of the original approval criteria at the time of the original park development proposal at this site.

The proposal meets the criteria of Chapter 32 and Chapter 56 upon the fulfillment of the proposed conditions. The proposal also meets the criteria of Chapter 14 for development in this zone.

Regarding public comments above, staff finds that Mr. Dodds' contention that the proposed bridge constitutes an amendment to the park plan, since it is an alternative to the previously approved bridge, is unfounded. The approved park site plan stated that the originally approved bridge that would span the ravine was "to be completed if financially feasible"(see Page 34 of Exhibit PD-1, which is the site plan from the appeal file MIS-01-22). On page 32 of Exhibit PD-1, the applicant explains that acquisition and development of the park already exceed the original estimated costs by \$1,236,142. They state that these higher costs combined with the City's current and projected budgetary constraints (the System Development Charges for the park were \$403,240; further, the City has projected a biannual budget shortfall in excess of \$1,000,000 that will have to be offset by cost cutting) prevent the City from constructing the approved bridge, at estimated cost of roughly \$400,000, in the foreseeable future. Since the approved bridge was contingent upon financial feasibility and since the Parks Department has determined that it is not financially feasible, the approved bridge is effectively no longer a binding element of the site plan; therefore it is irrelevant. Consequently, the proposed bridge is considered as a new park feature rather than an amendment to the original plan. Further, the original application did not preclude additional improvements (including a creek crossing) for this existing informal trail or other specific additional improvements to the park that were not conceived of in the original application. Additionally, while the proposal does result in a creek crossing located within the ravine rather than over the ravine and therefore in a more environmentally sensitive area than the previously approved bridge, it would do so on an existing (albeit informal) trail, and in a way that causes much less construction disturbance than the approved, larger bridge would have caused.

Regarding other public comments above, the proposal does not bring the trail system closer to other properties or potentially dangerous areas (except in the sense of making an informal trail more formal and easier to traverse). Also the applicant plans to place signage along the park boundaries closest to the trail.

Ms. Daum's concerns about park users entering the park through her driveway are not addressed in conditions of approval as they pertain to the other end of the park and are not related to the proposed project.

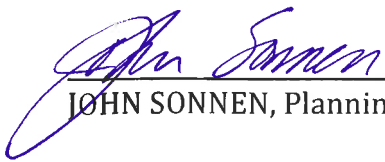
The four proposed conditions ensure that the site plan is followed during implementation, that any new exposed earth is landscaped with native plants, that trail signage meets CDC requirements, and that construction areas are fenced off from the rest of the surrounding water resource areas and transition areas.

### **RECOMMENDATION**

Based on findings contained in the applicant's submittal in the City record and the staff findings, there are sufficient grounds to **approve** this application (DR-11-01/WAP-11-01) subject to the following conditions of approval:

1. Site Plan. The improvements shall conform to the applicant's Sheet 2: Detailed Site Plan on Page 88 of Exhibit PD-7, except as modified by these conditions of approval.
2. Trail Signage. The proposed trail signage for the west leg of the trail shall be located at the south end of this leg, where the trail begins at the Lazy River Drive right-of-way.
3. Fencing disturbance area. Areas to be disturbed during the construction of the improvements proposed by this application shall be contained by an anchored, chain link fence that remains in place until construction is complete.
4. Landscaping of Newly Exposed Earth. Any earth that is newly and permanently exposed due to the construction of the project shall be landscaped with native vegetation that is appropriate for the Water Resource Area and Transition Area and that is compatible with the provisions of Section 32.080 Revegetation Plan, as determined by the Planning Department.

I declare to have no interest in the outcome of this decision due to some past or present involvement with the applicant, the subject property, or surrounding properties, and therefore, can render an impartial decision. The provisions of the Community Development Code Chapter 99 have been met.

  
JOHN SONNEN, Planning Director

March 22, 2011  
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. The appeal must be filed by an individual who has established standing by submitting written comments prior to or on February 28, 2010. Approval will lapse 3 years from effective approval date unless an extension is obtained.

Mailed this 23 day of March, 2011.

Therefore, the 14-day appeal period ends at 5 p.m., on

April 6, 2011.

p:/devrvw/projects folder/projects 2011/dr-11-01/staff report dr-11-01

# ADDENDUM

## APPROVAL CRITERIA AND FINDINGS

### DR-11-01/WAP-11-01

Staff recommends adoption of the findings for approval contained within the applicant's submittal, with the following exceptions and additions. The applicant found that the trail and its proposed improvements are a relatively financially feasible and environmentally low-impact way to make an important connection within the park, facilitate safer and less erosion-inducing access to a natural area of the park, and that the proposed location, mitigation, and design features appropriately satisfy the requirements of CDC chapters 32 and 56. The applicant's findings can be found on pages 58-84 of Exhibit PD-7 and on Page 32 of Exhibit PD-1.

#### **Chapter 14**

#### **SINGLE-FAMILY RESIDENTIAL ATTACHED AND DETACHED/DUPLEX, R-4.5**

##### **FINDING NO. 1:**

Community recreation is a permitted use outright in the R-4.5 zone per CDC Section 14.030(5). The new bridge will be compliant with the setbacks specified in Section 14.070(D). The site meets all other provisions of Chapter 14. The criteria are met.

#### **Chapter 32**

#### **WATER RESOURCE AREA PROTECTION**

##### **32.050 APPROVAL CRITERIA**

*No application for development on property containing a water resource area shall be approved unless the decision-making authority finds that the following standards have been satisfied, or can be satisfied by conditions of approval.*

*A. Proposed development submittals shall identify all water resource areas on the project site. The most currently adopted Surface Water Management Plan) shall be used as the basis for determining existence of drainageways. The exact location of drainageways identified in the Surface Water Management Plan, and drainageway classification (e.g., open channel vs. enclosed storm drains), may have to be verified in the field by the City Engineer. The Local Wetlands Inventory shall be used as the basis for determining existence of wetlands. The exact location of wetlands identified in the Local Wetlands Inventory on the subject property shall be verified in a wetlands delineation analysis prepared for the*

*applicant by a certified wetlands specialist. The Riparian Corridor inventory shall be used as the basis for determining existence of riparian corridors.*

**FINDING NO. 2:**

The submittal shows the water resources on site and the transition areas in the areas where the trail and proposed improvements lie. The criterion is met.

*B. Proposed developments shall be so designed as to maintain the existing natural drainageways and utilize them as the primary method of stormwater conveyance through the project site unless the most recently adopted West Linn Surface Water Management Plan calls for alternate configurations (culverts, piping, etc.). Proposed development shall, particularly in the case of subdivisions, facilitate reasonable access to the drainageway for maintenance purposes.*

*C. Development shall be conducted in a manner that will minimize adverse impact on water resource areas. Alternatives which avoid all adverse environmental impacts associated with the proposed action shall be considered first. For unavoidable adverse environmental impacts, alternatives that reduce or minimize these impacts shall be selected. If any portion of the water quality resource area is proposed to be permanently disturbed, the applicant shall prepare a mitigation plan as specified in CDC 32.070 designed to restore disturbed areas, either existing prior to development or disturbed as a result of the development project, to a healthy natural state.*

**FINDING NO. 3:**

The drainageway in the area of the proposed improvements will be maintained, and will continue to be the primary method of stormwater conveyance in this area of the site. The proposed bridge, which would be longer than the log currently spanning the creek, would result in pedestrians being further from the drainageway than they are now. The bridge would therefore likely result in reduced erosion and sedimentation from pedestrian activity along the creek. All of the proposed work would be done with hand tools. The applicant has submitted a mitigation plan to address the proposed construction within the transition area and the water resource area. See Finding No. 16 below, and pages 69-78 and 93 in Exhibit PD-7, related to the mitigation plan.

The applicant's analysis of alternatives to the proposal is on pages 65-66 and 69-74 of Exhibit PD-7. Staff adopts the applicant's alternative analysis. The analysis shows that the originally proposed bridge will have less long-term impact on the transition area than other feasible alternatives as its footprint would be at the top of the bank instead of near the creek. The applicant has stated that the originally proposed bridge, which would have had spanned the ravine, is not financially feasible (see Pages 32-34 of Exhibit PD-1 for discussion of the costs of the implementing the original site plan). Construction of the previously approved bridge would have impacted the transition area at the top of the ravine.

The other alternative in the applicant's analysis that would have less impact on the water resource and transition areas than the proposed alternative is the alternative of using the existing driveway to get from the east side of the creek to the majority of this trail on the west side. This requires no further building in the transition area, but is not a practical alternative in that it requires a circuitous route, makes the existing trail a dead end (except for the existing log crossing), and does not provide improvements that would provide better erosion control within the transition area than provided by the current trail. The improvements proposed to this existing and already-used trail are an acceptable alternative in terms of the impacts to the water resource and transition area. The criterion is met.

*D. Water resource areas shall be protected from development or encroachment by dedicating the land title deed to the City for public open space purposes if either: 1) a finding can be made that the dedication is roughly proportional to the impact of the development; or, 2) the applicant chooses to dedicate these areas. Otherwise, these areas shall be preserved through a protective easement. Protective or conservation easements are not preferred because water resource areas protected by easements have shown to be harder to manage and, thus, more susceptible to disturbance and damage. Required 15-foot wide structural setback areas do not require preservation by easement or dedication.*

**FINDING NO. 4:**

The site is already City-owned as it is a City park. The criterion is met.

*E. The protected water resource area shall include the drainage channel, creek, wetlands, and the required setback and transition area. The setback and transition area shall be determined using the following table:*

**FINDING NO. 5:**

See the Site Conditions section above and Exhibit PD-2 on Page 36, both regarding how much of the park is in the transition area for the water resources on site. As can be seen in Exhibit PD-2 and on the applicant's Detailed Site Plan (Page 88 of Exhibit PD-7) the water resource areas and their transition areas include all of the area of the subject trail and its related proposed improvements. These areas are protected in that they are in City-owned Robinwood Park. This application reviews an existing informal trail under Design Review. The proposed improvements to the trail need to be in this transition area to make the trail safer and more functional and to prevent erosion and other negative effects of pedestrian activity near the drainageway. The criterion is met.

*F. Roads, driveways, utilities, or passive use recreation facilities may be built in and across water resource areas when no other practical alternative exists. Construction shall minimize impacts. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC Section 32.070 and a revegetation plan pursuant to CDC Section 32.080. The maximum disturbance width for utility corridors is as follows:*

- a. For utility facility connections to utility facilities, no greater than 10 feet wide.*

b. *For upgrade of existing utility facilities, no greater than 15 feet wide.*

c. *For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of Water Quality Resource Area, or 20% of the total linear feet of Water Quality Resource Area, whichever is greater.*

**FINDING NO. 6:**

The existing trail subject to Design Review in this application already crosses the drainageway via a log. The bridge proposed will take pedestrian activity further from the drainageway. The trail crosses the drainageway perpendicularly, and parts of the trail that are parallel to the drainageway are over 15 feet away. Staff adopts the applicant's alternatives analysis on pages 65-66 and 69-74 of Exhibit PD-7, finding that this alternative has minimal negative effect on the drainageway and is the most practical alternative in terms of the overall cumulative effect on the park circulation system, on the public benefit of having a safe and usable trail, on the drainageway, and on the transition area.

A future pedestrian bridge" was shown crossing the creek at a much higher span than the proposed bridge in this application, approximately 75 feet south of the proposed bridge in this application. That bridge has not been constructed. According to the Parks and Recreation Department, construction of this bridge is unlikely to occur in the foreseeable future due to its prohibitive costs. In his comment on Page 36 of Exhibit PD-3, David Dodds states that the application's plans to have a crossing where it is proposed conflicts with the plans to have the originally proposed higher span and constitutes a major change to the originally approved Robinwood Park plan. The applicant's alternatives analysis includes the original bridge plan as one of the alternatives to the proposed project. Per the applicant, this was done not because the proposed project is seen as a definite substitute for the originally proposed bridge, but because the bridge is too cost prohibitive to construct anytime in the foreseeable future, if ever. The site plan from the original application (included in this application on Page 34 of Exhibit PD-1) states that the originally proposed bridge would be built if financially feasible, and staff adopts the applicant's findings in Exhibit PD-1 that it is currently not financially feasible to build the originally proposed bridge and is unlikely to be so anytime in the near future. Since the approved bridge was contingent upon financial feasibility and since the Parks Department has determined that it is not financially feasible, the approved bridge is effectively no longer a binding element of the site plan; therefore it is irrelevant. Consequently, the proposed bridge is considered as a new park feature rather than an amendment to the original plan.

The application is for a "new trail" albeit one that existed informally before the Park was applied for. The trail is not a deviation from the original park plan but rather an addition to the park that can be reviewed as a Class I Design Review as Section 56.020(C)(2) and (3) state that Class I Design Review, a Planning Director decision, is required for new paths and trails. Therefore the application as submitted is appropriate as it includes



Class I Design Review as well as the Water Resource Area permit required for development in the water resource and transition area.

Staff finds, in addition, that the application is not at odds with, or in violation of, the Parks Master Plan. The Robinwood Trail shown on Figure 6 of the Parks Master Plan, which the proposed trail could fulfill through the Robinwood Park section of the trail alignment, is shown as a secondary trail which is allowed to be the type of trail proposed in terms of materials, location, etc. One item for Robinwood Park in the Plan's section on Existing and Proposed Park Sites (Page 54 of the Parks plan) is to "implement the remaining phases of the master plan" but does not specifically preclude changes such as this to the master plan.

The criterion regarding constructing a recreation facility in the form of the bridge and improved trail is met.

*G. Prior to construction, the water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved water resource area permit. Such fencing shall be maintained until construction is complete. The water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.*

**FINDING NO. 7:**

The applicant requesting a waiver from this criterion since all work will be done well within the transition area which includes much of the site. Staff agrees with the applicant's finding on Page 66 of Exhibit PD-7 that fencing the entire transition area in the Park is not appropriate as this includes the majority of the land in the park, including all areas near where construction will occur. However staff finds that the best way to protect areas of the transition area where construction is not proposed is to fence of the areas where it will occur. Condition of Approval 3 requires this.

*H. Paved trails, walkways, or bike paths shall be located at least 15 feet from the edge of a protected water feature except for approved crossings. All trails, walkways, and bike paths shall be constructed so as to minimize disturbance to existing native vegetation. All trails, walkways, and bike paths shall be constructed with a permeable material and utilize Low Impact Development (LID) construction practices.*

**FINDING NO. 8:**

The proposal would implement the alternative of utilizing the entire length of the existing informal trail rather than constructing an entire new trail (see applicant's alternatives analysis on 59-60 of Exhibit PD-7). Except for the existing crossing, where a bridge will be built that reduces impacts from pedestrians (see Finding No. 6), the trail will be at least 15 feet from the edge of the drainageway. The trail except for the bridge and proposed stairs will remain packed earth. The bridge and stairs will be made of treated wood and composite materials made from recycled materials. Substances used to treat wood currently no longer include arsenic and some of the other harmful materials that

wood treatment substances used to contain. The applicant does not expect the installation of the bridge and stairs to have a significant water quality impact in terms of the effects of treated wood being near the creek. The bridge and stairs can be expected to reduce erosion and sedimentation; the same is true for the proposed trail leveling. There will be minimal disturbance to existing native vegetation. The criterion is met.

*I. Sound engineering principles regarding downstream impacts, soil stabilization, erosion control, and adequacy of improvements to accommodate the intended drainage through the drainage basin shall be used. Storm drainage shall not be diverted from its natural watercourse. Inter-basin transfers of storm drainage shall not be permitted.*

*J. Appropriate erosion control measures based on CDC Chapter 31 requirements shall be established throughout all phases of construction.*

**FINDING NO. 9:**

Staff adopts the applicant's findings on page 66-67 of Exhibit PD-7 to find that these criteria are met.

*K. Vegetative improvements to areas within the water resource area may be required if the site is found to be in an unhealthy or disturbed state, or if portions of the site within the water resource area are disturbed during the development process. "Unhealthy or disturbed" includes those sites that have a combination of native trees, shrubs, and groundcover on less than 80% of the water resource area and less than 50% tree canopy coverage in the water resource area. "Vegetative improvements" will be documented by submitting a revegetation plan meeting CDC Section 32.080 criteria that will result in the water resource area having a combination of native trees, shrubs, and groundcover on more than 80% of its area, and more than 50% tree canopy coverage in its area. Where any existing vegetation is proposed to be permanently removed, or the original land contours disturbed, a mitigation plan meeting CDC Section 32.070 criteria shall also be submitted. Interim erosion control measures such as mulching shall be used to avoid erosion on bare areas. Upon approval of the mitigation plan, the applicant is responsible for implementing the plan during the next available planting season.*

**FINDING NO. 10:**

The property has more than 50% tree canopy coverage in the vast majority of the park that is within the water resource transition areas of the nearby creeks. All of the park is in the transition areas except for the playing fields areas and a small area at the southwest end of the park, as discussed above in Site Conditions. A revegetation plan is not needed. The criterion is met.

*L. Structural Setback area: where a structural setback area is specifically required, development projects shall keep all foundation walls and footings at least 15 feet from the edge of the water resource area transition and setback area if this area is located in the front or rear yard of the lot, and 7 ¾ feet from the edge of the water resource area transition and setback area if this area is located in the side yard of the lot. Structural elements may not be built on or cantilever over the setback area. Roof overhangs of up to*

*three feet are permitted in the setback. Decks are permitted within the structural setback area.*

**FINDING NO. 11:**

The only structure will be the bridge, which will cross the creek at what is now an existing informal crossing. The bridge will be located over the creek in order to cross it. The above criterion is meant for structures other than bridges, as implied by other criteria that allow for crossings such as this one.

*M. Stormwater Treatment Facilities may only encroach a maximum of 25 feet into the outside boundary of the water resource area; and the area of encroachment must be replaced by adding an equal area to the water quality resource area on the subject property. Facilities that infiltrate storm water onsite, including the associated piping, may be placed at any point within the water resource area outside of the actual drainage course so long as the forest canopy and the areas within ten feet of the driplines of significant trees are not disturbed. Only native vegetation may be planted in these facilities.*

**FINDING NO. 12:**

Less than 500 feet of new impervious surface is proposed, and no stormwater treatment facilities are proposed. The criterion is not applicable.

*N. As part of any proposed land division or Class II Design Review application, any covered or piped drainageways identified on the Surface Water Quality Management Plan Map shall be opened, unless the City Engineer determines that such opening would negatively impact the affected storm drainage system and the water quality within that affected storm drainage system in a manner that could not be reasonably mitigated by the project's site design. The design of the reopened channel and associated transition area shall be considered on an individualized basis, based upon the following factors:*

- 1. The ability of the reopened storm channel to safely carry storm drainage through the area.*
- 2. Continuity with natural contours on adjacent properties*
- 3. Continuity of vegetation and habitat values on adjacent properties.*
- 4. Erosion control*
- 5. Creation of filters to enhance water quality*
- 6. Provision of water temperature conducive to fish habitat*
- 7. Consideration of habitat and water quality goals of the most recently adopted West Linn Surface Water Management Plan.*
- 8. Consistency with required site Mitigation Plans, if such plans are needed.*

*The maximum required setback under any circumstance shall be the setback required as if the drainage way were already open.*

**FINDING NO. 13:**

The application does not involve Class II Design Review or land division. The criterion is not applicable.

*O. The decision-making authority may approve a reduction in applicable front yard setbacks abutting a public street to a minimum of fifteen feet and a reduction in applicable side yard setbacks abutting a public street to 7 ¾ feet if the applicant demonstrates that the reduction is necessary to create a building envelope on an existing or proposed lot of at least 5,000 square feet.*

**FINDING NO. 14:**

No new structures are proposed in these setback areas. The criterion is not applicable.

*P. Storm Drainage Channels not identified on the Surface Water Management Plan Map, but identified through the development review process, shall be subject to the same setbacks as equivalent mapped storm drainage channels.*

**FINDING NO. 15:**

No additional channels have been identified.

**32.070 MITIGATION PLAN**

*A mitigation plan shall be required if any portion of the water resource area is proposed to be permanently disturbed by development.*

*A. All mitigation plans must contain an alternatives analysis demonstrating that:*

- 1. No practicable alternatives to the requested development exist that will not disturb the water resource area; and,*
- 2. Development in the water resource area has been limited to the area necessary to allow for the proposed use; and,*
- 3. An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to the water resource area will be avoided and/or minimized.*

*B. A mitigation plan shall contain the following information:*

- 1. A description of adverse impacts that will be caused as a result of development.*

2. *An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not limited to, the revegetation provisions of CDC Section 32.050(K).*
3. *A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.*
4. *A map showing where the specific mitigation activities will occur.*
5. *An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting, and a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife water work periods.*
6. *Assurances shall be established to rectify any mitigation actions that are not successful. This may include bonding or other surety.*
7. *Evidence that a Joint Permit Application (to the U.S. Army Corps and OR DSL) if impacts to wetlands are greater than 0.10 acres, has been submitted and accepted for review.*

*C. Mitigation of any water resource areas that are not wetlands that are permanently disturbed shall be accomplished by creation of a mitigation area equal in size to the area being disturbed. Mitigation areas may be land that is either*

1. *On-site, not within the water resource area, and is characterized by existing vegetation qualifying that does not meet the standard set forth in CDC Section 32.050(K), or*
2. *Off-site, and is characterized by existing vegetation that does not meet the standard set forth in CDC Section 32.050(K).*

*The applicant shall prepare and implement a revegetation plan for the mitigation area pursuant to CDC Section 32.080, and which shall result in the area meeting the standards set forth in CDC Section 32.050(K). Adequacy of off-site mitigation areas on city property must be consistent with and meet approval of the City Department of Parks and Recreation. Any off-site mitigation occurring on privately-owned land shall be protected with a conservation easement.*

*E. To ensure that the mitigation area will be protected in perpetuity, proof that the area has been dedicated to the City or a conservation easement has been placed on the property where the mitigation is to occur is required.*

**FINDING NO. 16:**

The applicant proposes mitigation in an area within a water resource transition area in Mary S. Young Park, also a city-owned site. The mitigation plan for this site is on Page 93

of Exhibit PD-7. The applicant provides an alternatives analysis. See the applicant's findings on Pages 69-78 of Exhibit PD-7, which includes a discussion of the financial feasibility of this and other options compared to the originally proposed bridge. As discussed in other findings above, the applicant has also provided further documentation of the infeasibility of the option of the originally proposed bridge in Exhibit PD-1, including the stipulation on the original application's site plan regarding the bridge only being constructed if financially feasible. Staff adopts this alternatives analysis and the applicant's other findings in response to the criteria of 32.070. The criteria are met.

### **32.080 REVEGETATION PLAN REQUIREMENTS**

*Metro's native plant list is incorporated by reference as a part of CDC Chapter 32, and all plants used in revegetation plans shall be plants found on the Metro native plant list. Performance standards for planting upland, riparian and wetland plants include the following:*

*A. Native trees and shrubs will require temporary irrigation from June 15 to October 15 for the three years following planting.*

*B. Invasive non-native or noxious vegetation shall be removed within the area to be revegetated prior to planting.*

*C. Replacement trees must be at least one-half inch in caliper, measured at 6 inches above the ground level for field grown trees or above the soil line for container grown trees (the one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round) unless they are oak or madrone, which may be one gallon size. Shrubs must be in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.*

*D. Trees shall be planted between 8 and 12 feet on-center and shrubs shall be planted between 4 and 5 feet on-center, or clustered in single species groups of no more than 4 plants, with each cluster planted between 8 and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing requirements.*

*E. Shrubs must consist of at least two different species. If 10 trees or more are planted, then no more than 50% of the trees may be of the same species.*

*F. The responsible party shall provide an appropriate level of assurance documenting that 80 percent survival of the plants has been achieved after three years, and shall provide annual reports to the Planning Director on the status of the revegetation plan during the three year period.*

**FINDING NO. 17:**

Staff adopts the applicant's finding on Page 78 of Exhibit PD-7. There will not be temporarily disturbed areas, so the revegetation plan is not required.

**Chapter 56**

**PARKS AND NATURAL AREA DESIGN REVIEW**

*C. Relationship to the natural environment.*

*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 the direction of the City Manager.*

*2. All heritage trees, as defined in the municipal code, and 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 (C)(2)(a) through (c) of this section. It is important to acknowledge that all trees are not significant.*

*a. Areas of the park that include non-Type I and II lands shall protect all heritage trees and all significant trees through the careful layout of streets, building pads, playing fields, and utilities. The method for delineating the protected trees or tree clusters ("dripline + 10 feet") is explained in subsection (C)(2)(b) of this section. Exemptions of subsection (C)(2)(c) of this section shall apply.*

*b. Areas of the park that include Type I and II lands shall protect all heritage, significant and non-significant trees. Groundcover, bushes, etc., shall be protected and may only be disturbed to allow the construction of trails or accessing and repairing utilities. Exemption of subsection (c) below shall apply.*

**FINDING NO. 18:**

There are no heritage trees nearby. Other trees near to where the development is proposed will not be affected by the development. The criteria are met.

*3. In the case of natural resource areas, the topography shall be preserved to the greatest degree possible. Conversely, in non-natural resource areas, it is recognized that in order to accommodate level playing fields in an active-oriented park, extensive grading may be required and the topography may be modified.*

**FINDING NO. 19:**

In some small areas of the trail, stairs will be built and leveling of the trail will occur. This will minimally change the existing terrain. The existing terrain will not be changed outside the path of the trail itself.

*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.*

**FINDING NO. 20:**

See the applicant's Detailed Site Plan on Page 88 of Exhibit PD-7 which shows that the trail and associated proposed improvements are located outside the areas subject to slumping and sliding. The criterion is met.

*5. The park shall be designed in such a way as to take advantage of scenic views and vistas from the park site, as long as such views can be obtained without eliminating significant trees or other natural vegetated areas.*

**FINDING NO. 21:**

This application is not for the design of a park but rather for the design review and proposed improvements for an existing (heretofore informal) trail within a park. The criterion is not applicable.

*D. Facility design and relationship to the human environment.*

*1. Architecture. Whereas most park buildings are small in size and compatible with existing structure(s) on site and on adjoining sites, the possibility of larger facilities exists. Larger buildings are defined as those over 1,000 square feet and under 10,000 square feet in size. In those cases, contextual design is required. "Contextual design" means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing, materials and colors of surrounding buildings in the proposed structure. Also important is breaking the larger building into smaller visual components so that the mass of the building is not so apparent. This is especially relevant when the building is near the perimeter of the park. However, certain uses, by virtue of their functional and spatial requirements, are large and can never be made visually equal or even compatible with nearby homes. Such uses shall not be prohibited from locating at active-oriented park facilities on architectural grounds so long as the applicant's architect has broken down the building's horizontal plane into smaller visual components and stepped down the building at the end closest to the off-site structure(s). "Smaller visual components" shall be defined as changes in the horizontal plane every 100 feet*



*created by indentations or pop-outs at least three feet in depth. "Stepping down" shall be defined as bringing the park building's end section that is closest to off-site dwellings to half the distance between the highest ridgeline of the park structure and the highest ridgeline of the nearest off-site structure. In those cases where visual component breakdown or stepping down is not feasible, the applicant may rely on transitions in terms of distance as reasonable mitigation between on- and off-site buildings. An appropriate minimum distance to achieve mitigation shall be either 150 feet or an existing public right-of-way.*

*2. Material. Park structures shall emphasize natural materials such as exposed timbers, wood with brick and stone detail. Colors are subdued earth tones: grays, brown, off-whites, black, slate, and greens.*

*3. 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 (e.g., average range of human perception). For large buildings, defined as over 1,000 square feet and less than 10,000 square feet in size, human scale shall be accommodated by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, visual breaks (exaggerated eaves, indentations, belly boards, ledges, cornices, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally, but particularly within the first 10 to 15 feet as measured vertically.*

*4. Transparency. For all enclosed buildings in the park, with the exception of public restrooms, storage and utility buildings, the main/front building elevation shall provide at least 60 percent windows or transparency at the pedestrian level to create a more interesting building elevation, allow natural/ambient interior lighting and enhance defensible space. One side elevation shall provide 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 demonstrated functional constraints or topography restrict that elevation from being used. When this exemption is applied to a building elevation(s), the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations in addition to any transparency required by a side elevation, and vice versa. The transferred transparency is not required to be at pedestrian level and may be incorporated into clerestories or dormers. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.*

**FINDING NO. 22:**

The unpainted, treated wood bridge will be compatible with the architecture of West Linn and with the natural surroundings of the park, and will comply with subsections (1) and (2) above. The small, simple bridge is compatible with the "human scale" ideals provided

for above. No new buildings are proposed, so the transparency criterion above is not applicable. The other criteria are met.

*G. Crime prevention and safety/defensible space.*

*2. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime, to enhance public safety, and away from natural resource areas to minimize disturbance of wildlife.*

*3. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as large parking lots, stairs, ramps, and abrupt grade changes during hours of intended use or operation.*

*4. 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 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 omnidirectional.*

**FINDING NO. 23:**

No lighting is proposed, and the hours of the park are dawn until dusk daily. The criteria do not apply.

*7. Large or visually inaccessible parks should ensure that at least some emergency vehicle access is provided to the park's interior.*

**FINDING NO. 24:**

Access is available to the interior of the park via the vehicle entrances to the park; the existing trail will become more accessible to emergency responders due to the bridge, steps, and leveling, but the trail is not required to have vehicle access. The criterion is met.

*8. Closure times may be posted and/or gates may be installed at City parks to discourage their use at night if necessary for crime prevention and/or public safety.*

**FINDING NO. 25:**

This trail existed informally before the park was applied for and developed. The park's hours are dawn until dusk, and there is already a gate at the entrance that is locked at night. The criterion is met.

*9. Park landscaping shall accommodate safety concerns with appropriate use of plant types and ease of maintenance.*

**FINDING NO. 26:**

No landscaping is proposed. Revegetation of areas near the bridge and stairs will occur (but per Parks staff is needed due to existing use of the area, not due to disturbance

related to proposed construction, so 32.080 does not apply). The steps, bridge, and leveling will make the trail safer for users, and further landscaping of the area is not appropriate due to this being a natural area in a water resources area and transition area. However if any there is any new permanently exposed earth as a result of the construction of the project, it shall be landscaped appropriately for this water resource transition area. Condition of Approval 4 requires native vegetation appropriate to the water resource area be planted on any newly exposed earth. The criterion is met upon the implementation of Condition of Approval 4.

*I. Paths and trails. Paths and trails connect the various activity areas within the park. They can also serve as part of a greater system of connective trails from one neighborhood or destination to another. Just like streets, there is a hierarchy of paths and trails.*

*3. Smaller or reduced width paths, within park boundaries, can be built to link lesser activity areas or areas of attraction. Walkers, cyclists, or runners who do multiple loops for exercise often use these paths. These paths may be crushed gravel or paved and at least six feet wide.*

*4. Nature trails are typically three to six feet wide, gravel, hog fuel, or packed earth. These trails are especially attractive to persons seeking quieter parts of the park for natural interpretation or solitude. Other user groups often use them for exercise loops. Trails and footbridges in natural areas should be designed to minimize disturbance of significant resources. Limiting access to creek beds, potentially erosive slopes, or wetlands by humans and dogs is an important measure if habitat or resource protection is to be addressed. At least initially, the use of these trails by all user groups should be encouraged. Changes or restrictions to some user groups shall be based on empirical observations at that specific site.*

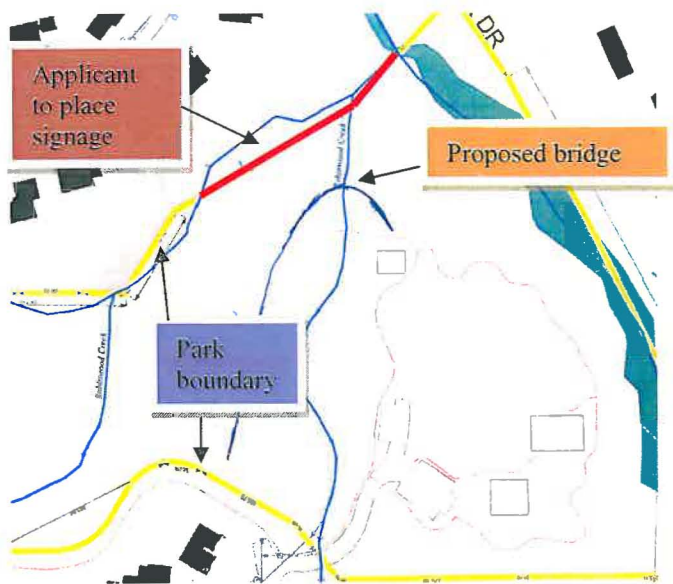
*7. All paths and trails shall be clearly identified with signs. They shall be laid out to attract use and to discourage people from cutting across landscaped areas or impacting environmentally sensitive areas.*

**FINDING NO. 27:**

This existing trail is 2 to 3 feet wide in most areas. The proposed bridge will be four feet wide. The bridge, steps, and leveling are designed to minimize disturbance of the water resource area and transition area. This a nature trail, and while Subsection (4) above states that these are “typically three to six feet wide”, it is not appropriate to widen this 2 existing trail (currently 2-3 feet wide) because it is entirely within the water resource area and transition area. Because of the trail’s location in these sensitive areas, it should not be widened as these areas should be disturbed as little as possible. The installation of stairs and the bridge should reduce pedestrian effects on erosion, and appropriate erosion control measures will be taken during implementation. Standard Parks and Recreation Department signs will identify the trail. The applicant’s Sheet 3: Trail Alternatives on Page 89 of Exhibit PD-7 shows the trail signage for the west end of the trail further north than the actual beginning of the trail at the Lazy River Drive right-of-

way. Condition of Approval 2 requires this signage to be located at the beginning of the trail at the south end of this west leg of the trail.

As can be seen above on Page 8-9 in Public Comments, Alan and Susan Koepping have commented regarding trail users that have ventured north from the trail in the creek crossing area to walk and recreate in the area around the main branch of Robinwood Creek just north of the trail loop. The main branch of Robinwood Creek roughly follows the boundary between the Park and the residential properties to the north including the Koepping property. However there are areas where the Creek is north of the boundary, and other areas where it is south. In all of the areas directly north of the trail in this application as well as areas immediately to the west and east to the confluence with Fern Creek, Robinwood Creek is slightly north of the boundary. The Park is not fenced, and there are no plans to fence the Park. Currently it is Parks and Recreation Department policy to not build fences around City parks, and fencing in this location would entail more disturbance of the water resource area than exists currently. The proposed improvements in this application may cause more people to use the trail and therefore might cause more people to wander off of the trail in this area where the boundary between the Park and private property is both nearby and unmarked. The applicant has verbally agreed to install signage along the property boundary in this area to best discourage Park users from wandering onto the private property nearby including the Koepping property. See the map inserted below.

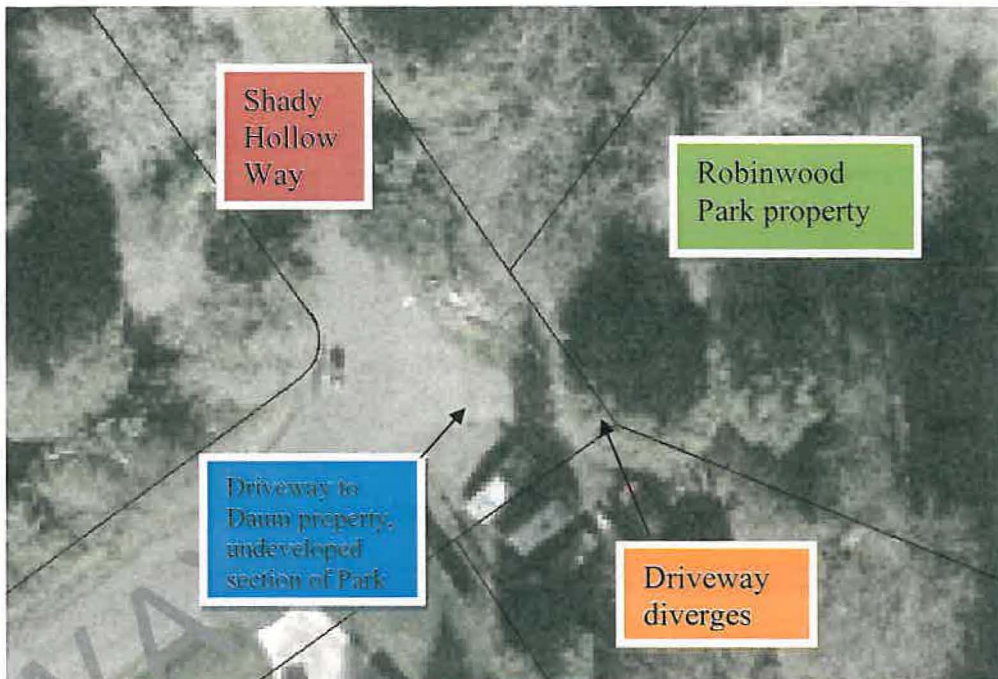


**Map of Signage Planned by Applicant**

As discussed by the Koeppings' comment (on pages 8-9 of Public Comments and Page 38 of Exhibit PD-3) regarding their own experiences, there is no guarantee that signage will keep park users from entering property marked as private. However, it will result in more users knowing where the boundary of the park in this area lies, and more of those

users then presumably will not venture past the boundary. The City cannot control users who are determined to ignore such signage or who do not comprehend it, but the signage would convey due diligence by the City to keep people out of private property and to reduce City and private property owner liability for any mishaps that may result from Park users straying onto private property.

As can also be seen above on Page 8 of Public Comments, Nancy Daum has expressed concerns regarding park users walking across the corner of her property on Shady Hollow Way to access the informal entrance to the Park at that location. At this location, one access point at the southeast corner of the right angle turn on Shady Hollow provides access to both the Daum property and the former residential property that is now an undeveloped part of the Park. (See map below.) The driveway into the Daum property diverges from the driveway into the Park property several feet southeast of this access point. It is unclear where exactly the property lines and corners are at this location in relation to the two driveways or to the small segment where the driveways are combined. Clarifying this would require professional survey work on the part of the Parks and Recreation Department and/or Ms. Daum. The driveway into the Park property here, while used by some Park users, does not provide a formal or visible trail connection to the remainder of the Park including where the subject trail is. It does not provide a formally viable connection across the branch of Robinwood Park at the east end of this formerly residential parcel, and the driveway ends at a lawn full of grass with no visible trail, in the rear yard area of the house that still sits on this parcel. For these reasons, staff finds there is not a nexus between a) the improvements proposed to the subject trail and b) the problem of Park users coming from/going to Shady Hollow Way that possibly walk across the corner of the Daum property. And if signage was conditioned to be here, it is not clear at this time where it should go to delineate the exact boundary between the public and private property. Therefore no condition of signage or other solutions related to this situation are proposed as part of the approval of this application.



**Aerial Map of Area Where Park Borders Shady Hollow Way**

The criteria above are met upon the implementation of conditions of approval 2 and 3.

*K. Miscellaneous criteria. Selected elements of the following chapters shall be met. It is not necessary to respond to all the submittal standards or approval criteria contained in these chapters, only those elements that are found to be applicable by the Planning Director at the pre-application conference pursuant to CDC 99.030(B) and (C):*

1. Chapter 33 CDC, Stormwater Quality and Detention.
9. Chapter 52 CDC, Signs.

**FINDING NO. 28:**

No stormwater quality facilities are required to be proposed as less than 500 square feet of impervious area will be added. Per CDC Section 52.109(D), City signs are exempt from the provisions of Chapter 52. The criteria do not apply.

10. Chapter 54 CDC, Landscaping. *In addition, landscape plans shall incorporate plants which minimize irrigation needs without compromising recreational facilities or an attractive park environment.*

**FINDING NO. 29:**

No landscaping outside the trail itself is proposed, and this is appropriate as this is completely within a water resource area and transition area. Chapter 54 does not specifically require landscaping for trails. However if any earth is newly and permanently exposed due to the construction of the project, it should be landscaped with native vegetation appropriate for the water resource area and transition area. Condition

of Approval 4 ensures this; see Finding No. 26 above.

## Soppe, Tom

---

**From:** Pelz, Zach  
**Sent:** Friday, March 18, 2011 4:24 PM  
**To:** Soppe, Tom  
**Subject:** Robinwood Park

Tom,

When we last spoke, the Planning Director Determined that he did not possess sufficient information to make a decision on Parks' request to install a pedestrian footbridge across Robinwood Creek as proposed in Planning File no. DR-11-01. Please find the information below as our response to the Planning Director's request.

The approved site plan (pg. A-24) in MISC-10-22 notes that the planned crossing of Robinwood Creek would be completed only if financially feasible. That crossing is not currently financially feasible for the following reasons.

Although the original budget to acquire Robinwood Park was \$1.3 million, the City spent \$2,235,979 for its purchase. To help offset the additional cost of acquisition, the City Council established a Local Improvement District (LID) which was expected to reimburse \$600,000 to the Parks budget. Shortly after the Parks Department purchased the property, a new City Council disbanded the LID; creating a \$600,000 shortfall in the Park's budget. To date, Parks has spent \$1,236,142 above the originally approved budget for Robinwood Park. Attached Appendix A is the approved Parks Capital Improvement Plan which shows the total SDC's collected for Robinwood Community Park (Future project 11).

In addition, although staff has been unable to locate documents which support this claim, the Parks Director asserts that in 2005, a new City Council removed the planned bridge in Robinwood Park because the estimated cost of \$400,000 was not financially feasible.

The state of the City's current economy and noteworthy budget overruns for the development of Robinwood Park make the originally planned pedestrian bridge not financially likely or feasible to construct. Please let me know if you have any remaining questions.

Thanks,

Zach Pelz, Special Projects Planner  
*Planning and Building, #1542*

*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.



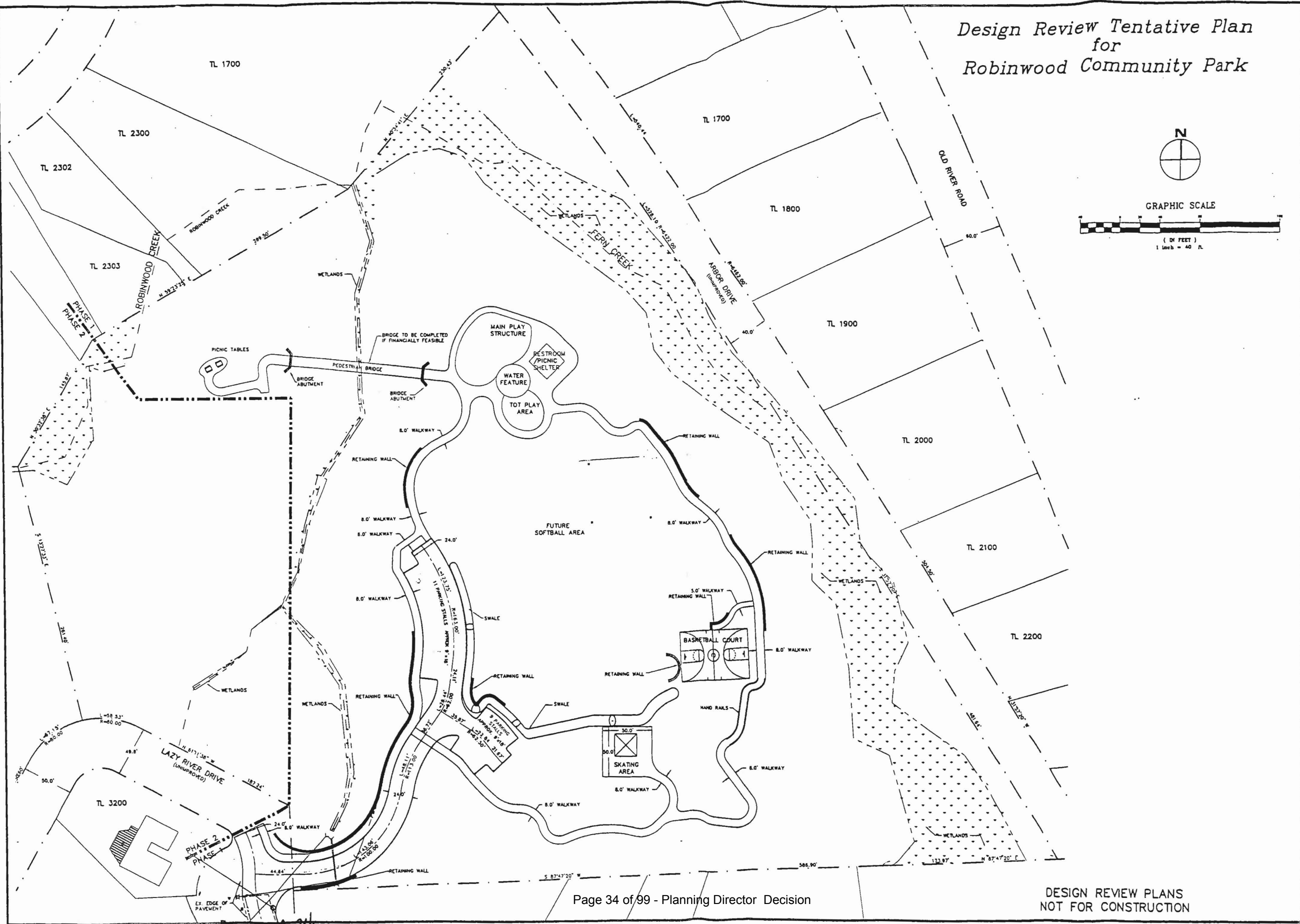
Appendix A  
City of West Linn  
Capital Improvement Plan  
PARKS

Costs Estimated as of 9/20/01, Escalated for Construction Cost Index- September 2001 to mid-February 2002							
	Acreage	Year	Acquisition Cost	Development			
				Cost	Park Bond Fund	SDC Fund	Other Funds
1 Robinwood Neighborhood Park	5.2	1999-00	\$ 890,000		\$ 890,000		
2 West Linn Senior Center and Park	2.25	1999-00					
3 Trail Head Acquisition	2	1999-00	\$ 50,000	\$ 50,000		\$ 100,000	
4 North Willamette Neighborhood Park	13.47	1999-00		\$ 339,000		\$ 339,000	
5 Willamette Park Expansion		1999-00		\$ 50,000		\$ 50,000	
6 Salamo Rd. Trail Improvements		1999-00		\$ 20,000		\$ 20,000	
7 Swimming Pool Feasibility Study		1999-00		\$ 40,000	\$ 40,000		
11 Robinwood Community Park	15	1999-00	\$ 2,235,979		\$ 1,902,594		\$ 333,385
10 Marylhurst Community Park	10	1999-00	\$ 1,336,292		\$ 1,336,292		
11 Robinwood Community Park 15 acres		2000-01		\$ 250,000		\$ 250,000	
1 Robinwood Neighborhood Park 5.2 acres		2000-01					
9 Tanner Creek Community Park	10.27	2000-01				\$ 625,000	
10 Marylhurst Community Park 10 acres		2000-01					
7 Swimming Pool Community Center		2000-01					
12 West Linn Senior Center and Park		2000-01					
13 Willamette River Trail	2.5	2000-01					
14 Community Park Willamette	19.89	2000-01	\$ 1,701,000		\$ 1,112,000	\$ 589,000	
<b>Subtotal finished projects</b>	<b>80.58</b>		<b>\$ 6,213,271</b>	<b>\$ 749,000</b>	<b>\$ 5,280,886</b>	<b>\$ 1,973,000</b>	<b>\$ 333,385</b>
11 Robinwood Community Park 15 acres		2001-02		\$ 403,240		\$ 403,240	
1 Robinwood Neighborhood Park 5.2 acres		2001-02	\$ 25,270			\$ 25,270	
9 Tanner Creek Community Park		2001-02		\$ 631,750		\$ 631,750	
10 Marylhurst Community Park		2001-02		\$ 20,216		\$ 20,216	
7 Swimming Pool Community Center		2001-02	\$ 631,750		\$ 625,000		\$ 6,750
12 West Linn Senior Center and Park [a]		2001-02	\$ -	\$ 1,800,000	\$ 331,000	\$ 473,392	\$ 995,608
13 Willamette River Trail	2.5	2001-02		\$ 252,700	\$ 250,000		\$ 2,700
15 Athletic Field Complex		2001-09	\$ 1,895,250				\$ 1,895,250
16 Maddax Woods	7	2001-02	\$ 211,257	\$ 50,540		\$ 261,797	
26 Park Trail Improvements		2001-02		\$ 25,270		\$ 25,270	
9 Tanner Creek Community Park		2002-03		\$ 202,160		\$ 202,160	
10 Marylhurst Community Park 10 acres		2002-03		\$ 260,281		\$ 260,281	
14 Tualatin River Park 10 acres dev.		2002-03		\$ 520,562		\$ 520,562	
1 Robinwood Neighborhood Park 3 acre dev.		2002-03		\$ 130,141		\$ 130,141	
15 Athletic Field Complex		2002-03		\$ 1,020,908	\$ 385,000		\$ 635,908
26 Park Trail Improvements	7.22	2002-03		\$ 25,270		\$ 25,270	
10 Marylhurst Community Park 10 acres		2003-04		\$ 544,083		\$ 544,083	
14 Tualatin River 10 acres dev.		2003-04		\$ 614,789		\$ 614,789	
1 Robinwood Neighborhood Park 3 acre dev.		2003-04		\$ 111,169		\$ 111,169	
17 Regional Trail System	9.25	2003-04	\$ 1,094,696	\$ 492,518		\$ 1,349,133	\$ 238,082
18 Future Community Parks	14.7	2004-05	\$ 2,971,752	\$ 1,668,965		\$ 3,944,610	\$ 696,107
19 Neighborhood Park	3	2004-05	\$ 606,480	\$ 241,309		\$ 720,621	\$ 127,168
20 Regional Open Space	32.6	2004-05	\$ 4,942,812	\$ 76,632		\$ 5,019,445	\$ 752,917
<i>with Parks and Recreational assets</i>						\$ -	\$ -
21 Future Regional Parks	39.4	2005-06	\$ 7,965,104	\$ 3,406,052		\$ 9,665,483	\$ 1,705,673
22 Neighborhood Park	3	2005-06	\$ 606,480	\$ 241,309		\$ 720,621	\$ 127,168
<b>Subtotal future projects</b>	<b>118.67</b>		<b>\$ 20,950,852</b>	<b>\$ 12,739,865</b>	<b>\$ 1,591,000</b>	<b>\$ 25,669,302</b>	<b>\$ 7,183,333</b>
<b>Grand Total</b>	<b>199.25</b>		<b>\$ 27,164,123</b>	<b>\$ 13,488,865</b>	<b>\$ 6,871,886</b>	<b>\$ 27,642,302</b>	<b>\$ 7,516,718</b>

[a] The current SDC fund balance of \$1,122,243 has been reduced by \$125,000 to reflect the share of the senior center attributable to recent growth. This leaves \$996,637 available to fund projects allocable to future SDCs and reduces the SDC funding level for this project to \$473,392 from \$599,000.

revisec 020204

Design Review Tentative Plan  
for  
Robinwood Community Park



REVISIONS	BY

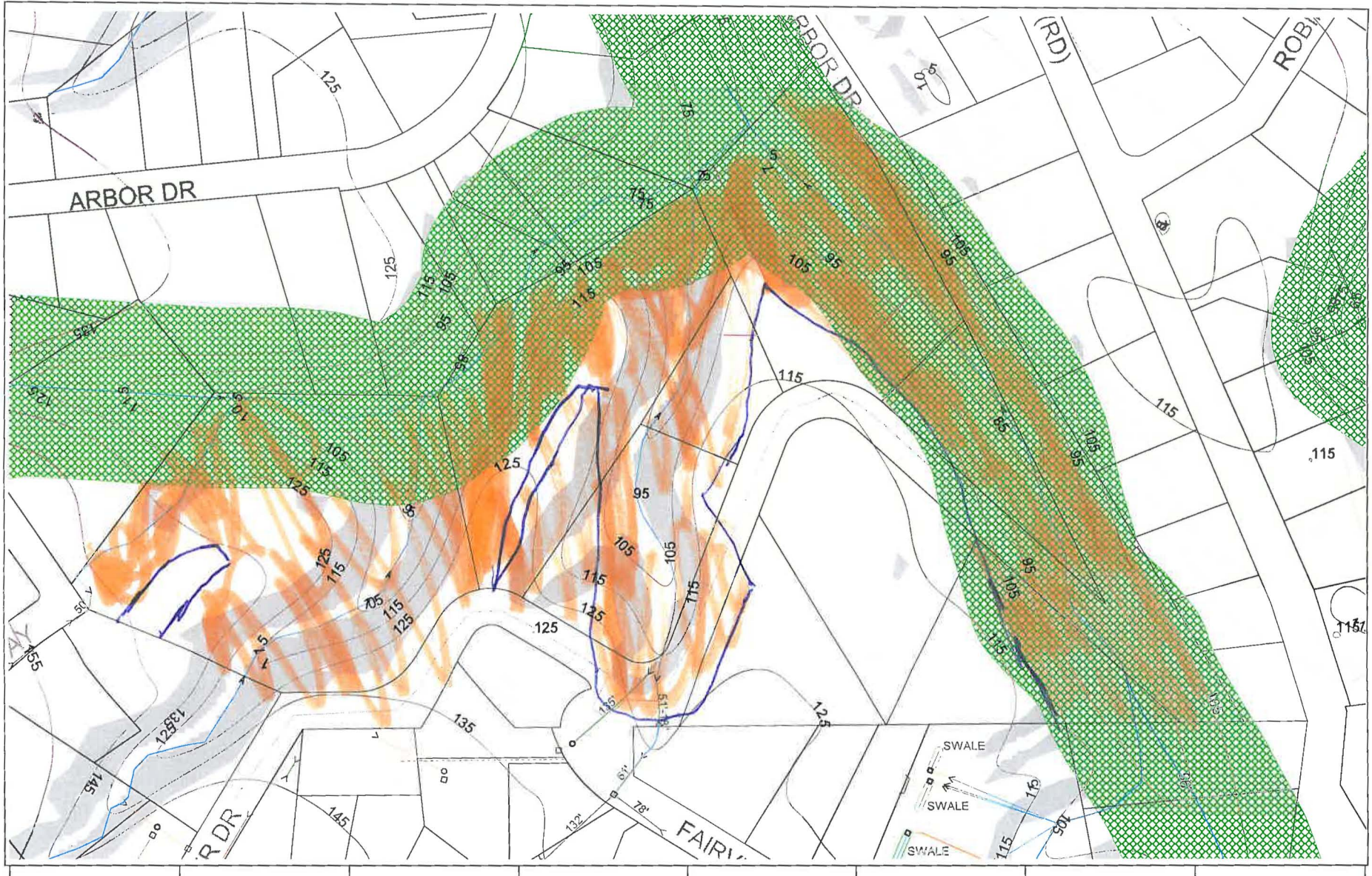
Robinwood Community Park  
CITY OF WEST LINN PARKS & RECREATION DEPT.

Site Plan

**SISUL ENGINEERING**  
3715 PORTLAND AVENUE  
CLATSOP COUNTY OREGON 97027  
(503) 857-0188  
2001 07 15 10:11 A

DATE	JUNE 2001
SCALE	1"=40'
DRAWN	JB
JOB	SGL 01-039
SHEET	1
OF	9 SHEETS

Trans area for park in orange



City of West Linn GIS (Geographic Information System), SnapMap Date: 2/2/2011

Scale: 224 Feet

**MAP DISCLAIMER:**

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

RE: File No DL-11-01/WAP-11-01

DAVID DODDS

18931 Old River Dr

West Linn, OR 97068

503-636-7341

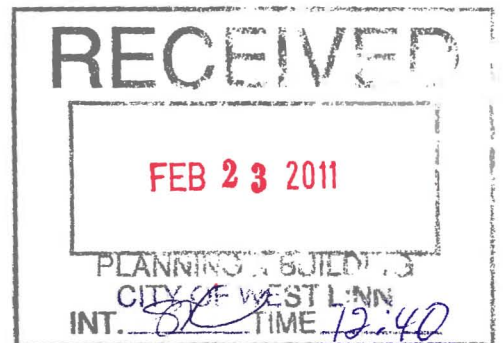
WLDGDC.COMCAST.NET

Opposes proposed trail realignment and major change of approved Robinwood Park plan. By bypassing approved bridge trail plan proposal is a major modification of existing park development plan not merely a new trail it should therefore be considered a class 2 design review not class 1. The proposed trail goes directly counter to the intention of the approved bridge design that was intended to foster connectivity while keep people out of the wetland area. This plan would have the effect of going directly counter to the purpose and intention of the original ~~proposed~~ approved plan and as such would constitute a major ~~not~~ minor modification of the approved plan.

Sincerely,

David Dodds

P.S. if this needs to be submitted in ~~type~~ written form please contact me immediately.



## Soppe, Tom

---

**From:** Soppe, Tom  
**Sent:** Wednesday, February 23, 2011 12:37 PM  
**To:** 'Betasha Louie'  
**Subject:** RE: Robinwood Park proposed trail  
**Attachments:** Scanned site plan showing trail.pdf

Ms. Louie and Mr. Sweeney,

The trail will actually not run directly adjacent to your property; the map you received in the mail showing that you are one of the property owners within 500 feet of the park also shows streets and undeveloped right-of-ways as a standard part of the city map. The undeveloped right-of-way of Arbor Drive is what you might be seeing on the map as a dotted line directly east of your property. The trail is further south into the park (and already exists informally) and is marked on the site plan attached to this email as a trail. It is nearby yours and other Arbor Drive properties in some areas but is not directly adjacent. I apologize for the confusion the other map may have caused.

That being said I am happy to answer any other questions or take comments on any concerns from you or other neighbors. My direct line is 503-742-8660, and I am generally in the office 8-5 weekdays. Remember to get any comments in by this Monday in order to establish standing on the application and affect the Planning Director's decision.

---

**From:** Betasha Louie [<mailto:betashalouie@yahoo.com>]  
**Sent:** Wednesday, February 23, 2011 11:22 AM  
**To:** Soppe, Tom  
**Cc:** Michael Sweeney  
**Subject:** Robinwood Park proposed trail

Dear Mr. Soppe:

We received notification of the trail improvement at Robinwood Park and have a few questions since the trail will run adjacent our property at 3488 Arbor Drive, tax lot 1700. We bought the property because of the privacy it afford us and would like to ensure that our needs will be considered when deciding on constructing a trail that will give the public easy access onto our property.

Is there a time where my neighbors and I can ask questions and voice our concerns? Similar to tax lot 2300, we prefer to have a fence or another barrier constructed and maintained by the city to limit off-trail access to our property.

Thank you,  
Betasha Louie and Michael Sweeney



Reference: Robinwood Park DR-11-01 +

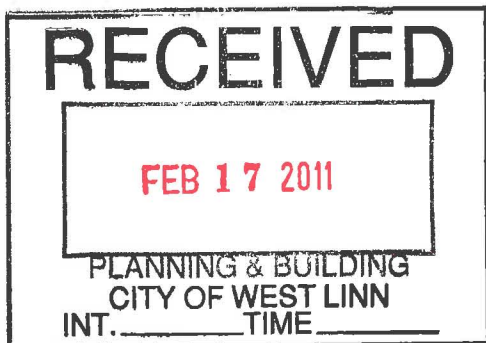
My wife and I received notification of the "trail improvement" in Robinwood Park immediately adjacent to our property (tax lot 2300). Since the map attached to the notification showed nothing more than the park as it now exists, we walked the existing trail and located a posted sign which did indicate the general location and configuration of the proposed change. The next day we talked with Tom Soppe expressing our concerns.

First, while this trail exists informally on the ridge top, the idea of extending it to the creek tributary is fairly recent. In fact, the park master plan shows a bridge from the ridge top back to the developed portion of the park; not a path extension to the bottom of the ridge and a bridge that opens access to private property.

Second, by extending the trail to the creek tributary at the bottom of the ridge, other problems are created. Where our property abuts the park land adjacent to the proposed bridge, there is an abandoned beaver dam, fallen trees and a very muddy creek structure. (Note: *If the beavers return the creek under the proposed bridge will likely be flooded again.*) Although we posted "private property" signs that has not deterred an adventurous child from exploring and getting stuck in the wetland mire.

You can see why we are concerned about danger to unwary children and our liability when this action by the city is going to improve access to our property and that of our neighbor, Sweeney/Louie, tax lot 1700.

*If this project is approved, we ask that a barrier be constructed to limit off-trail access to our property. Since the primary impetus for this project seems to be an Eagle project for a boy scout, perhaps he could instead install the picnic table and bridge as indicated in the master plan for this park.*



*(Alan Koppig)*  
*Susan & Koppig*

T. Seppel summary of conversation

Support proposal to improve trail  
Looking forward

Jerry & Veronika Newgard

19117 Old River

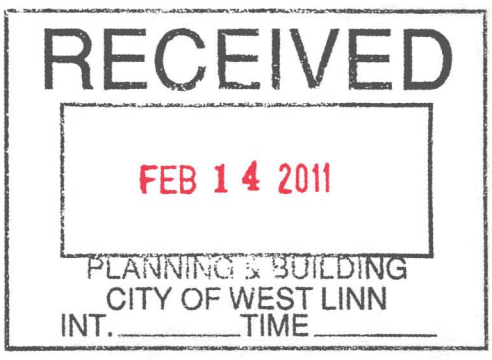


1/25/2011

- markers promised by parks  
 - markers when park new  
 - improvements will invite more kids  
 down into hazardous muddy area  
 partly on keeping property

just says ~~the~~ at least  
 ALAN & SUSAN KOEPPING  
 3466 ARBOR (155) 675-2723

T. Soppe  
 summary of  
 conversation





Soppe, Tom

---

**From:** Soppe, Tom  
**Sent:** Monday, February 14, 2011 10:13 AM  
**To:** 'ALAN SUSAN KOEPPING'  
**Subject:** RE: Robinwood Park DR-11-01

You're welcome.

Tom



---

**From:** ALAN SUSAN KOEPPING [<mailto:sakwlinn@msn.com>]  
**Sent:** Monday, February 14, 2011 10:09 AM  
**To:** Soppe, Tom  
**Subject:** RE: Robinwood Park DR-11-01

Thank you for responding.

---

**From:** [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov)  
**To:** [sakwlinn@msn.com](mailto:sakwlinn@msn.com)  
**Date:** Mon, 14 Feb 2011 09:29:17 -0800  
**Subject:** RE: Robinwood Park DR-11-01

Ms. Koepping,

Thank you for your comments. I put the site plan showing the trail alignment at the sign so people could tell it is close to the location in the park where they are seeing the sign.

The following are the requirements for the notice in Community Development Code Chapter 99, available at [westlinnoregon.gov/cdc](http://westlinnoregon.gov/cdc).

#### 99.090 CONTENTS OF NOTICE

- A. Notices mailed pursuant to this code shall comply with applicable provisions of the Oregon Revised Statutes (ORS). Except for expedited land division review, for which Chapter 197 ORS shall apply, notice given to persons entitled to mailed or published notice pursuant to CDC 99.060 shall:
1. Explain the type of application and what proposed uses could be authorized.
  2. List the applicable criteria from the ordinance and plan.
  3. Set forth street address (if existing) and other easily understood geographical reference of the subject property.
  4. State the date, time, and location of hearing or, for the Planning Director's decisions, the earliest date upon which the Director will make a decision.
  5. State that failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to LUBA on that issue.
  6. Include the name of government contact and phone number.
  7. State that the application, all documents or evidence relied upon by the applicant and applicable criteria are available for inspection at no cost, and copies at reasonable cost.
  8. State that a copy of the staff report will be available for inspection at no cost at least 10 days prior to the hearing, and copies at reasonable cost.
  9. A statement that public and written testimony are invited, and including a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
- B. In addition to the ORS requirements, the notice shall identify the following:
1. The type of land use action proposed (e.g., "four-lot subdivision").
  2. Planning Department file number. (Ord. 1474, 2001; Ord. 1568, 2008)

## Soppe, Tom

---

**From:** Soppe, Tom  
**Sent:** Monday, February 14, 2011 9:29 AM  
**To:** 'ALAN SUSAN KOEPPING'  
**Subject:** RE: Robinwood Park DR-11-01

Ms. Koepping,

Thank you for your comments. I put the site plan showing the trail alignment at the sign so people could tell it is close to the location in the park where they are seeing the sign.

The following are the requirements for the notice in Community Development Code Chapter 99, available at [westlinnoregon.gov/cdc](http://westlinnoregon.gov/cdc).

### 99.090 CONTENTS OF NOTICE

A. Notices mailed pursuant to this code shall comply with applicable provisions of the Oregon Revised Statutes (ORS). Except for expedited land division review, for which Chapter 197 ORS shall apply, notice given to persons entitled to mailed or published notice pursuant to CDC 99.060 shall:

1. Explain the type of application and what proposed uses could be authorized.
2. List the applicable criteria from the ordinance and plan.
3. Set forth street address (if existing) and other easily understood geographical reference of the subject property.
4. State the date, time, and location of hearing or, for the Planning Director's decisions, the earliest date upon which the Director will make a decision.
5. State that failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to LUBA on that issue.
6. Include the name of government contact and phone number.
7. State that the application, all documents or evidence relied upon by the applicant and applicable criteria are available for inspection at no cost, and copies at reasonable cost.
8. State that a copy of the staff report will be available for inspection at no cost at least 10 days prior to the hearing, and copies at reasonable cost.
9. A statement that public and written testimony are invited, and including a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

B. In addition to the ORS requirements, the notice shall identify the following:

1. The type of land use action proposed (e.g., "four-lot subdivision").
2. Planning Department file number. (Ord. 1474, 2001; Ord. 1568, 2008)

All of the above requirements are in the notice on the sign and the one in the mail, except for those specifically related to a hearing, which this type of decision does not have. The fact that the sign includes the site plan showing the trail does not make the mail notice incomplete without this.

Again, thanks for your comments and let me know if you have other comments or questions on this project.

Tom Soppe

Soppe, Tom

---

**From:** ALAN SUSAN KOEPPING [sakwinn@msn.com]  
**Sent:** Sunday, February 13, 2011 11:05 AM  
**To:** Soppe, Tom  
**Subject:** Robinwood Park DR-11-01

We reside at 3466 Arbor Drive and are interested in the proposed trail. We received written public notice of this change. Today, while walking through the park we saw your posted notice which is **not** the same as the notice we received. The notice posted in the park has a bright orange line, curved, indicating the location of a bridge and stairs. None of this is indicated on the written notice we and our neighbors received.

Since the information mailed to us is incomplete I question that it qualifies as a legal Public Notice and I think you are required to change your date of final vote and submit to property owners within 500 feet the actual parameters of the proposed path.

I would appreciate a response from your office.

Susan Koepping  
503 675 2723



## Soppe, Tom

---

**From:** Soppe, Tom  
**Sent:** Friday, February 11, 2011 10:25 AM  
**To:** 'Kim Harding'  
**Cc:** Perkins, Michael; Pelz, Zach  
**Subject:** RE: File No. Dr-11-01/WAP-11-01 / Resident in support  
**Attachments:** Scanned site plan showing trail.pdf

Ms. Gibbs,

Thanks very much for your email. I wanted to clarify (since your email indicates you may have thought otherwise) that this particular proposal does not connect Arbor Drive to the park or Old River Drive. The map sent out with the notice was to show that you and other property owners were within 500 feet of the park; that is a standard map that goes out with notices. The dotted line area shown on that map is actually undeveloped right-of-way, not proposed trail (although you are welcome to advocate for such connections). I didn't realize until after the map went out that the undeveloped right-of-way lines on that map might confuse people and make them think that was a proposed trail. I apologize if that misled you at all. And in case you are wondering, the existence of right-of-way in those areas does not indicate those will actually be developed as streets. Because of the development of the park, they likely never will be.

I have attached a drawing that shows approximately where the trail goes. It is a trail that existed informally since before the park was built. The application is being done at this time because of the bridge and steps proposed on the trail. As you can see, the trail loops from the south edge of the park across the creek to the area where the restrooms and recreational amenities in the park are already developed.

The parks master plan does show an eventual trail connection from Shady Hollow Drive through the park to Old River Road. You are most welcome to get involved with the process of implementing trails that will/may come about in the future, such as this one. I have copied the parks staff involved with this project on this email, and they may be able to direct you as to how to get involved with the trails implementation process in general.

In the meantime, your comments have given you standing on this project. Which means the comments will be included in the staff report, you will be sent the final decision, and you will have the opportunity to appeal that decision if you wish. Thanks again for your comments and your willingness to be involved.

Tom Soppe

---

**From:** Kim Harding [<mailto:kharding@nwmw.com>]  
**Sent:** Friday, February 11, 2011 9:49 AM  
**To:** Soppe, Tom  
**Cc:** Vanessa Dolbee  
**Subject:** File No. Dr-11-01/WAP-11-01 / Resident in support

Mr. Soppe,

My name is Kimberly Gibbs. I recently moved to Robinwood neighborhood on 3375 Arbor Drive. I received the information about the improvements to the park/trails near my home. I am writing to express how excited this proposal makes me. Our neighborhood desperately needs access to parks and Old River Road. We don't have easy access due to Highway 43. Thank you for your hard work. I support this completely and look forward to easy trail access and parks near my home. Thank you very much. If further support is needed please feel free to contact me. I am more than happy to get involved with the trail system/parks etc. Thank you again for your efforts to better our neighborhood and community.

Regards,

Kimberly Gibbs

503-675-5192

[kharding@nwmw.com](mailto:kharding@nwmw.com)

## Soppe, Tom

---

**From:** Kim Harding [kharding@nwmw.com]  
**Sent:** Friday, February 11, 2011 9:49 AM  
**To:** Soppe, Tom  
**Cc:** Vanessa Dolbee  
**Subject:** File No. Dr-11-01/WAP-11-01 / Resident in support

Mr. Soppe,

My name is Kimberly Gibbs. I recently moved to Robinwood neighborhood on 3375 Arbor Drive. I received the information about the improvements to the park/trails near my home. I am writing to express how excited this proposal makes me. Our neighborhood desperately needs access to parks and Old River Road. We don't have easy access due to Highway 43. Thank you for your hard work. I support this completely and look forward to easy trail access and parks near my home. Thank you very much. If further support is needed please feel free to contact me. I am more than happy to get involved with the trail system/parks etc. Thank you again for your efforts to better our neighborhood and community.

Regards,

Kimberly Gibbs  
503-675-5192  
[kharding@nwmw.com](mailto:kharding@nwmw.com)



## Soppe, Tom

---

**From:** Soppe, Tom  
**Sent:** Monday, February 07, 2011 8:29 AM  
**To:** 'linda morrell'  
**Subject:** RE: Robinwood trail

Ms. Morrell,

Thank you for the email. The trail already exists as an informal trail. This application will give it design review for the first time, and a bridge and stairs would be part of the trail for the first time. You can go to the following link:

<http://westlinnoregon.gov/planning/robinwood-park-fairview-way-class-i-design-review-water-resources-area-protection>

Click on "applicant's submittal" at the bottom of the linked page. Then go down to the 31<sup>st</sup> and 32<sup>nd</sup> page of the pdf where there are close-up site plans of that part of the park. The trail is in black in the first of these, and also in the second, but in the second note that the trail connection really goes further south along the purple line to the south boundary of the park (yellow). Please let me know if you have any comments.

Thanks  
Tom

---

**From:** linda morrell [mailto:morrelassoc@comcast.net]  
**Sent:** Sunday, February 06, 2011 9:55 AM  
**To:** Soppe, Tom  
**Subject:** Robinwood trail

Thank you for the notice regarding the proposed trail, in which property owners are given a chance to weigh in.

That would be easier if we knew where the trail would be and, especially, the proposed bridge.

Is that available somewhere online?

Or is it the pink highlight lines on the map on the back of the notice?

Thanks for clarification!

Linda Morrell  
3444 Arbor Drive



# AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

## GENERAL

File No. DR-11-01 Applicant's Name COWH - Parks  
Development Name Robin wood Park Bridge Project  
Scheduled Meeting/Decision Date 2-28-11

**NOTICE:** Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

## TYPE A X

- A. The applicant (date) \_\_\_\_\_ (signed) 2/4 SR
- B. Affected property owners (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- C. School District/Board (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- D. Other affected gov't. agencies (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- E. DSL - COE - DFW Affected neighborhood assns. (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- F. ALL All parties to an appeal or review (date) \_\_\_\_\_ (signed) \_\_\_\_\_

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) 2/17/11 (signed) [Signature]  
City's website (posted date) 2/3/11 (signed) [Signature]

## SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) 2-8-11 (signed) [Signature]

**NOTICE:** Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

## TYPE B \_\_\_\_\_

- A. The applicant (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- B. Affected property owners (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- C. School District/Board (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- D. Other affected gov't. agencies (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- E. Affected neighborhood assns. (date) \_\_\_\_\_ (signed) \_\_\_\_\_

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.  
Date: \_\_\_\_\_ (signed) \_\_\_\_\_

**STAFF REPORT** mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) \_\_\_\_\_ (signed) \_\_\_\_\_

**FINAL DECISION** notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) \_\_\_\_\_ (signed) \_\_\_\_\_



**CITY OF WEST LINN  
PLANNING DIRECTOR DECISION**

**FILE NO. DR-11-01/WAP-11-01**

The West Linn Planning Director is considering the request of the City of West Linn Parks and Recreation Department for a Class I Parks Design Review permit and a Water Resource Area permit for a trail including stairs and a bridge across a tributary of Robinwood Creek, in Robinwood Park at 3600 Fairview Way/18292 Shady Hollow Way. The trail existed informally before the park was reviewed, and the improvements now proposed require the existing trail and proposed improvements to be reviewed as a trail under Design Review. The Class I Design Review permit is necessary as this is a previously unreviewed trail over 200 feet long. The Water Resource Area permit is necessary because the areas where the trail lies and where the installation of the bridge, stairs and other trail improvements will occur, are within the transition area of tributaries and/or of the main branch of Robinwood Creek. The decision will be based on the approval criteria in chapters 32 and 56 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov.cdc>.

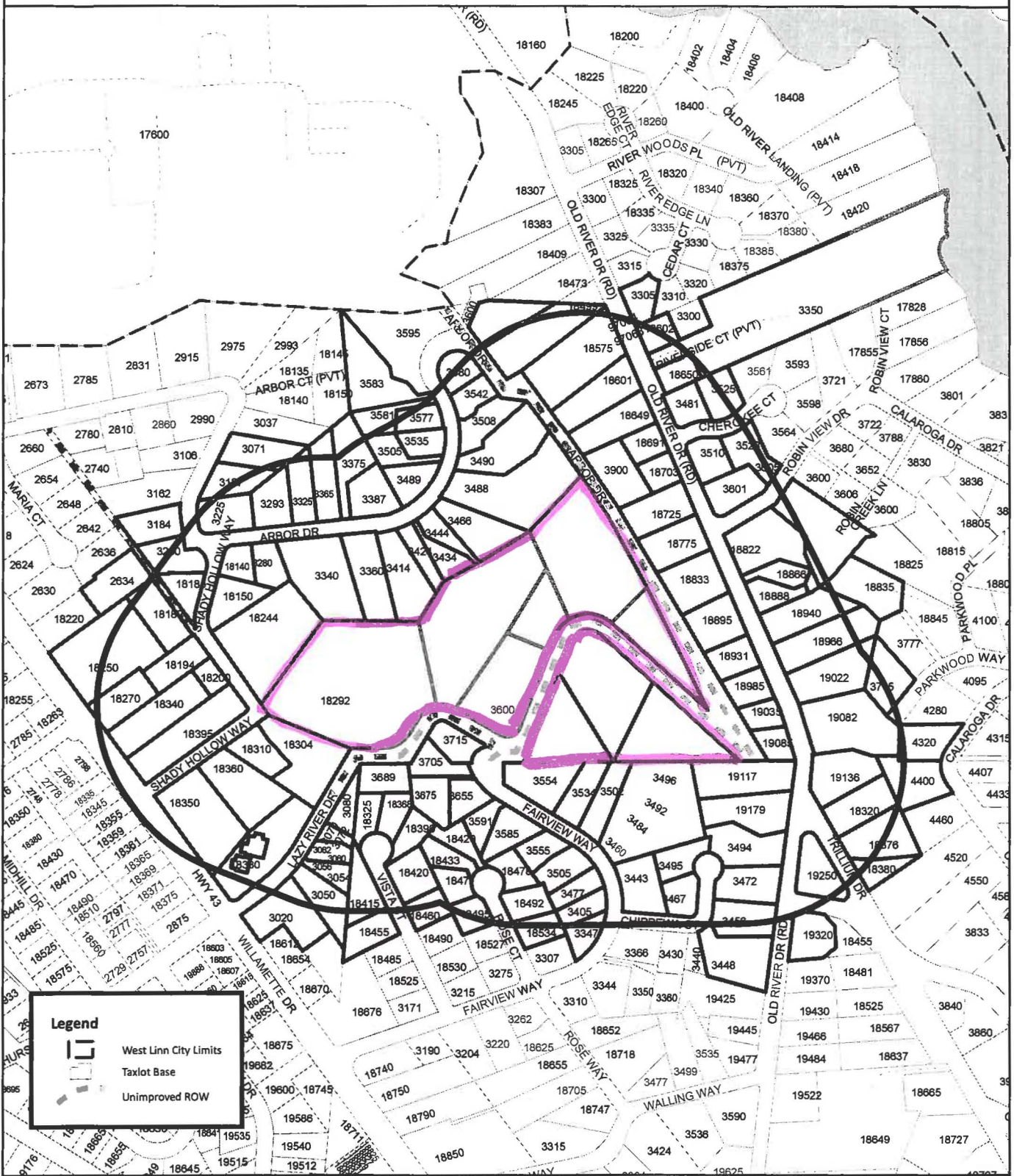
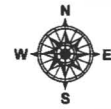
The site is located at tax lots 1800, 1900, 2000, 2100, 2200, 3000, 3300, 3400, and 3500 of Clackamas County Assessor's Map 2-1E-14DA. You have received this notice because you own property within 500 feet of the site or as otherwise required by the CDC.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site at <http://westlinnoregon.gov/planning/robinwood-park-fairview-way-class-i-design-review-water-resources-area-protection> or copies may be obtained for a minimal charge per page. Although there is no public hearing, your comments and ideas are invited and can definitely influence the final decision of the Planning Director. Planning staff looks forward to discussing the application with you. **The final decision is expected to be made on, and no earlier than, February 28, 2011**, so please get in touch with us prior to this date. For further information, please contact Tom Soppe, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 742-8660, [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov)

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

TERESA ZAK  
Planning Administrative Assistant

# Robinwood Park DR-11-01



**Legend**

- West Linn City Limits
- Taxlot Base
- Unimproved ROW

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Taxlot Base Source: Metro RLIS

NOT TO SCALE



SNAPNOTIFY.MXD / AHA APP 6-16-09

User Name: T Zak  
Map Creation Date: Feb 02, 2011

AASEN DONALD L & LILLIAN L  
18185 SHADY HOLLOW WAY  
WEST LINN OR 97068-1126

ABELE JOHN C  
18650 OLD RIVER DR  
WEST LINN OR 97068-1063

ANDRE DANIEL Y  
3525 CHEROKEE CT  
WEST LINN OR 97068-1027

ARCHER DAVID JAMES & KERI ANN  
3184 ARBOR DR  
WEST LINN OR 97068-1111

ARNESON HELEN DIANNE  
19320 OLD RIVER DR  
WEST LINN OR 97068-1526

ARNOLD SHAN D  
18244 SHADY HOLLOW WAY  
WEST LINN OR 97068-1135

BARKER GARY A  
3534 FAIRVIEW WAY  
WEST LINN OR 97068-1121

BEAN KENNETH J & KELLY S  
18140 SHADY HOLLOW WAY  
WEST LINN OR 97068-1133

BELFANTI PAUL & JENE  
19085 OLD RIVER DR  
WEST LINN OR 97068-1016

BOND NANCY R  
3477 FAIRVIEW WAY  
WEST LINN OR 97068-1553

BONESTEEL PATRICK E & SHARON  
18433 ROSE CT  
WEST LINN OR 97068-1131

BONNER DAVID W & KERRIE  
18888 OLD RIVER DR  
WEST LINN OR 97068-1012

BRANDENBURG MARK & TAMI  
3705 FAIRVIEW WAY  
WEST LINN OR 97068-1119

BRAZEAU ROBERT J & JANET L  
4400 CALAROGA DR  
WEST LINN OR 97068-1019

BRINKMAN RICHARD M & LISA  
4320 CALAROGA DR  
WEST LINN OR 97068-1008

BROWN TOM  
PO BOX 231  
GLADSTONE OR 97027-0231

CALLAGAN MICHAEL W & HELENE F  
3293 ARBOR DR  
WEST LINN OR 97068-1113

CARLSON MARGARET  
PO BOX 336  
MARYLHURST OR 97036-0336

CARLSON SANDRA LAFKY  
18455 VISTA CT  
WEST LINN OR 97068-1143

CIRIOLI KARA E  
3675 FAIRVIEW WAY  
WEST LINN OR 97068-1149

COALE FRANKLIN  
PO BOX 105  
WEST LINN OR 97068-0105

COATES JERALD D & JUDITH M  
3127 ARBOR DR  
WEST LINN OR 97068-1109

COCKS THOMAS GREGORY TRUSTEE  
3071 ARBOR DR  
WEST LINN OR 97068-1109

COLISON DEVELOPMENT INC  
30125 SW OLD WELL RD  
WEST LINN OR 97068-9535

COTA DAVID R TRUSTEE  
18376 TRILLIUM DR  
WEST LINN OR 97068-1540

CRAIG MARCIA J TRUSTEE  
18833 OLD RIVER DR  
WEST LINN OR 97068-1037

DAUM NANCY L  
18304 SHADY HOLLOW WAY  
WEST LINN OR 97068-1137

DEBELLIS VITO J & YVONNE C  
18200 SHADY HOLLOW WAY  
WEST LINN OR 97068-1128

DODDS IRENE M  
18931 OLD RIVER DR  
WEST LINN OR 97068-1039

DOLDER NIGEL L & ALISON R  
18649 OLD RIVER DR  
WEST LINN OR 97068-1033

EDWARDS JAMES TRUSTEE  
3510 CHEROKEE CT  
WEST LINN OR 97068-1027

FEUERBORN GLEN J & JENNY B  
3443 CHIPPEWA CT  
WEST LINN OR 97068-1503

FIGONE APRIL J  
3365 ARBOR DR  
WEST LINN OR 97068-1115

FOGLIO ROBERT C  
PO BOX 120  
GLADSTONE OR 97027-0120

FOLDI FRANK S & BEULAH P  
3535 ARBOR DR  
WEST LINN OR 97068-1122

FORTUNA DALE L & SHERRY A  
3360 ARBOR DR  
WEST LINN OR 97068-1118

GASTON EDNA R CO-TRUSTEE  
18189 SHADY HOLLOW WAY  
WEST LINN OR 97068-1126

GIBBS NICHOLAS R  
3375 ARBOR DR  
WEST LINN OR 97068-1115

GILBERT RODNEY B & DIANE J  
3489 ARBOR DR  
WEST LINN OR 97068-1120

GODSIL CAROL JEAN  
18571 ROSE CT  
WEST LINN OR 97068

GORNOWICZ BLAKE  
3448 CHIPPEWA CT  
WEST LINN OR 97068-1503

GRAY DAVID L & SALLY M  
3554 FAIRVIEW WAY  
WEST LINN OR 97068-1121

GROVE DONALD RAYMOND & ERLENE  
3225 ARBOR DR  
WEST LINN OR 97068-1113

GROVES ELDORA J  
18360 SHADY HOLLOW WAY  
WEST LINN OR 97068-1137

HANAWA IWAO & LAUIRE  
3528 CHEROKEE CT  
WEST LINN OR 97068-1027

HARMON DAVID G  
3484 FAIRVIEW WAY  
WEST LINN OR 97068-1523

HEADLEY PAUL  
3472 CHIPPEWA CT  
WEST LINN OR 97068-1503

HEDMAN BRIAN  
3414 ARBOR DR  
WEST LINN OR 97068-1117

HICKS MICHAEL J  
3577 ARBOR DR  
WEST LINN OR 97068-1122

HOLLAND INC  
109 W 17TH ST  
VANCOUVER WA 98660-2932

HOLLAND RITA STAHANCYK & RITA R  
19179 OLD RIVER DR  
WEST LINN OR 97068-1043

HOUSING AUTHRTY CO CLACK  
PO BOX 1510  
OREGON CITY OR 97045-0510

JERVIS BRUCE S  
206 ANDOVER ST  
SAN FRANCISCO CA 94110-5610

JOHNSON SHARON  
3020 PENNSULA RD APT 444  
OXNARD CA 93035-4060

JONES LARRY R  
3360 ARBOR DR  
WEST LINN OR 97068-1118

JONES STEPHEN B & CYNTHIA S  
18325 VISTA CT  
WEST LINN OR 97068-1139

JURSNICK DANIEL G & AMY C  
3495 CHIPPEWA CT  
WEST LINN OR 97068-1503

JUSTEL PHILIPPE  
2860 ARBOR DR  
WEST LINN OR 97068-1105

KINCART PETER D  
1111 BEXHILL  
WEST LINN OR 97068-4332

KIRBY MATTHEW & AMY  
3280 ARBOR DR  
WEST LINN OR 97068-1116

KNOWLEDGE LEARNING CENTER  
650 NE HOLLIDAY ST #1400  
PORTLAND OR 97232-2096

KOEPPING ALAN D & SUSAN E  
3466 ARBOR DR  
WEST LINN OR 97068-1117

KORAN LAWRENCE A  
18194 SHADY HOLLOW WAY  
WEST LINN OR 97068-1126

KOSKI DAVID R & NANCY M  
3581 ARBOR DR  
WEST LINN OR 97068-1122

KRUGER TERRY P L & SUSAN D  
18966 OLD RIVER DR  
WEST LINN OR 97068-1014

LACKEY TROY A & KRISTIE M  
3502 FAIRVIEW WAY  
WEST LINN OR 97068-1121

LAMBKA DONALD E & DERRITH E  
18499 OLD RIVER DR  
LAKE OSWEGO OR 97034-5182

LAMMERS MICHAEL P & PATRICIA  
3655 FAIRVIEW WAY  
WEST LINN OR 97068-1149

LANE JULIE A & WILLIAM SHOWARTH  
6127 MERRIEWOOD DR  
OAKLAND CA 94611-2037

LAWSON MIKE  
18150 SHADY HOLLOW WAY  
WEST LINN OR 97068-1133

LAZY RIVER DEVL P LLC  
5584 RIVER ST  
WEST LINN OR 97068-3245

LIDDELL ROBERT P & LONNA L  
3580 ARBOR DR  
WEST LINN OR 97068-1145

LIERMAN WALTER & JANE  
18866 OLD RIVER DR  
WEST LINN OR 97068-1012

LIND EDWARD C & BETTY ANN  
18940 OLD RIVER DR  
WEST LINN OR 97068-1014

MABIE FREDERICK J & LISA C  
3689 FAIRVIEW WAY  
WEST LINN OR 97068-1149

MAREK CHRIS  
18495 ROSE CT  
WEST LINN OR 97068-1131

MARKELL JOHN D & JANINE I  
3260 ARBOR DR  
WEST LINN OR 97068-1114

MARTIN SCOTT D  
19250 OLD RIVER DR  
WEST LINN OR 97068-1524

MCCLARAN JOHN P & AMY S  
18775 OLD RIVER DR  
WEST LINN OR 97068-1035

MCHENRY CHAD  
3467 CHIPPEWA CT  
WEST LINN OR 97068-1503

MILLER SCOTT  
7095 SW TAYLORS FERRY RD  
PORTLAND OR 97223-9153

MILLICAN GARY R & LYNN G  
3585 FAIRVIEW WAY  
WEST LINN OR 97068-1147

MITASEV FAMILY TRUST  
18473 OLD RIVER DR  
LAKE OSWEGO OR 97034-5182

MOOS ANDREW J & DEBRA A  
3508 ARBOR DR  
WEST LINN OR 97068-1145

MORRELL LINDA J  
3444 ARBOR DR  
WEST LINN OR 97068-1117

MORRIS MATTHEW  
18460 VISTA CT  
WEST LINN OR 97068-1141

MYLET GREG & NORA  
3456 CHIPPEWA CT  
WEST LINN OR 97068-1503

NEVAREZ ROBERT J & CAROL A  
18534 ROSE CT  
WEST LINN OR 97068-1129

NEWGARD GERALD A TRUSTEE  
19117 OLD RIVER DR  
WEST LINN OR 97068-1043

NICKLES WILLIAM C & KATHLEEN B  
18478 ROSE CT  
WEST LINN OR 97068-1129

OLSON CRAIG R & JANET C  
18835 PARKWOOD PL  
WEST LINN OR 97068-1029

OROUKE DENNIS H  
1575 RAINIER RD  
WOODBURN OR 97071-2315

PARIS JOSHUA & STEPHANIE  
18575 OLD RIVER DR  
WEST LINN OR 97068-1031

PAUL GARY R & ANDREA  
3542 ARBOR DR  
WEST LINN OR 97068-1145

PORTER JAMES H & JOAN E  
19136 OLD RIVER DR  
WEST LINN OR 97068-1018

QUINN LINDA L  
2105 PEREGRINE CT  
WEST LINN OR 97068-2825

RATH FREDRIC CARY & CANDACE  
18320 TRILLIUM DR  
WEST LINN OR 97068-1540

RICHARDS DANIEL & SHANNON  
3080 LAZY RIVER DR  
WEST LINN OR 97068-1125

ROBSON PETER L  
3591 FAIRVIEW WAY  
WEST LINN OR 97068-1147

ROEHR FRANK  
3434 ARBOR DR  
WEST LINN OR 97068-1117

ROEHR JON F  
3414 ARBOR DR  
WEST LINN OR 97068-1117

ROSE CHARLES M & SARAH W  
3715 PARKWOOD WAY  
WEST LINN OR 97068-1045

ROTTICCI ROBERT & ROXANNE  
3305 CEDAR CT  
LAKE OSWEGO OR 97034-5129

RUST DAMON A & SANDRA L  
18601 OLD RIVER DR  
WEST LINN OR 97068-1033

RUST JOHN P  
18420 ROSE CT  
WEST LINN OR 97068-1129

RYAN MICHAEL C  
3505 FAIRVIEW WAY  
WEST LINN OR 97068-1147

SATO DANIEL J & RETA  
18895 OLD RIVER DR  
WEST LINN OR 97068-1037

SAWYER WILLARD J & MARY E  
18380 TRILLIUM DR  
WEST LINN OR 97068-1540

SCHROEDER VINCENT J & CAROL D  
3387 ARBOR DR  
WEST LINN OR 97068-1115

SENGER SUSAN M  
18310 SHADY HOLLOW WAY  
WEST LINN OR 97068-1137

SHERMAN MELINDA  
19022 OLD RIVER DR  
WEST LINN OR 97068-1041

SHERON GARY J & PATRICIA SUE  
3347 FAIRVIEW WAY  
WEST LINN OR 97068-1521

SHERWOOD JAMES  
18822 OLD RIVER DR  
WEST LINN OR 97068-1012

SHERWOOD JAMES E  
18822 OLD RIVER DR  
WEST LINN OR 97068-1012

SMITLEY MARY E TRUSTEE  
PO BOX 401  
NETARTS OR 97143-0401

SWEENEY MICHAEL J & BETASHA W  
3488 ARBOR DR  
WEST LINN OR 97068-1117

SZIJ DORINE & DAVID GURNEY  
3583 ARBOR DR  
WEST LINN OR 97068-1122

TELLIGMAN STEVEN W & JERI  
18415 VISTA CT  
WEST LINN OR 97068-1143

VANNOSTRAND TERRY L & E  
DAVIDSON  
3715 FAIRVIEW WAY  
WEST LINN OR 97068-1119

VARITZ WILLIAM R TRUSTEE  
17828 ROBINVIEW CT  
WEST LINN OR 97068-1055

VELER TED  
18368 VISTA CT  
WEST LINN OR 97068-1139

WADE LOWELL F & BONNIE L  
3325 ARBOR DR  
WEST LINN OR 97068-1115

WALKER TIMOTHY E & SHEILA  
COONEY  
18985 OLD RIVER DR  
WEST LINN OR 97068-1039

WARNER MICHAEL J  
18725 OLD RIVER DR  
WEST LINN OR 97068-1035

WENTE JEFF A & LORI B  
3601 ROBIN VIEW DR  
WEST LINN OR 97068-1002

WHITELEY MICHAEL S & CONSTANCE S  
18390 VISTA CT  
WEST LINN OR 97068-1139

WHITESIDES STEVEN K  
18602 OLD RIVER DR  
WEST LINN OR 97068-1026

WILLAMETTE COMMONS LLC  
3380 BARRINGTON DR  
WEST LINN OR 97068-3631

WILLAMETTE PROP LTD PARTNERSHIP  
18380 WILLAMETTE DR #202  
WEST LINN OR 97068-1200

WINFREY ETHEL A  
3555 FAIRVIEW WAY  
WEST LINN OR 97068-1147

KEN WORCESTER  
CITY OF WEST LINN  
22500 SALAMO RD #1100  
WEST LINN OR 97068

PLAN AMENDMENT SPECIALIST  
OREGON DEPT OF LAND CONSERVATION  
635 CAPITOL ST NE STE 150  
SALEM OR 97301-2540

BILL DAVIS  
US ARMY CORPS OF ENGINEERS  
PO BOX 2946  
PORTLAND OR 97208

HABITAT BIOLOGIST  
OREGON DEPT OF FISH & WILDLIFE  
18330 NW SAUVIE ISLAND RD  
PORTLAND OR 97231

STEVE GARNER  
BHT NA PRESIDENT  
3525 RIVERKNOLL WAY  
WEST LINN OR 97068

SALLY MCLARTY  
BOLTON NA PRESIDENT  
19575 RIVER RD # 64  
GLADSTONE OR 97027

ALEX KACHIRISKY  
HIDDEN SPRINGS NA PRESIDENT  
6469 PALOMINO WAY  
WEST LINN OR 97068

JEFF TREECE  
MARYLHURST NA PRESIDENT  
1880 HILLCREST DR  
WEST LINN OR 97068

BILL RELYEA  
PARKER CREST NA PRESIDENT  
3016 SABO LN  
WEST LINN OR 97068

THOMAS BOES  
ROBINWOOD NA PRESIDENT  
18717 UPPER MIDHILL DR  
WEST LINN OR 97068

DEAN SUHR  
ROSEMONT SUMMIT NA PRESIDENT  
21345 MILES DR  
WEST LINN OR 97068

DAVE RITTENHOUSE  
SAVANNA OAKS NA PRESIDENT  
2101 GREENE ST  
WEST LINN OR 97068

KRISTIN CAMPBELL  
SKYLINE RIDGE NA PRESIDENT  
1391 SKYE PARKWAY  
WEST LINN OR 97068

TROY BOWERS  
SUNSET NA PRESIDENT  
2790 LANCASTER ST  
WEST LINN OR 97068

BETH KIERES  
WILLAMETTE NA PRESIDENT  
1852 4TH AVE  
WEST LINN OR 97068

ALMA COSTON  
BOLTON NA DESIGNEE  
PO BOX 387  
WEST LINN OR 97068

SUSAN VAN DE WATER  
HIDDEN SPRINGS NA DESIGNEE  
6433 PALOMINO WAY  
WEST LINN OR 97068

KEVIN BRYCK  
ROBINWOOD NA DESIGNEE  
18840 NIXON AVE  
WEST LINN OR 97068

DOREEN VOKES  
SUNSET NA SEC/TREAS  
4972 PROSPECT ST  
WEST LINN OR 97068



CITY OF  
**West Linn**

February 1, 2011

Ken Worcester  
City of West Linn Parks and Recreation Department  
22500 Salamo Road  
West Linn, OR 97068

SUBJECT: DR-11-01/WAP-11-01 Class I Design Review and Water Resource Area permit for path including bridge and stairs at Robinwood Park

Dear Ken:

Your application is complete as of your February 1, 2011 submittal. The City now has 120 days (until June 1, 2011) to exhaust all local review per state statute. The application will be scheduled for a Planning Director decision, and notice of this decision and its date will be sent to you and other stakeholders 20 days or more before the decision.

The complete application is (or will soon be) online at <http://westlinnoregon.gov/planning/robinwood-park-fairview-way-class-i-design-review-water-resources-area-protection>.

Please contact me at 503-742-8660, or by email at [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov) if you have any questions or comments.

Sincerely,

Tom Soppe  
Associate Planner

C: Thomas Boes, Robinwood NA President, 18717 Upper Midhill Drive, West Linn, OR 97068

p:/devrvw/projects folder/projects 2011/DR-11-01/compl-DR-11-01





**FILE NO.:** DR-11-01/WAP-11-01

**REQUEST:** CLASS I PARKS DESIGN REVIEW AND WATER  
RESOURCE AREA PERMIT FOR TRAIL INCLUDING  
BRIDGE AND STAIRS IN ROBINWOOD PARK

## **APPLICANTS SUBMITTAL**



Class I Parks Design Review and Water Resources Area Permit

For

## ROBINWOOD CREEK BRIDGE REPLACEMENT PROJECT

Submitted to the City of West Linn Planning Department

22500 Salamo Rd

West Linn, OR 97068

On behalf of

West Linn Parks and Recreation

22500 Salamo Rd

West Linn, OR 97068

(503) 557-4700

[mperkins@westlinnoregon.gov](mailto:mperkins@westlinnoregon.gov)



## I. Purpose

To improve safety at an existing pedestrian trail crossing of Robinwood Creek, the West Linn Parks and Recreation Department proposes to construct a 24-foot by 4-foot pedestrian footbridge over a portion of the creek in Robinwood Community Park. This submittal is presented in satisfaction of the applicable standards for development in Water Resource Areas (WRA) and for Class I Design Review as established in West Linn Community Development Code (CDC) Chapters 32 and 56, respectively.

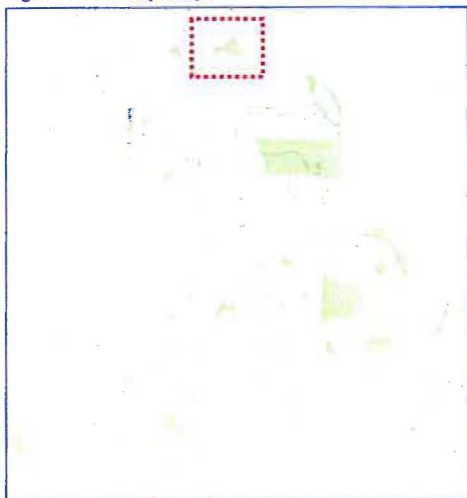
## II. Background

The City of West Linn's Parks and Recreation Department purchased the Robinwood Park site in October 1999. Prior to and following the City's purchase of the property, the area has been an attractive destination for residents and visitors who enjoy the natural wonders of the northern Willamette Valley.

The West Linn Planning Commission approved the development of Robinwood Park through MISC-01-22, in 2001. The approved plans contained a number of recreational amenities, including: a spray-ground, skate spot, restroom facilities, basketball court/stormwater detention pond, open space and trails.

Passive recreational use of this site has resulted in the establishment of a number of informal paths through the property. These informal paths connect park visitors to various natural and manmade site features. One such path on the Robinwood Park site, crosses a portion of Robinwood Creek via a felled and rotting tree stump (see image 1). The Parks Department would like to maintain the use of this trail for the enjoyment of its visitors but has realized safety concerns at the crossing of Robinwood Creek.

Figure 1 Vicinity Map



Source: COWL GIS, 2010

Image 1 Existing creek crossing



Source: COWL Parks and Recreation, 2010



### III. Applicable Criteria from West Linn Community Development Code

#### 14.030 PERMITTED USES

*The following are uses permitted outright in this zoning district:*

5. *Community recreation (Recreational, social, or multi-purpose uses typically associated with parks, play fields, or golf courses. (CDC 3.030))*

**Response:** The current use of Robinwood Park meets the definition for community recreation in CDC Section 3.030 and is therefore an outright permitted use in the R-4.5 zone as established in CDC Section 14.030. The criterion is met.

#### 14.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

*Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:*

A. *The minimum lot size shall be:*

1. *For a single-family detached unit, 4,500 square feet.*
2. *For each attached single-family unit, 4,000 square feet.*
3. *For a duplex, 8,000 square feet or 4,000 square feet for each unit.*

**Response:** The minimum lot size standards above do not apply to the request herein, as no building or residential housing construction will take place. The criteria do not apply.

B. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*

C. *The average minimum lot width shall be 50 feet.*

D. *The minimum average lot depth shall be 90 feet.*

**Response:** Six individual parcels comprise Robinwood Park. Taken together, these parcels occupy a land area of approximately 14.94 acres. The total width of these parcels fronting an undeveloped segment of the Arbor Drive right-of-way is approximately 1100-feet. The average individual lot width is 222-feet. The average lot depth is 343.2-feet. The criteria are met.

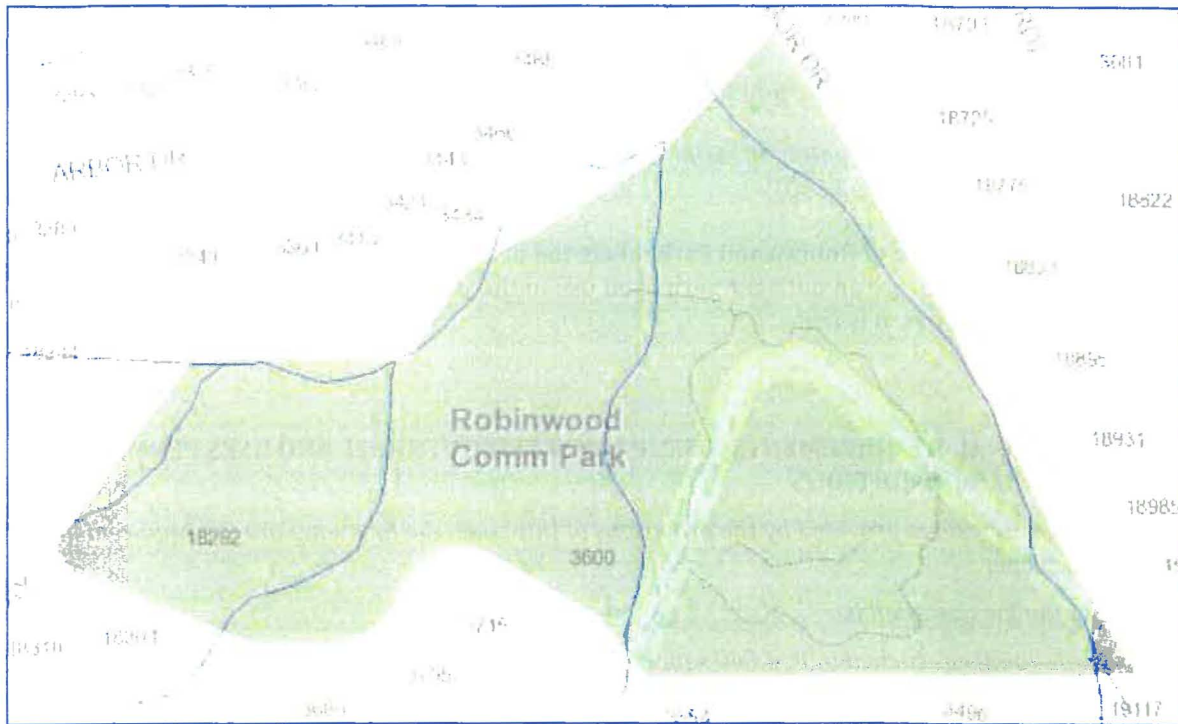
E. *The minimum yard dimensions or minimum building setback areas from the lot line shall be:*

1. *For a front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.*
2. *For an interior side yard, five feet.*
3. *For a side yard abutting a street, 15 feet.*
4. *For a rear yard, 20 feet.*

**Response:** No new building construction is proposed. The criteria do not apply.



Figure 2 Robinwood Park



Source: COWL GIS, 2010

*F. The maximum building height shall be 35 feet except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.*

**Response:** No new building construction is proposed. The criterion does not apply.

*G. The maximum lot coverage shall be 40 percent.*

**Response:** 2,476 square-feet of this 14.94 acre site are currently occupied by buildings. This lot coverage represents less than four-tenths of one percent of the total site area. The criterion is met.

*H. The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.*

**Response:** No new accessways are requested. The criterion does not apply.

*I. The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under Chapter 66 CDC.*

**Response:** No new habitable space is proposed within this request. The criterion does not apply.



J. *The sidewall provisions of Chapter 43 CDC shall apply. (Ord. 1538, 2006)*

**Response:** No new building construction is proposed. The criterion does not apply.

#### **14.090 OTHER APPLICABLE DEVELOPMENT STANDARDS**

A. *The following standards apply to all development including permitted uses:*

1. *Chapter 34 CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.*
2. *Chapter 35 CDC, Temporary Structures and Uses.*
3. *Chapter 38 CDC, Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards.*
4. *Chapter 40 CDC, Building Height Limitations, Exceptions.*
5. *Chapter 41 CDC, Structures on Steep Lots, Exceptions.*
6. *Chapter 42 CDC, Clear Vision Areas.*
7. *Chapter 44 CDC, Fences.*
8. *Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.*
9. *Chapter 48 CDC, Access, Egress and Circulation.*
10. *Chapter 52 CDC, Signs.*
11. *Chapter 54 CDC, Landscaping.*

B. *The provisions of Chapter 55 CDC, Design Review, apply to all uses except detached single-family dwellings. (Ord. 1590 § 1, 2009)*

**Response:** Consistent with Planning staff's pre-application notes dated November 4, 2010, the standards from CDC Chapters 32 and 56 will be applied to the applicant's request to install a new pedestrian bridge across Robinwood Creek and to improve (two new stair sets, each with 5-8 steps) an approximately 150-foot segment of trail leading up to the east access to the proposed pedestrian bridge.

#### **32.040 APPLICATION**

A. *An application for development on property containing a water resource area shall be initiated by the property owner, or the owner's authorized agent, and shall be accompanied by the appropriate fee.*

**Response:** The application was submitted to the City of West Linn Planning Department on January 21, 2011, by West Linn Parks and Recreation Director, Ken Worcester. Per CDC Section 99.033, the City does not charge a fee for City-initiated land use applications. The criterion is met.

B. *A pre-application conference shall be a prerequisite to the filing of the application.*

**Response:** A pre-application conference regarding the applicant's proposal was held on November 4, 2010, at the West Linn City Hall. Planning and Parks Department staff attended. The criterion is met.



*C. The application shall include a site plan and topographic map of the parcel pursuant to CDC 32.060. The applicant shall submit three copies of all maps and diagrams at original scale and three copies reduced to a paper size not greater than 11 inches by 17 inches, and an electronic copy of all maps on a compact disc. The Planning Director may require the map to be prepared by a registered land surveyor to ensure accuracy.*

**Response:** A site plan (Sheets 1-1c) consistent with CDC Section 32.060 is included in Exhibit A. The applicant has requested and the Planning Director has granted (in accordance with the authority provided in 99.325(B)(1)), a waiver of the three copy requirement in exchange for; one copy of all plans at the original scale, one reduced (11x17) copy, a CD of all maps and plans, and a guarantee to provide additional copies to the department or other reviewing agencies as requested. The criterion is met.

*D. The site plan map shall be accompanied by a written narrative addressing the approval criteria in CDC 32.050 and, if necessary, addressing the reason why the owner wishes to alter the natural drainageway.*

**Response:** Narrative responses to the approval criteria in CDC Section 32.050 are included in the next section of this document. The criterion is met.

*E. All proposed improvements to the drainageway channel or creek which might impact the storm load carrying ability of the drainageway shall be designed by a registered civil engineer.*

**Response:** None of the proposed improvements (bridge, trail improvements) are expected to impact the storm load carrying ability of the drainageway. The criterion does not apply.

*F. The applicant shall present evidence in the form of adopted utility master plans or transportation master plans, or findings from a licensed engineer, to demonstrate that the development or improvements are consistent with accepted engineering practices.*

**Response:** The applicant would like to request (in accordance with the authority provided in 99.325(B)(2)), a waiver in responding to this criterion. The Parks Department has received approval from the City's Building Official for the design of the bridge structure.

*G. The applicant shall prepare an assessment of the existing condition of the water resource area consisting of an inventory of vegetation, including percentage ground and canopy coverage.*

**Response:** An assessment of this segment of Robinwood Creek was prepared during the most recent update to the City of West Linn's Surface Water Management Plan in December 2006. That assessment is included as Exhibit C. Additionally, vegetative ground cover is present on approximately 95-99 percent of the area and canopy coverage is greater than 100 percent. The criterion is met.

*H. If necessary, the applicant shall also submit a mitigation plan pursuant to CDC 32.070, and a revegetation plan pursuant to CDC 32.080. (Ord. 1545, 2007)*



**Response:** A mitigation plan consistent with CDC Sections 32.070 and 32.080 is included as Exhibit D. The criterion is met.

**32.050 APPROVAL CRITERIA**

*No application for development on property containing a water resource area shall be approved unless the decision-making authority finds that the following standards have been satisfied, or can be satisfied by conditions of approval.*

*A. Proposed development submittals shall identify all water resource areas on the project site. The most currently adopted Surface Water Management Plan shall be used as the basis for determining existence of drainageways. The exact location of drainageways identified in the Surface Water Management Plan, and drainageway classification (e.g., open channel vs. enclosed storm drains), may have to be verified in the field by the City Engineer. The Local Wetlands Inventory shall be used as the basis for determining existence of wetlands. The exact location of wetlands identified in the Local Wetlands Inventory on the subject property shall be verified in a wetlands delineation analysis prepared for the applicant by a certified wetlands specialist. The Riparian Corridor Inventory shall be used as the basis for determining existence of riparian corridors.*

Figure 3 Water Resource Areas on Project Site

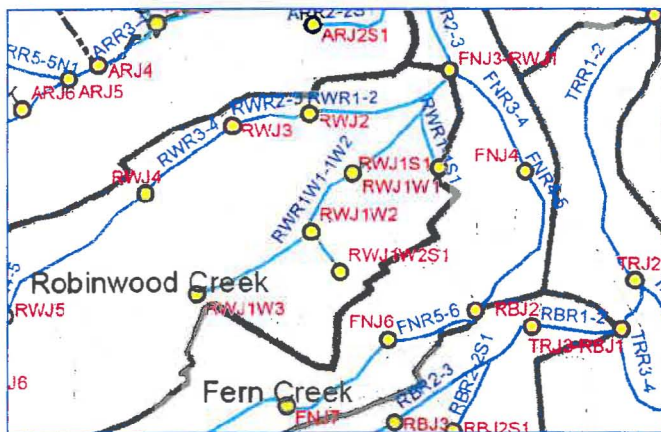
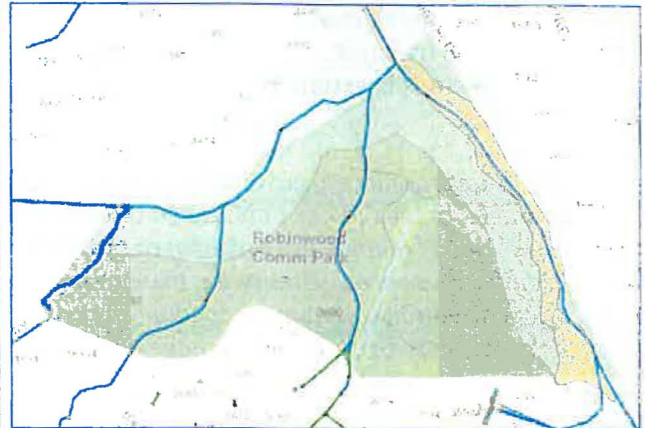


Figure 4 Significant Riparian and Wetland Areas



Source: COWL Surface Water Master Plan, 2006

**Response:** The network of hydrological site features is shown in Figures 3 and 4 above. Figure 4 shows the location and extent of wetlands (shown in orange), significant riparian corridors (shown in light green), and open channel (blue line) and piped (green line) drainageways. The criterion is met.

*B. Proposed developments shall be so designed as to maintain the existing natural drainageways and utilize them as the primary method of stormwater conveyance through the project site unless the most recently adopted West Linn Surface Water Management Plan calls for alternate configurations (culverts, piping, etc.). Proposed development shall, particularly in the case of subdivisions, facilitate reasonable access to the drainageway for maintenance purposes.*

**Response:** Minor improvements to an existing trail segment east of the proposed crossing of Robinwood Creek will have no adverse impact to Robinwood Creek. These improvements include minor lateral leveling of the trail surface, the addition of two new stair sets near a relatively steep segment of the trail, and a new pedestrian footbridge spanning Robinwood Creek. The proposed bridge will cross Robinwood Creek at an elevation approximately 5-feet higher than the existing bridge and will therefore reduce pedestrian impacts in the area immediately adjacent the creek. A





bridge in this location will also help to reduce the accumulation of debris and will improve the stormwater conveyance capability of the stream. Maintenance access to the creek will be unchanged. The criterion is met.

*C. Development shall be conducted in a manner that will minimize adverse impact on water resource areas. Alternatives which avoid all adverse environmental impacts associated with the proposed action shall be considered first. For unavoidable adverse environmental impacts, alternatives that reduce or minimize these impacts shall be selected. If any portion of the water quality resource area is proposed to be permanently disturbed, the applicant shall prepare a mitigation plan as specified in CDC 32.070 designed to restore disturbed areas, either existing prior to development or disturbed as a result of the development project, to a healthy natural state.*

**Response:** The proposed improvements have been designed to reduce the existing impact of this trail and creek crossing. Trail surface leveling and new stairs will reduce erosion and improve user safety. A new bridge that is 5-feet further outside of the stream bank will reduce erosion related to activities immediately adjacent the creek. A new bridge will also improve user safety.

All trail surface leveling will be completed with the use of hand tools. The new stairs will be constructed by hand using 6-inch x 6-inch treated wood beams. The proposed bridge will be manufactured of treated wood off-site, will be transported to its proposed location on foot and will be assembled by hand at its proposed location. An analysis of trail alternatives is discussed in the response to subsection 32.070(A). The criterion is met.

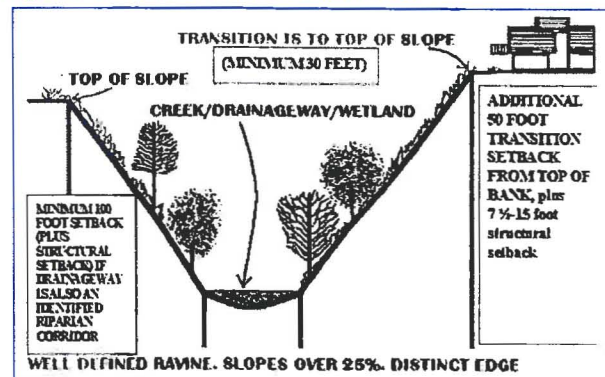
*D. Water resource areas shall be protected from development or encroachment by dedicating the land title deed to the City for public open space purposes if either: (1) a finding can be made that the dedication is roughly proportional to the impact of the development; or (2) the applicant chooses to dedicate these areas. Otherwise, these areas shall be preserved through a protective easement. Protective or conservation easements are not preferred because water resource areas protected by easements have been shown to be harder to manage and, thus, more susceptible to disturbance and damage. Required 15-foot-wide structural setback areas do not require preservation by easement or dedication.*

**Response:** The proposed bridge and trail improvements are completely contained within Robinwood Park, which is currently under the ownership of the City of West Linn. Robinwood Park was approved by the City Council for public open space/park use through MISC-01-22. The criterion is met.

*E. The protected water resource area shall include the drainage channel, creek, wetlands, and the required setback and transition area. The setback and transition area shall be determined using the following table:*

**Response:** The water resource area and transition area are delineated on Sheet 2 (Detailed Site Plan), Exhibit A and includes the drainage channel, creek and the required transition area. The criterion is met.

Figure 3 Transition and Setback from WRA



Source: COWL CDC Ch. 32, 2010



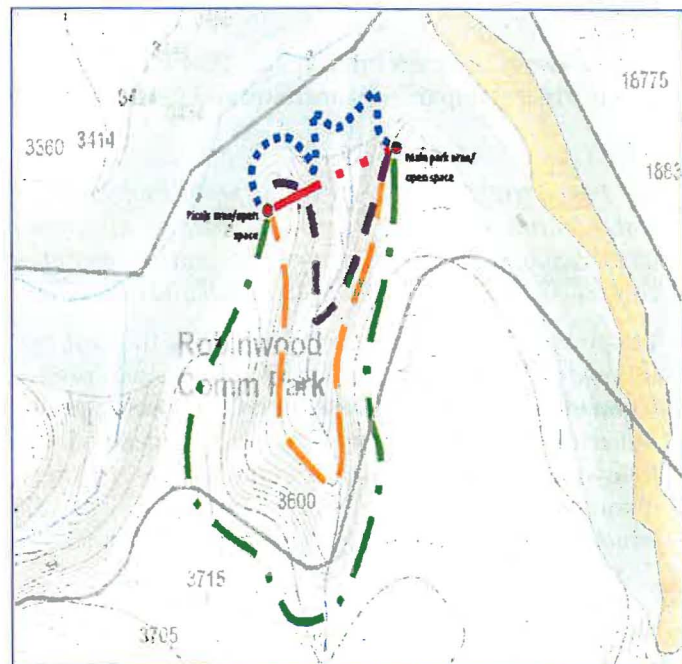
F. Roads, driveways, utilities, or passive use recreation facilities may be built in and across water resource areas when no other practical alternative exists. Construction shall minimize impacts. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC 32.070 and a revegetation plan pursuant to CDC 32.080. The maximum disturbance width for utility corridors is as follows:

1. For utility facility connections to utility facilities, no greater than 10 feet wide.
2. For upgrade of existing utility facilities, no greater than 15 feet wide.
3. For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of water quality resource area, or 20 percent of the total linear feet of water quality resource area, whichever is greater.

**Response:** As discussed in the response to subsection 32.070(A) below, West Linn Parks and Recreation evaluated the feasibility of six trail and creek crossing alternatives in the preparation of this proposal. The list of alternatives includes:

- **Alternative 1:** Installing a new bridge and making minor improvements to the existing trail (blue dotted line in Fig.6);
- **Alternative 2:** Using the existing driveway and undeveloped Arbor Drive right-of-way to access the west side of Robinwood Park (green dashed line);
- **Alternative 3:** No-build option;
- **Alternative 4:** A new alignment upstream in relatively close proximity to the existing trail (purple dashed line);
- **Alternative 5:** A new crossing upstream to minimize grade changes (orange dashed line);
- **Alternative 6:** A new bridge spanning the entire water resource area (consistent with the approved bridge in MISC-01-22 (red dashed line)).

Figure 4 Alternative trail alignments



Source: West Linn CDC, 2010

A map of trail alternatives is included in Figure 6 above and also on Sheet 2 of Exhibit A. A detailed discussion of each of these alternatives and the methodology used to compare the relative impact of each alternative on the water resource area, is included in the response to subsection 32.070(A). Based upon the findings in the alternatives analysis in 32.070(A), Alternative 1 is the most practical route alternative to; satisfy the intent of this park use, minimize development cost, minimize resource impacts and improve safety for trail users.

As discussed in the response to Subsection C of this Section, trail and bridge construction will minimize impacts to the water resource area through the use of hand tools and pedestrian transport.



No heavy equipment will be used in the construction of the requested improvements. A mitigation plan and a revegetation plan is included in Exhibit D. The criterion is met.

*G. Prior to construction, the water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved water resource area permit. Such fencing shall be maintained until construction is complete. The water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.*

**Response:** The applicant is requesting that the Planning Director exercise the authority granted in CDC Subsection 99.035(B)(2) and waive the requirement to address this criterion. Fencing installed at the perimeter of the water resource area will have no appreciable benefit to the water resource since all work is proposed within the resource area. In exchange for a waiver of this criterion, the applicant would offer to install a construction fence and silt fencing around the immediate bridge construction area.

The applicant is also requesting that the Planning Director waive the requirement to install permanent markers around the protected water resource. The protected Robinwood Creek water resource area includes portions of both parking lots in Robinwood Park, an undeveloped portion of Arbor Drive right-of-way, and park open space. Permanent markers spaced 30-50-feet apart through these areas would greatly impact the aesthetic and functional value of this passive-oriented park space.

*H. Paved trails, walkways, or bike paths shall be located at least 15 feet from the edge of a protected water feature except for approved crossings. All trails, walkways, and bike paths shall be constructed so as to minimize disturbance to existing native vegetation. All trails, walkways, and bike paths shall be constructed with a permeable material and utilize low impact development (LID) construction practices.*

**Response:** The trail segment connecting the east open space area of Robinwood Park with Robinwood Creek is a crossing of Robinwood Creek. All proposed improvements will take place completely within the Robinwood Creek water resource area. The existing trail alignment, including those improvements proposed in this request, minimize disturbance to the water resource by following an existing trail alignment and by erecting a bridge across Robinwood Creek that minimizes disturbance to the creek. All trail surfaces will remain packed earth except for the bridge and steps, which will be treated wood. The criterion is met.

*I. Sound engineering principles regarding downstream impacts, soil stabilization, erosion control, and adequacy of improvements to accommodate the intended drainage through the drainage basin shall be used. Storm drainage shall not be diverted from its natural watercourse. Inter-basin transfers of storm drainage shall not be permitted.*

**Response:** Accepted soil stabilization and erosion control practices will be employed through the duration of project construction. No modification to the existing stormwater drainage is proposed. Inter-basin transfer of storm drainage will not result from the approval of this request. The criterion is met.

*J. Appropriate erosion control measures based on Chapter 31 CDC requirements shall be established throughout all phases of construction.*

**Response:** Erosion control measures consistent with CDC Chapter 31 will be used throughout all phases of construction. These standards are included in Exhibit E. The criterion is met.



*K. Vegetative improvements to areas within the water resource area may be required if the site is found to be in an unhealthy or disturbed state, or if portions of the site within the water resource area are disturbed during the development process. "Unhealthy or disturbed" includes those sites that have a combination of native trees, shrubs, and groundcover on less than 80 percent of the water resource area and less than 50 percent tree canopy coverage in the water resource area. Vegetative improvements will be documented by submitting a revegetation plan meeting CDC 32.080 criteria that will result in the water resource area having a combination of native trees, shrubs, and groundcover on more than 80 percent of its area, and more than 50 percent tree canopy coverage in its area. Where any existing vegetation is proposed to be permanently removed, or the original land contours disturbed, a mitigation plan meeting CDC 32.070 criteria shall also be submitted. Interim erosion control measures such as mulching shall be used to avoid erosion on bare areas. Upon approval of the mitigation plan, the applicant is responsible for implementing the plan during the next available planting season.*

**Response:** The Robinwood Creek Water Resource Area in Robinwood Park includes ground cover on more than 80 percent of its area and tree canopy cover on more than 50 percent of its area, as shown in Figure 5 below. The site does not meet the above standard for an "unhealthy or disturbed" site. A mitigation plan to revegetate permanently disturbed portions of the water resource area is included as Exhibit D. Additionally, the erosion control measures outlined in Section 31.070 will be used to avoid erosion on bare areas. The criterion is met.

Figure 5 Robinwood Creek Water Resource Area



Source: City of West Linn GIS, 2011.

*L. Structural setback area. Where a structural setback area is specifically required, development projects shall keep all foundation walls and footings at least 15 feet from the edge of the water resource area transition and setback area if this area is located in the front or rear yard of the lot, and seven and*



*one-half feet from the edge of the water resource area transition and setback area if this area is located in the side yard of the lot. Structural elements may not be built on or cantilever over the setback area. Roof overhangs of up to three feet are permitted in the setback. Decks are permitted within the structural setback area.*

**Response:** No new building construction is proposed. This criterion does not apply.

*M. Stormwater treatment facilities may only encroach a maximum of 25 feet into the outside boundary of the water resource area; and the area of encroachment must be replaced by adding an equal area to the water quality resource area on the subject property. Facilities that infiltrate stormwater on site, including the associated piping, may be placed at any point within the water resource area outside of the actual drainage course so long as the forest canopy and the areas within 10 feet of the driplines of significant trees are not disturbed. Only native vegetation may be planted in these facilities.*

**Response:** No new stormwater treatment is proposed. This criterion does not apply.

*N. As part of any proposed land division or Class II design review application, any covered or piped drainageways identified on the Surface Water Quality Management Plan Map shall be opened, unless the City Engineer determines that such opening would negatively impact the affected storm drainage system and the water quality within that affected storm drainage system in a manner that could not be reasonably mitigated by the project's site design. The design of the reopened channel and associated transition area shall be considered on an individualized basis, based upon the following factors:*

- 1. The ability of the reopened storm channel to safely carry storm drainage through the area.*
- 2. Continuity with natural contours on adjacent properties.*
- 3. Continuity of vegetation and habitat values on adjacent properties.*
- 4. Erosion control.*
- 5. Creation of filters to enhance water quality.*
- 6. Provision of water temperature conducive to fish habitat.*
- 7. Consideration of habitat and water quality goals of the most recently adopted West Linn Surface Water Management Plan.*
- 8. Consistency with required site mitigation plans, if such plans are needed.*

*The maximum required setback under any circumstance shall be the setback required as if the drainageway were already open.*

**Response:** The request to make trail improvements and construct a bridge across Robinwood Creek is subject to the standards for Class I Parks Design Review and Water Resource Areas. These criteria do not apply.

*O. The decision-making authority may approve a reduction in applicable front yard setbacks abutting a public street to a minimum of 15 feet and a reduction in applicable side yard setbacks abutting a public street to seven and one-half feet if the applicant demonstrates that the reduction is necessary to create a building envelope on an existing or proposed lot of at least 5,000 square feet.*

**Response:** No setback reductions are requested. The criterion does not apply.



*P. Storm drainage channels not identified on the Surface Water Management Plan Map, but identified through the development review process, shall be subject to the same setbacks as equivalent mapped storm drainage channels. (Ord. 1545, 2007)*

**Response:** Robinwood Creek is included in the City's most recently adopted Surface Water Management Plan. The criterion does not apply.

### **32.070 MITIGATION PLAN**

*A mitigation plan shall be required if any portion of the water resource area is proposed to be permanently disturbed by development.*

*A. All mitigation plans must contain an alternatives analysis demonstrating that:*

- 1. No practicable alternatives to the requested development exist that will not disturb the water resource area; and*
- 2. Development in the water resource area has been limited to the area necessary to allow for the proposed use; and*
- 3. An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to the water resource area will be avoided and/or minimized.*

**Response:** In preparation of this application, West Linn Parks identified six route alternatives for a crossing of Robinwood Creek (A map of route alternatives is included as Sheet 2, Exhibit A):

- **Alternative 1 (proposed):** Minor trail improvements to an existing trail, including surface leveling and two new sets of stairs (each 5-8 steps), plus a new 24-foot by four-foot wide bridge across Robinwood Creek.
- **Alternative 2 (existing driveway):** Use of existing park driveway and unimproved Arbor Drive right-of-way (off-site) to access west side of Robinwood Park. No new creek crossing required. Route is within WRA 50-foot transition area but is outside WRA area itself. Requires exiting park.
- **Alternative 3 (no build):** Assumes use of existing trail and bridge to access west side of Robinwood Park with no additional improvements.
- **Alternative 4 (near upstream):** Entirely new trail alignment and bridge across Robinwood Creek south of the existing trail. This alternative balances route distance and grade change.
- **Alternative 5 (far upstream):** Entirely new trail alignment and bridge across Robinwood Creek further south than Alternative 4. This alternative minimizes grade change at the expense of increasing total trail distance.
- **Alternative 6 (Bridge WRA):** This alternative is the approved creek crossing from MISC-01-22. The alternative does impact the WRA 50-foot transition area but is almost completely outside of the WRA itself. The anticipated cost of this bridge is approximately \$100,000.

**Methodology.** In comparing these alternatives, Parks staff identified six critical trail alignment determinants as they relate to this proposal:

1. **Safety:** Overall trail safety including; visibility, ease of access, trail surface, ease of crossing creek.
2. **Cost:** Relative cost to construct and maintain.
3. **Impact to the Water Resource Area:** Overall new impacts to the water resource area.
4. **Interaction with Nature:** Ability to provide park users with passive recreational and outdoor educational opportunities.



5. **Total Distance:** Total trail distance; to approximate the desire to use a given route. Also used as input for determining new impacts to WRA.
6. **Grade:** Average grade change throughout the length of a given route alternative; to approximate the desire to use a given route. Also used to determine erosional impacts to WRA.

Each of the six determinants was assigned a weight based on their relative ability to satisfy the intent of CDC Chapter 32 and to promote the intended use of Robinwood Park as a passive recreational facility. Those criteria identified as most influential in satisfying the intent of Chapter 32 and promoting the approved use of Robinwood Park were given more weight than criteria deemed less influential. The weight assigned to these criteria is as follows:

Table 1 Weighted Criteria

Criteria	Weight
Impact to WRA	6
Cost	5
Safety	4
Interaction with Nature	3
Grade	2
Total Distance	1

**Impact to WRA (6).** Because the alternatives analysis is borne from standards contained in CDC Chapter 32, and because of the degree of specificity as to which the City prescribes regulations for development in water resource areas, the impact to the water resource area from a given route alternative was determined to be the single most important factor in selecting a route alternative.

**Cost (5).** The Parks Department budget for the improvements (bridge and trail improvements) proposed herein is \$2,500. Because it is likely that a majority of the budget will be exhausted by the construction of the bridge alone, and because the City's ability to make improvements declines in direct correlation with increased project cost, this factor received the second highest weight.

**Safety (4).** The purpose for installing a bridge and making improvements to the existing trail is to improve safety for park users. As such, this criterion was given the third highest weight.

**Interaction with Nature (3).** The purpose of the City's passive-oriented parks and recreational areas is to provide opportunities for residents to interact with the natural environment. Passive recreation includes walking, hiking and biking paths/trails, bird watching, floral and faunal taxonomy, informal sports activities and similar uses. Although important to the function of the park, this criterion was given a lower weight relative to the three prior criteria which respond more directly to impacts to the water resource.

**Grade (2).** The average grade of a trail is important in determining both the anticipated level of use a given trail alignment will receive as well as the erosion potential from that alignment. Trail alignments with steeper or more difficult profiles can expect less use throughout their life as access will be limited to those persons able to negotiate such terrain. More steeply sloped trail alignments also increase potential soil erosion and impacts to the water resource.



**Total Distance (1).** Total trail distance is another important criterion in determining the expected level of use a trail will receive. Where routes are inconvenient, users often forge new, more direct, connections between destinations – these informal pedestrian connections are often referred to as “desire lines” as they reflect the desire for convenient and non-circuitous connections. An example of this is present in our current trail alignment: A route between the east side of Robinwood Park and the picnic and natural areas on the west side currently exists via an undeveloped portion of Arbor Drive right-of-way (Alternative 2). However, park users have created a more direct connection between these two areas via the route outlined in Alternative 1. Presumably, more direct access, a reduced trip distance and increased interaction with the park’s natural amenities has created the desire for this informal trail connection.

The six trail alternatives were assigned a rank (1-6; 1=most satisfies intent of CDC and intended use of park, 6=least satisfies) in each of the six evaluation categories (Cost, Safety, Impact to WRA, etc.) listed above. The rank of each alternative for a given evaluation category was multiplied by the weight assigned to that category to produce a weighted categorical score. The categorical score from each of the six evaluation categories was then summed to produce a composite score representing the relative ability of each trail alternative to satisfy applicable development regulations. Lower composite scores imply closer adherence to evaluation criteria and therefore are assumed to more appropriately address park and water resource area regulations. The alternatives analysis matrix is shown in Figure 5.

**Results. Alternative 1 (Proposed):** Of the six alternatives evaluated, the proposed alternative ranks 3<sup>rd</sup> for its ability to satisfy the passive-oriented nature of Robinwood Park and reduce impacts to Robinwood Creek. Alternative 1 scores high for its ability to provide interaction with nature, and scores near the middle in its ability to; reduce impacts to the water resource, reduce cost, and decrease trip distance. Alternative 1 scored poorly in the categories of safety and trail grade.

**Alternative 2 (Existing Driveway):** Using the existing park driveway and an undeveloped portion of the Arbor Drive right-of-way to access the west side of Robinwood Park received the highest composite rank of the six trail alternatives. This alternative scores well for its ability to reduce impacts to the WRA, reduce cost, and maintain a consistent grade. This alternative does not score well in the areas of safety, interaction with nature and total distance.

**Alternative 3 (No-build):** The no-build alternative ranked fourth out of the six trail alternatives in its ability to satisfy the evaluation criteria. The no-build alternative scores well in terms of cost and scores near the middle for its ability to provide park users interaction with nature. The no-build alternative does not score well in the categories of impacts to the WRA, safety, grade and distance. No-build assumes that park users will continue to use the existing trail and creek crossing.

**Alternative 4 (Near Upstream):** Alternative 4 ranks the lowest among the six trail alternatives for its ability to satisfy the evaluation criteria. This alternative scores well in terms of total trip distance, and near the middle for safety, but scores poorly in the categories of WRA impact, cost, interaction with nature, and grade.

**Alternative 5 (Far Upstream):** Alternative 5 ranks fifth out of the six alternatives examined. This route option scores well in safety and interaction with nature and near the middle in terms of grade change. This alternative scores poorly in the categories of impact to the WRA, cost, and distance.

**Alternative 6 (Original Bridge):** The originally proposed bridge crossing, approved in MISC-01-22, tied with Alternative 2 for the best score in terms of meeting the evaluation criteria. Alternative 6 scores





well in WRA impacts, safety, grade and distance but scores poorly in the categories of cost and interaction with nature.



Figure 6 Alternatives Analysis

	Safety (4)		Cost (5)		Impact to WRA (6)		Interaction with Nature (3)		Distance (1)		Grade (2)		Total	
	rank	weighted score	rank	weighted score	rank	weighted score	rank	weighted score	rank	weighted score	rank	weighted score	composite score	rank
Alternative 1 (existing route and new bridge)	4	16	3	15	3	18	2	6	3	3	5	10	68	3
Alternative 2 (existing driveway)	5	20	2	10	1	6	6	18	6	6	2	4	64	1
Alternative 4 (near upstream)	3	12	4	20	5	30	4	12	2	2	4	8	84	6
Alternative 5 (far upstream)	2	8	5	25	6	36	1	3	5	5	3	6	83	5
Alternative 6 (original bridge)	1	4	6	30	2	12	5	15	1	1	1	2	64	1
Alternative 3 (no build)	6	24	1	5	4	24	3	9	4	4	6	12	78	4
Total Points		84		105		126		63		21		42	441	
Percent of Total Points Awarded		19%		24%		29%		14%		5%		10%		100%

Source: West Linn Parks and Recreation, 2010.



**Discussion.** Alternatives 2 (existing driveway) and 6 (original bridge) received the highest composite scores (64, 64) for their ability to address the six evaluation criteria. Theoretically, these two alternatives most appropriately satisfy the intended use of Robinwood Park and local regulations regarding development in a water resource area. There are however, a couple of reasons why each of these two alternatives are not practical: First, the \$100,000 price tag to construct a bridge spanning the Robinwood Creek water resource area immediately negates the feasibility of this alternative; second, Alternative 2 requires that park users exit the park and travel along an unimproved portion of Arbor Drive to access its western areas. This circuitous routing adds inconvenience and increased risk (increased exposure to motor vehicles entering/exiting park/residences on Arbor Dr.) for park users. The fact that park users continue to use the proposed alignment (Alternative 1) in light of the existence of Alternative 2, is testimony that Alternative 2 adds significant inconvenience and does not provide the desired level of interaction with the park's natural amenities. Pursuing Alternative 2 as a means to connect the park's east and west recreational areas is likely to result in the continued use of Alternative 1 and will not improve safety for the park's users, nor will it have a measurable effect in reducing the impact to the water resource area.

Alternative 1 received the second highest composite score (68). Alternative 1 ranked lower (3<sup>rd</sup>) than Alternatives 2 and 3 (2<sup>nd</sup> and 1<sup>st</sup>, respectively) in the cost category because little or no improvements were assumed for the use the existing driveway or in the no-build option.

Alternative 1 ranked near the mid-to-low end (4<sup>th</sup>) in safety because of the more difficult topography along this alignment. Each of the three higher ranking trail alternatives had more gentle terrain variations. Although Alternative 2 does have more accommodating trail grades than Alternative 1, it ranked lower in the safety category due to the increased exposure with automobiles entering and exiting the park and entering and exiting residences along Arbor Drive.

Regarding impacts to the WRA, Alternative 1 ranked lower than Alternatives 2 and 6, because, 1) no new construction or significant improvements were assumed for the use of the existing driveway, and 2) a bridge spanning Robinwood Creek would drastically reduce impacts to the WRA. As mentioned above however, it is likely that promoting the use of the existing driveway would result in the continued use of Alternative 1 and therefore, WRA impacts would be higher than represented in this analysis. Also, as mentioned above, the cost to construct a bridge across Robinwood Creek makes Alternative 6 impractical.

The proposed alternative (Alternative 1) ranks second, behind Alternative 5, in its ability to provide opportunities to interact with nature. Alternative 5 ranked slightly higher in this category because of the longer trail distance and the increased exposure to the park's natural amenities.

Alternative 1 ranked third in trail distance, behind Alternatives 6 and 4. Alternative 6 provides a direct connection between the open space area on the park's east end with the picnic and open space areas on the west side of Robinwood Creek. Similarly, the alignment for Alternative 4 is slightly shorter than Alternative 1.

Finally, the proposed alignment ranked fifth out of the six trail alternatives in the grade category. The no-build option ranked lower in this category because of the increased challenge in negotiating a non-bridged crossing of Robinwood Creek (no-build assumes continued use of current trail and creek crossing). The criterion is met.

*B. A mitigation plan shall contain the following information:*

*1. A description of adverse impacts that will be caused as a result of development.*



2. *An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not limited to, the revegetation provisions of CDC 32.050(K).*

**Response:** Trail improvements and a new bridge across Robinwood Creek are expected to produce a slight impact to the water resource area. Two new sets of stairs near a steeply sloped segment of the existing trail, east of the proposed bridge, will produce short-term bank erosion until disturbed soils subside. This impact will be mitigated through the placement of silt barriers near the downslope side of the stair construction area.

Concrete bridge footings will also be required at the east and west ends of the new span. The bridge footings will each permanently disturb five square-feet (total impact of 10 square feet) of the resource area and should be expected to produce short-term bank erosion until disturbed soils subside. The erosion from the bridge footings will be contained in an area immediately surrounding the footings through the use of silt barriers that will remain in place until native vegetation is established. The criterion is met.

3. *A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.*

**Response:** The City of West Linn Parks and Recreation Department is responsible for all administrative and operational activities within Robinwood Park. This application was prepared by the Parks Department in consultation with West Linn Planning. All construction activities will be performed by City Parks and Recreation staff and a volunteer (uncompensated) Eagle Scout candidate. The criterion is met.

4. *A map showing where the specific mitigation activities will occur.*

**Response:** A map of specific mitigation activities is included in Exhibit D.

5. *An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting, and a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife water work periods.*

**Response:** The anticipated project implementation schedule, including mitigation and monitoring, is outlined in Table 2 below. Site preparation is expected to commence near the end of March 2011 and will continue through the second week in April. Silt fencing will be installed as the final stage of site preparation. Bridge construction is expected to begin in early May and will continue through the end of June. Site revegetation will commence after the bridge footings are in place and will continue through the completion of all trail improvements in late July. Following the completion of bridge construction and trail improvements, Parks staff will visually inspect, on a bi-monthly basis, silt fencing for proper containment of sediments and will log the findings of these inspections until vegetation has been sufficiently established. Silt fencing will be maintained and relocated during these inspections to optimize the effectiveness of erosion prevention efforts. Although the assessment included in Exhibit C indicates that Robinwood Creek has the potential for fish-bearing capacity, it is not currently a fish bearing stream. Coordination with ODFW is therefore not required.



Table 2 Implementation Schedule

	2011										
	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	
<b>Construction</b>											
site preparation	■	■									
bridge placement			■	■							
trail maintenance					■						
<b>Mitigation</b>											
silt barrier placement		■	■								
revegetation				■	■						
maintenance						■		■		■	
<b>Monitoring</b>											
monitoring						■		■		■	
reporting						■		■		■	
<b>Contingency</b>											

**Contingency Plan:** The West Linn Parks Department proposes to monitor all mitigation activities, including erosion control and revegetation. In the event this monitoring determines that erosion control is not performing in a manner consistent with the standards in CDC Chapter 31, silt fencing will be replaced. Where revegetated areas fail to adequately establish themselves, Parks staff will replace dead or dying vegetation until it becomes adequately established.

6. Assurances shall be established to rectify any mitigation actions that are not successful. This may include bonding or other surety.

**Response:** The work proposed herein has been initiated by and will be completed under the direct supervision of the City of West Linn’s Parks and Recreation Department. All work will be conducted in a manner consistent with local and state development and water resource protection standards. It is not the City’s practice to initiate bonds for work performed by the City. The criterion does not apply.

7. Evidence that a Joint Permit Application (to the U.S. Army Corps and/or DSL) if impacts to wetlands are greater than 0.10 acres has been submitted and accepted for review.

**Response:** The proposal will not impact a wetland. This criterion does not apply.

C. Mitigation of any water resource areas that are not wetlands that are permanently disturbed shall be accomplished by creation of a mitigation area equal in size to the area being disturbed. Mitigation areas may be land that is either:

1. On site, not within the water resource area, and is characterized by existing vegetation that does not meet the standard set forth in CDC 32.050(K); or



2. *Off site, and is characterized by existing vegetation that does not meet the standard set forth in CDC 32.050(K).*

*The applicant shall prepare and implement a revegetation plan for the mitigation area pursuant to CDC 32.080, and which shall result in the area meeting the standards set forth in CDC 32.050(K). Adequacy of off-site mitigation areas on City property must be consistent with and meet approval of the City Department of Parks and Recreation. Any off-site mitigation occurring on privately owned land shall be protected with a conservation easement.*

**Response:** The mitigation plan indicates those areas that will be revegetated as a result of permanent disturbance caused by the construction of this proposal. The mitigation plan, included as Exhibit D, is consistent with Subsection C(2) above. Mitigation is proposed for a 550-square-foot area in Mary S. Young Park which meets the standards in 32.080 and 32.050(K). The criteria are met.

*D. The mitigation plan for any wetland area to be disturbed shall be (1) prepared and implemented with the guidance of professionals with experience and credentials in wetland areas and values, and (2) be consistent with requirements set forth by regulatory agencies (U.S. Army Corps and/or DSL) in a joint permit application, if such an application is necessary for the disturbance. Where the alternatives analysis demonstrates that there are no practicable alternatives for mitigation on site, off-site mitigation shall be located as follows:*

- 1. As close to the development site as is practicable above the confluence of the next downstream tributary, or, if this is not practicable,*
- 2. Within the watershed where the development will take place, or as otherwise specified by the City in an approved wetland mitigation bank.*

**Response:** The proposal will not impact any areas identified as wetlands in the City’s Goal 5 analysis or in the local Surface Water Management Plan. The criteria do not apply.

*E. To ensure that the mitigation area will be protected in perpetuity, proof that the area has been dedicated to the City or that a conservation easement has been placed on the property where the mitigation is to occur is required. (Ord. 1545, 2007)*

**Response:** As shown in Exhibit D, the mitigation area will be located on City property in Mary S. Young Park. No additional conservation easements or dedications are necessary. The criterion is met.

**32.080 REVEGETATION PLAN REQUIREMENTS**

*Metro’s Native Plant List is incorporated by reference as a part of this chapter, and all plants used in revegetation plans shall be plants found on the Metro Native Plant List. Performance standards for planting upland, riparian and wetland plants include the following:*

- A. Native trees and shrubs will require temporary irrigation from June 15th to October 15th for the three years following planting.*
- B. Invasive non-native or noxious vegetation shall be removed within the area to be revegetated prior to planting.*
- C. Replacement trees must be at least one-half inch in caliper, measured at six inches above the ground level for field grown trees or above the soil line for container grown trees (the one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round) unless they are oak*



or madrone, which may be one-gallon size. Shrubs must be in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.

D. Trees shall be planted between eight and 12 feet on center and shrubs shall be planted between four and five feet on center, or clustered in single species groups of no more than four plants, with each cluster planted between eight and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing requirements.

E. Shrubs must consist of at least two different species. If 10 trees or more are planted, then no more than 50 percent of the trees may be of the same species.

F. The responsible party shall provide an appropriate level of assurance documenting that 80 percent survival of the plants has been achieved after three years, and shall provide annual reports to the Planning Director on the status of the revegetation plan during the three-year period. (Ord. 1545, 2007)

**Response:** Because no area of the water resource will be temporarily disturbed during the construction of this proposal, a revegetation plan is not required. The criteria do not apply.

#### 56.020 APPLICABILITY

C. Class I design review. The following is a non-exclusive list of Class I design review activities or facilities.

2. New trails, if over 200 feet long (see CDC 56.025).

3. New paths, if over 200 feet long (see CDC 56.025).

**Response:** Although the improvements proposed herein will take place along an existing pedestrian path (which likely developed after years of informal human and animal use), this review will treat the existing path as a new path, as no review regarding the path's design has ever been conducted. The path connecting those open space portions of Robinwood Park, both east and west of Robinwood Creek, is approximately 300-feet in length. Improvements to only the east side are proposed.

#### 56.075 SUBMITTAL STANDARDS FOR CLASS I PARKS DESIGN REVIEW

A. The application for a Class I parks design review shall contain the following elements:

1. A site analysis (per CDC 56.110) only if the site is undeveloped.

**Response:** Robinwood Park is developed. This criterion does not apply.

2. A site plan (per CDC 56.120) is required.

**Response:** A site plan (Sheets 1-1c) consistent with CDC Section 56.120 is included as Exhibit A. The criterion is met.

3. Architectural drawings, including building envelopes and all elevations (per CDC 56.140), but only if architectural work is proposed.

**Response:** Structural detail for the proposed bridge is included as Exhibit F. The criterion is met.

4. Pursuant to CDC 56.085, additional submittal material may be required.



5. Three copies at the original scale and three copies reduced to 11 inches by 17 inches or smaller of all drawings and plans must be submitted. Three copies of all other items must be submitted. When the application submittal is determined to be complete, additional copies may be required as determined by the Planning Department.

**Response:** The applicant has requested and the Planning Director has granted (in accordance with the authority provided in 99.325(B)(1)), a waiver of the three copy requirement in exchange for; one copy of all plans at the original scale, one reduced (11x17) copy, a CD of all maps and plans, and a guarantee to provide additional copies to the department or other reviewing agencies as requested. The criterion is met.

**56.090 APPROVAL STANDARDS – CLASS I DESIGN REVIEW**

*The Planning Director shall make a finding with respect to the following criteria when approving, approving with conditions, or denying a Class I design review application:*

A. *The provisions of the following sections shall be met:*

1. *CDC 56.100(C)(1) through (5), Relationship to the natural physical environment, shall apply except in those cases where the proposed development site is substantially developed and built out with no natural physical features that would be impacted.*
2. *CDC 56.100(D), Facility design and relationship to the human environment, shall only apply in those cases that involve exterior architectural construction, remodeling, or changes.*
3. *Pursuant to CDC 56.085, the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.*

B. *The Planning Director shall determine the applicability of the approval criteria in subsection A of this section. (Ord. 1547, 2007)*

**56.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW**

C. *Relationship to the natural environment*

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 the direction of the City Manager.*

**Response:** The proposed trail improvements (two new sets of stairs, each 5-8 steps) have been designed to avoid impact to any trees. The criterion is met.

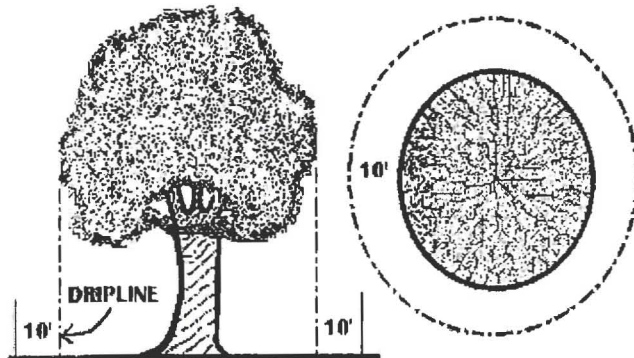
2. *All heritage trees, as defined in the municipal code, and all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually 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 (C)(2)(a) through (c) of this section. It is important to acknowledge that all trees are not significant.*

a. *Areas of the park that include non-Type I and II lands shall protect all heritage trees and all significant trees through the careful layout of streets, building pads, playing fields, and utilities. The*





method for delineating the protected trees or tree clusters (“dripline + 10 feet”) is explained in subsection (C)(2)(b) of this section. Exemptions of subsection (C)(2)(c) of this section shall apply.



**PROTECTED AREA = DRIPLINE + 10 FEET**

**Response:** Improvements to the trail will take place entirely on Type I and II lands and therefore this criterion is not applicable.

*b. Areas of the park that include Type I and II lands shall protect all heritage, significant and non-significant trees. Groundcover, bushes, etc., shall be protected and may only be disturbed to allow the construction of trails or accessing and repairing utilities. Exemption of subsection (c) below shall apply.*

**Response:** Improvements to the trail, which include the addition of two new sets of stairs, each of approximately 5-8 steps, have been designed to avoid impact to any heritage, significant and non-significant trees. Construction of these new stair sets will include the removal of invasive English Ivy in the areas immediately surrounding the new stairs. The criterion is met.

*3. In the case of natural resource areas, the topography shall be preserved to the greatest degree possible. Conversely, in non-natural resource areas, it is recognized that in order to accommodate level playing fields in an active-oriented park, extensive grading may be required and the topography may be modified.*

**Response:** The stairs will be located entirely within a natural resource area and will follow the existing terrain. The criterion is met.

*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:** The location of slide prone areas is included in the Site Analysis in Exhibit B. As proposed, the new stairs will be located outside of these areas. The criterion is met.

*5. The park shall be designed in such a way as to take advantage of scenic views and vistas from the park site, as long as such views can be obtained without eliminating significant trees or other natural vegetated areas.*



**Response:** The design of Robinwood Park was approved by the West Linn City Council through MISC-01-22 on January 18, 2002, and is not proposed to be modified in any way with this submittal. The proposed stairs will not modify scenic views or vistas in the park. This criterion does not apply.

*G. Crime prevention and safety/defensible space.*

*2. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime, to enhance public safety, and away from natural resource areas to minimize disturbance of wildlife.*

**Response:** No new exterior lighting is proposed. Robinwood Park operates seven days a week from dawn until dusk. Natural lighting is sufficient during the park's hours of operation to provide the level of crime prevention and public safety outlined in Subsection G(2) above. Additionally, Subsection (8) below discusses the appropriateness in addressing crime prevention and public safety through the use of limited hours of operation. The criterion does not apply.

*3. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as large parking lots, stairs, ramps, and abrupt grade changes during hours of intended use or operation.*

**Response:** No new exterior lighting is proposed. Robinwood Park operates seven days a week from dawn until dusk. Natural lighting is sufficient during the park's hours of operation to provide the level of public safety along the path as outlined in Subsection G(3) above. The criterion does not apply.

*4. 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 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.*

**Response:** No new exterior lighting is proposed. The criterion does not apply.

*7. Large or visually inaccessible parks should ensure that at least some emergency vehicle access is provided to the park's interior.*

**Response:** Emergency vehicle access is available to interior locations near the west and east sides of Robinwood Park via the undeveloped Arbor Drive right-of-way and the park driveway, respectively. The criterion is met.

*8. Closure times may be posted and/or gates may be installed at City parks to discourage their use at night if necessary for crime prevention and/or public safety.*

**Response:** Robinwood Park operates seven days a week from dawn until dusk. Natural lighting is sufficient during the park's hours of operation to provide the level of crime prevention and public safety as outlined in this section. The criterion is met.

*9. Park landscaping shall accommodate safety concerns with appropriate use of plant types and ease of maintenance.*



**Response:** No new landscaping is proposed. Revegetation, consistent with CDC Section 32.050, will occur near the proposed bridge and near the proposed stairs. The criterion does not apply.

1. *Paths and trails. Paths and trails connect the various activity areas within the park. They can also serve as part of a greater system of connective trails from one neighborhood or destination to another. Just like streets, there is a hierarchy of paths and trails.*

3. *Smaller or reduced width paths, within park boundaries, can be built to link lesser activity areas or areas of attraction. Walkers, cyclists, or runners who do multiple loops for exercise often use these paths. These paths may be crushed gravel or paved and at least six feet wide.*

4. *Nature trails are typically three to six feet wide, gravel, hog fuel, or packed earth. These trails are especially attractive to persons seeking quieter parts of the park for natural interpretation or solitude. Other user groups often use them for exercise loops. Trails and footbridges in natural areas should be designed to minimize disturbance of significant resources. Limiting access to creek beds, potentially erosive slopes, or wetlands by humans and dogs is an important measure if habitat or resource protection is to be addressed. At least initially, the use of these trails by all user groups should be encouraged. Changes or restrictions to some user groups shall be based on empirical observations at that specific site.*

**Response:** The existing trail is currently and will be maintained in a manner consistent with the description developed for nature trails in Subsection (4) above, as it provides opportunities for persons seeking quieter parts of the park for natural interpretation and solitude. This trail is composed of packed earth and is approximately two- to three-feet wide. Improvements to the trail include two new sets of stairs (each approximately 5-8 steps) and a bridge across Robinwood Creek. These improvements have been designed and located to minimize impacts to natural resources. The criteria are met.

7. *All paths and trails shall be clearly identified with signs. They shall be laid out to attract use and to discourage people from cutting across landscaped areas or impacting environmentally sensitive areas.*

**Response:** The location of required trail signage is included in Exhibit A, Sheet 2. The location of trail signage has been designed to inform park users of the presence of the path while minimizing unnatural aesthetic disturbance to the resource. The criterion is met.

K. *Miscellaneous criteria. Selected elements of the following chapters shall be met. It is not necessary to respond to all the submittal standards or approval criteria contained in these chapters, only those elements that are found to be applicable by the Planning Director at the pre-application conference pursuant to CDC 99.030(B) and (C):*

1. *Chapter 33 CDC, Stormwater Quality and Detention.*

**Response:** CDC Chapter 33 is not applicable to this request as the proposal would not create 500 square feet or more of new impervious area.

9. *Chapter 52 CDC, Signs.*

**Response:** Per CDC Subsection 52.109(D), City signs are exempt from the provisions of Chapter 52. CDC Section 52.020 defines a City Sign as, "signs which are erected and maintained by the City. This shall include temporary signs which are specifically approved by the City for placement in the public



right-of-way in accordance with a resolution adopted pursuant to CDC 52.190.” Chapter 52 is therefore, not applicable.

10. *Chapter 54 CDC, Landscaping. In addition, landscape plans shall incorporate plants which minimize irrigation needs without compromising recreational facilities or an attractive park environment.*

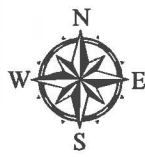
**Response:** West Linn’s landscaping standards, as established in CDC Chapter 54, are intended to “...provide an attractive natural balance to built areas, to reduce runoff, to provide shade, to screen or buffer uses, and to frame or complement views.” Revegetation, as required by CDC Chapter 32, will take place within a disturbed portion of water resource area in Mary S. Young Park. Landscaping in this natural area would have a counterproductive effect as it is likely to diminish the site’s natural character. It is therefore, that the applicant requests a waiver in responding to the standards contained in CDC Chapter 52.

#### **56.140 ARCHITECTURAL DRAWINGS**

*Architectural drawings shall be submitted showing:*

- A. Building elevations and sections;*
- B. Building materials: color and type;*
- C. The name of the architect or designer.*

**Response:** Exhibit F includes detail regarding the bridge elevations and sections. The bridge architect is unknown. The bridge was designed by Pat O’Brien for the West Linn Parks Department, (503) 557-4700. The bridge will be constructed using a combination of natural wood and composites.

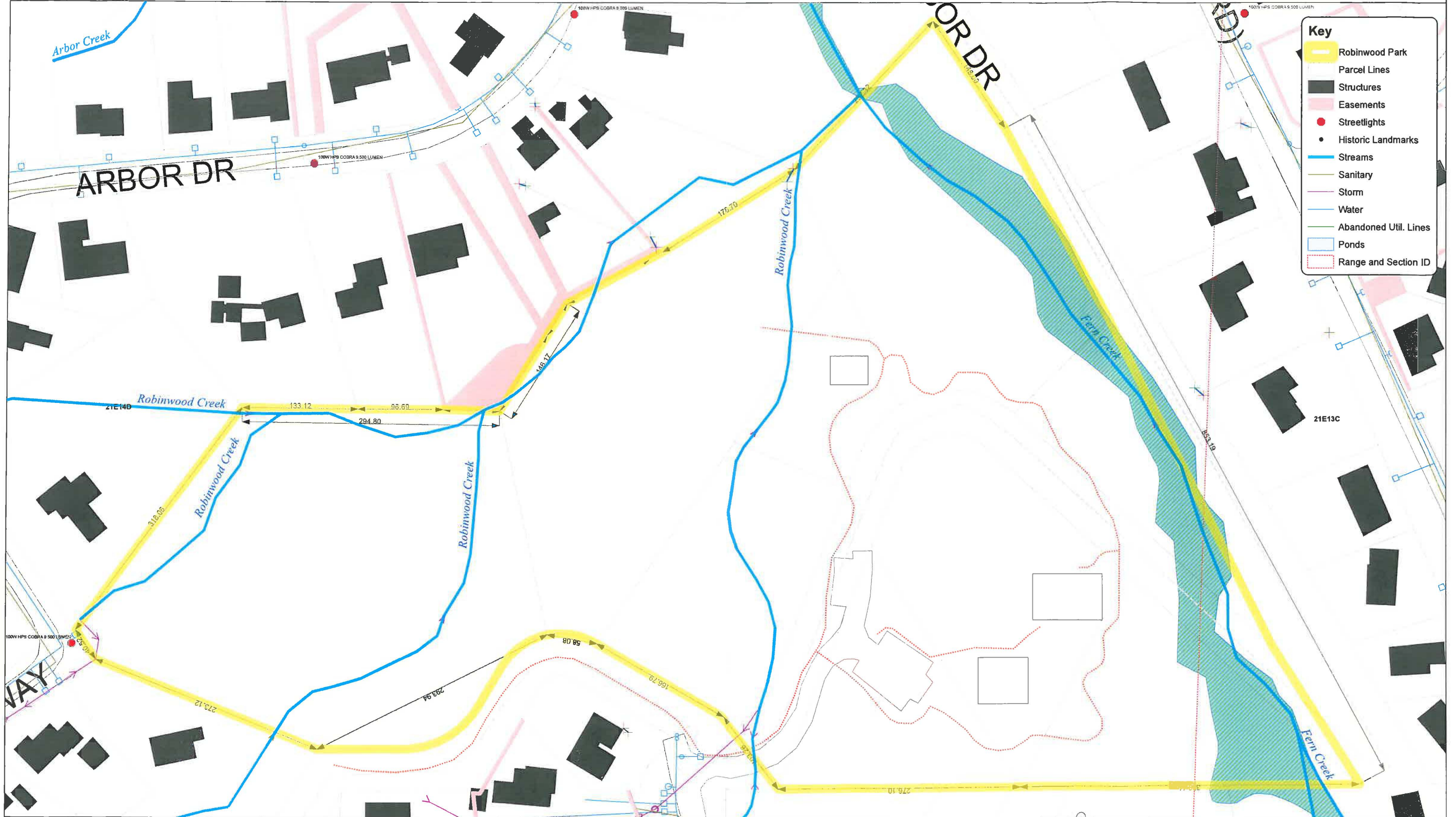


# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

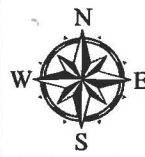
Exhibit A

## Sheet 1: Overall Site Plan



- Key**
- Robinwood Park
  - Parcel Lines
  - Structures
  - Easements
  - Streetlights
  - Historic Landmarks
  - Streams
  - Sanitary
  - Storm
  - Water
  - Abandoned Util. Lines
  - Ponds
  - Range and Section ID

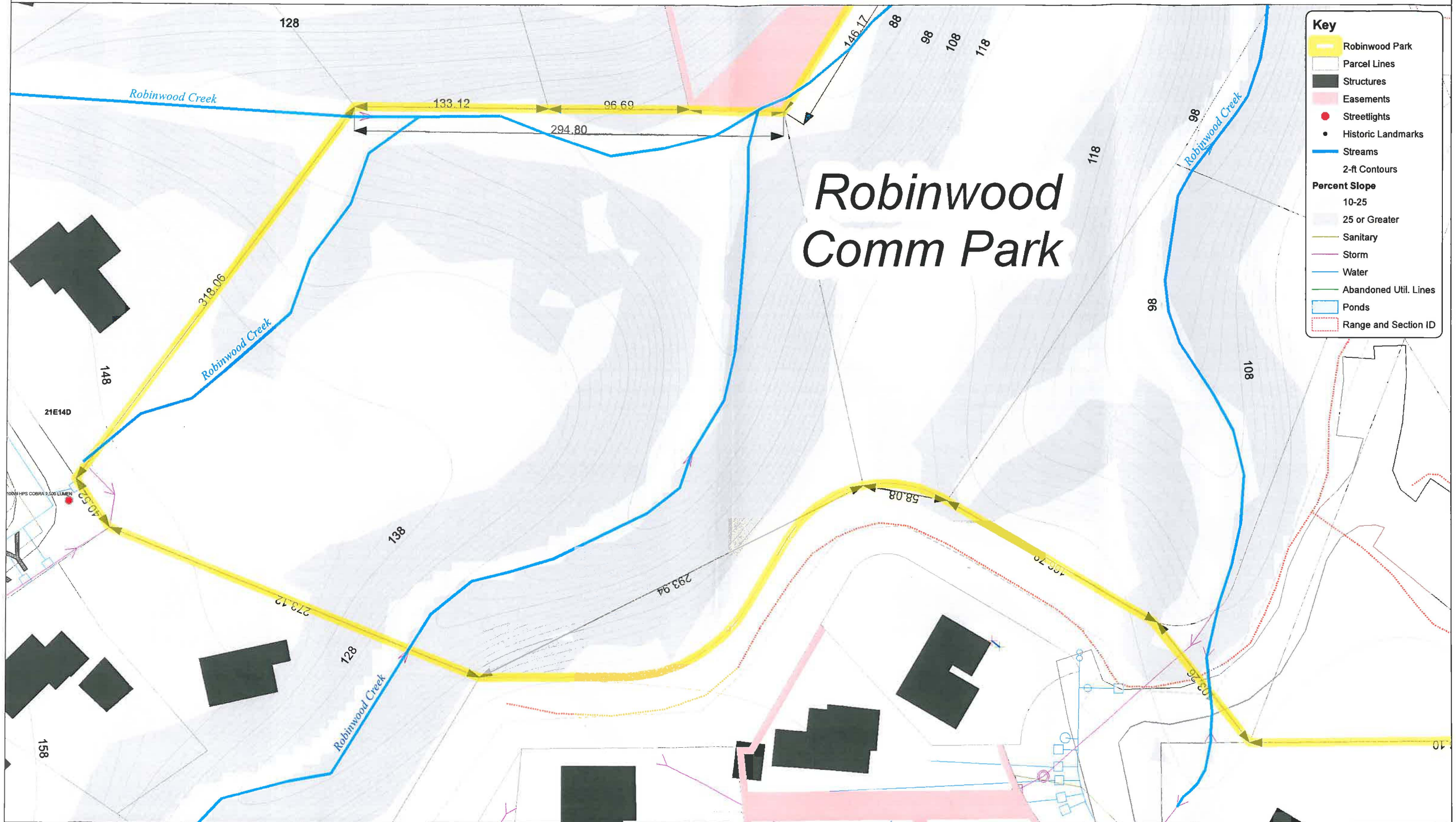
This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

## Sheet 1a: Overall Site Plan



**Key**

- Robinwood Park
- Parcel Lines
- Structures
- Easements
- Streetlights
- Historic Landmarks
- Streams
- 2-ft Contours
- Percent Slope**
- 10-25
- 25 or Greater
- Sanitary
- Storm
- Water
- Abandoned Util. Lines
- Ponds
- Range and Section ID

# Robinwood Comm Park

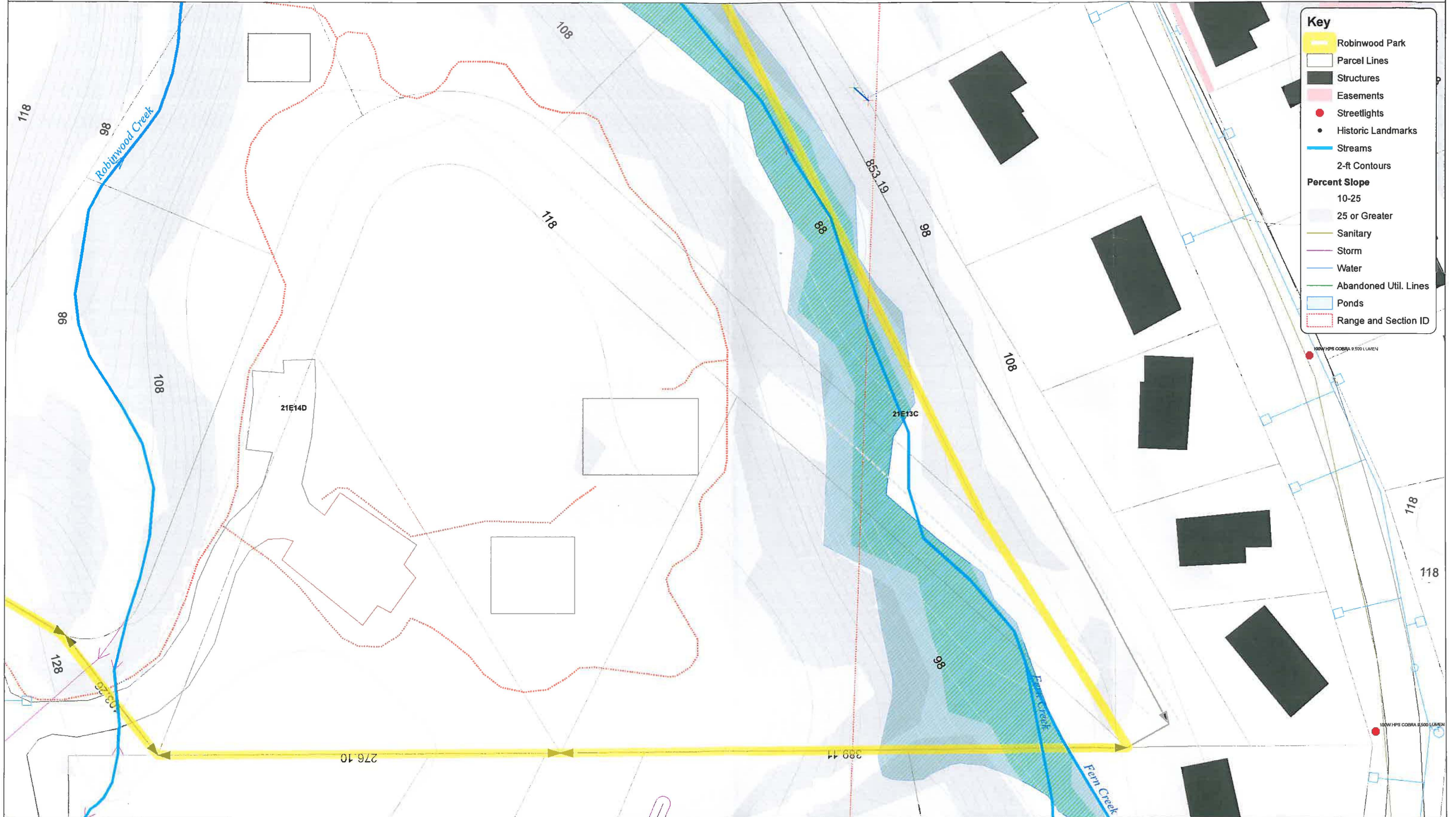
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

## Sheet 1b: Overall Site Plan



**Key**

- Robinwood Park
- Parcel Lines
- Structures
- Easements
- Streetlights
- Historic Landmarks
- Streams
- 2-ft Contours
- Percent Slope**
- 10-25
- 25 or Greater
- Sanitary
- Storm
- Water
- Abandoned Util. Lines
- Ponds
- Range and Section ID

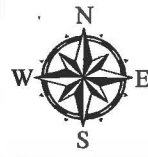
This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

West Linn  
**GIS**  
Page 87 of 99 - Planning Director Decision

0 10 20 40 60 80 Feet  
1 in = 30 ft

Tadot Base Source: MAPSILL  
GEOGRAPHIC INFORMATION SYSTEM  
C:\projects\robinwood\project\_work\2015\Robinwood Park\bridge\_2015\site\_plan\sheet1b.mxd December 14, 2015

Owner: City of West Linn  
Owner Address: City of West Linn Parks and Recreation, Attn. Ken Worcester, 22500 Salamo Rd., West Linn, OR 97068  
Project Designer: mperkins/zpelz  
(503) 723-2542



# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

## Sheet 1c: Overall Site Plan



**Key**

- Robinwood Park
- Parcel Lines
- Structures
- Easements
- Streetlights
- Historic Landmarks
- Streams
- 2-ft Contours
- Percent Slope**
- 10-25
- 25 or Greater
- Sanitary
- Storm
- Water
- Abandoned Util. Lines
- Ponds
- Range and Section ID

# Robinwood

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

West Linn  
**CIS**  
GEOGRAPHIC INFORMATION SYSTEMS

Page 88 of 99 - Planning Director Decision

Tsdf Base Source: WLM 512

©P:\proj\shenq\projct\_wlm\_012\Robinwood Park\Map\_2019\wlm\_012.mxd December 14, 2018

0 10 20 40 60 80 Feet  
1 in = 30 ft

Owner: City of West Linn  
Owner Address: City of West Linn Parks and Recreation, Attn. Ken Worcester, 22500 Salamo Rd., West Linn, OR 97068  
Project Designer: mperkins/zpelz  
(503) 723-2542

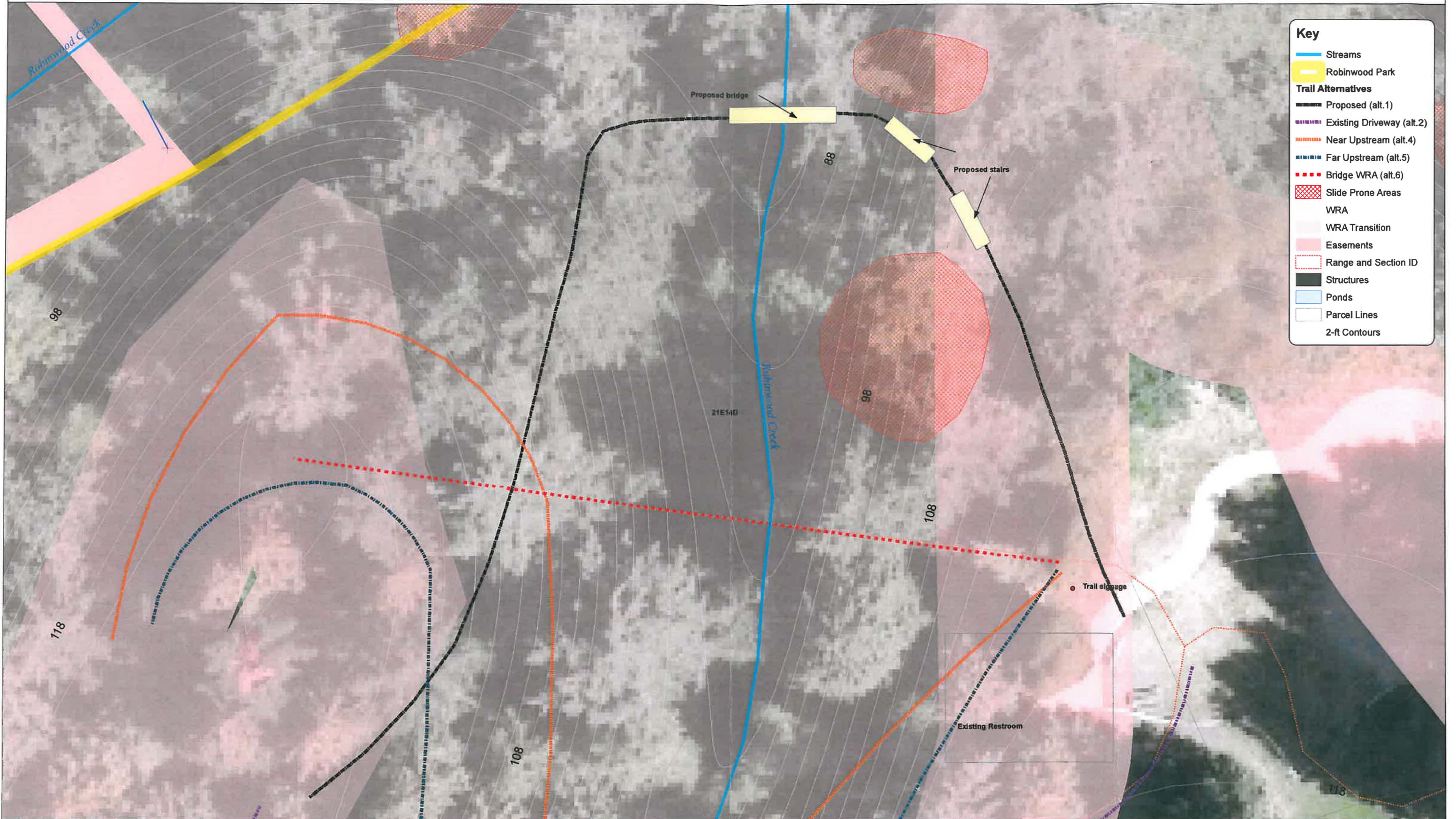




# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

## Sheet 2: Detailed Site Plan



**Key**

- Streams
- Robinwood Park
- Trail Alternatives**
- Proposed (alt.1)
- Existing Driveway (alt.2)
- Near Upstream (alt.4)
- Far Upstream (alt.5)
- Bridge WRA (alt.6)
- Slide Prone Areas
- WRA
- WRA Transition
- Easements
- Range and Section ID
- Structures
- Ponds
- Parcel Lines
- 2-ft Contours

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

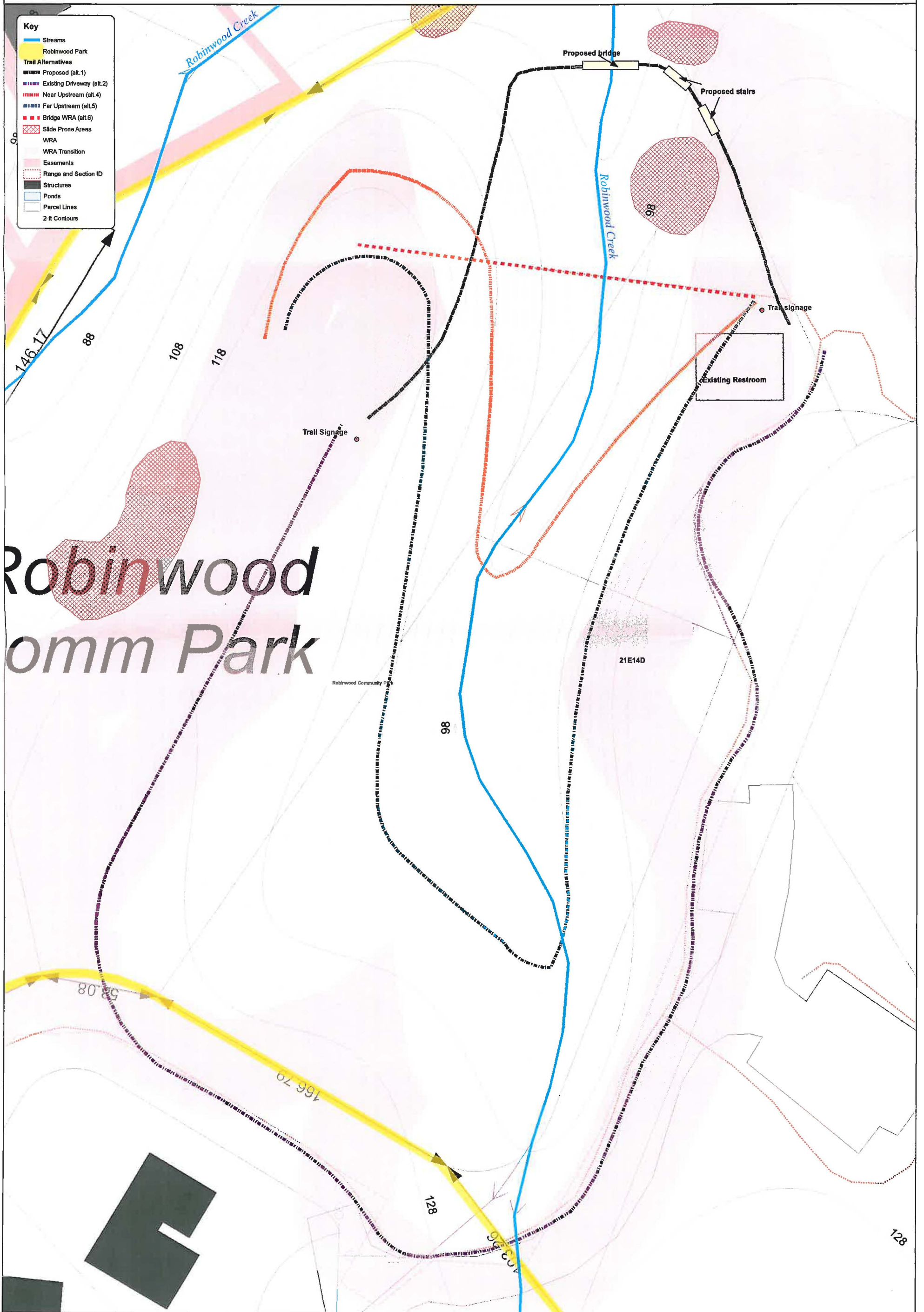


# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

## Sheet 3: Trail Alternatives

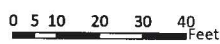
- Key**
- Streams
  - Robinwood Park
  - Trail Alternatives**
    - Proposed (alt.1)
    - Existing Driveway (alt.2)
    - Near Upstream (alt.4)
    - Far Upstream (alt.5)
    - Bridge WRA (alt.6)
  - Slide Prone Areas
  - WRA
  - WRA Transition
  - Easements
  - Range and Section ID
  - Structures
  - Ponds
  - Parcel Lines
  - 2-ft Contours



# Robinwood Community Park

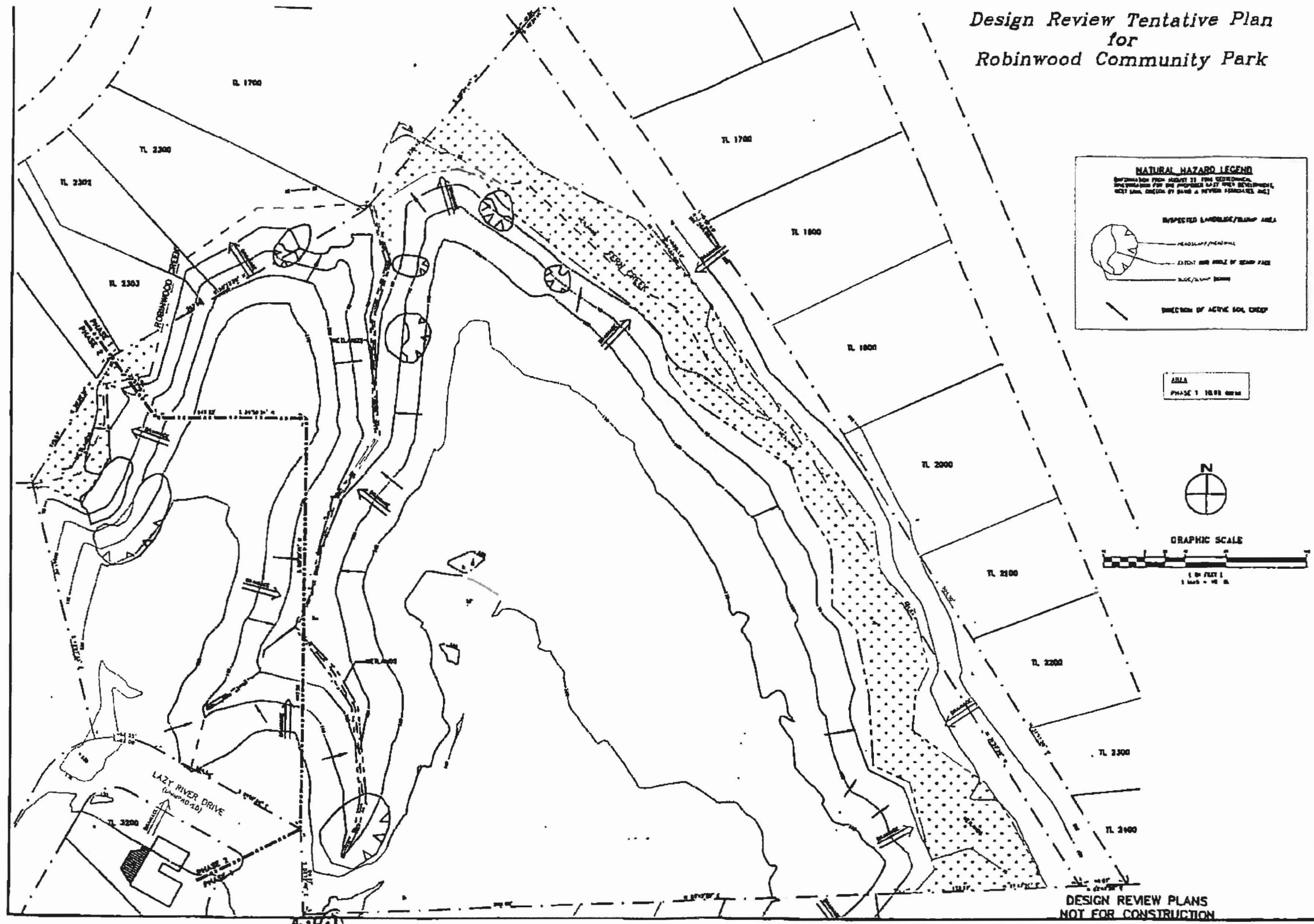
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Trailer Base Source: Metro RUS



1 in = 22 ft

Design Review Tentative Plan  
for  
Robinwood Community Park



Robinwood Community Park	
CITY OF WEST LINN PARKS & RECREATION DEPT.	
Site Analysis	
SISUL ENGINEERING 275 PORTLAND AVENUE CLATSOP, OREGON 97107 (503) 857-0100	
DATE	JUNE 2004
SCALE	1" = 40'
BY	CS
CHECKED	CS
DATE	01-01-04
NO.	3
OF	3 SHEETS

Exhibit B

**Appendix F  
City of West Linn  
Natural Resource Assessment**

**LOWER WILLAMETTE RIVER WATERSHED**

***FERN CREEK BASIN***

**Arbor Creek, Robinwood Creek, and Fern Creek**

**Arbor Creek (AR-R-1)**

Tributary to Fern Creek

Location: Fern Creek to Skye Parkway  
Description: Fish bearing stream flows through a forested ravine along the northern city limits, bordered by residential neighborhoods and Marylhurst University. Confluence with Fern Creek is near outfall to the Willamette River.  
Fish bearing? Yes  
Fish barriers: Culverts, large drop to Willamette River  
Channel type: Steep narrow valley channel  
Bank/channel conditions: Generally stable; some areas of erosion  
Notes: Good in-stream structure, nests in alder, young cedar regeneration.  
Recommendations: Restore gaps in vegetated riparian corridor to improve habitat and slope stabilization values. Pre-treat stormwater discharges and remove in-stream obstacles for fish passage. Manage invasive plant species.

**FES Field Notes 10/29/02:**

At Willamette Drive (Highway 43), good flow downstream, some bubbles indicate water quality concern, 1-foot drop and 1-foot plunge pool at culvert. English ivy very bad (heavy infestation), and Himalayan blackberry very invasive. Stream downcutting 3 feet, losing back yards.

Downstream: Public path, less steep gradient, no downcutting, into Troutdale Formation. Old culvert under old farm road could be removed for boardwalk (behind 2831 Arbor Drive).

Note that there is a fish barrier at Fern Creek – Willamette River outfall.

**Robinwood Creek (RO-R-1)**

Tributary to Fern Creek

Location: Fern Creek confluence to Hillcrest  
Description: A diverse, densely vegetated corridor; Robinwood Creek emerges from a secluded hillside ravine, passes through a locally rare Oregon ash - slough sedge wetland, then enters a steep, forested canyon where it meets Fern Creek on city park land.  
Fish bearing? Potential  
Fish barriers: Culverts, large drop to Willamette River  
Channel type: Steep narrow valley channel  
Bank/channel conditions: Segments of eroded banks, incised channel  
Notes: Oak / madrone community on hillside rocky slopes  
Recommendations: Manage ivy and blackberry encroachment (City has started this work on future park lands). Explore options to improve terrestrial and aquatic habitat connectivity at road crossings.

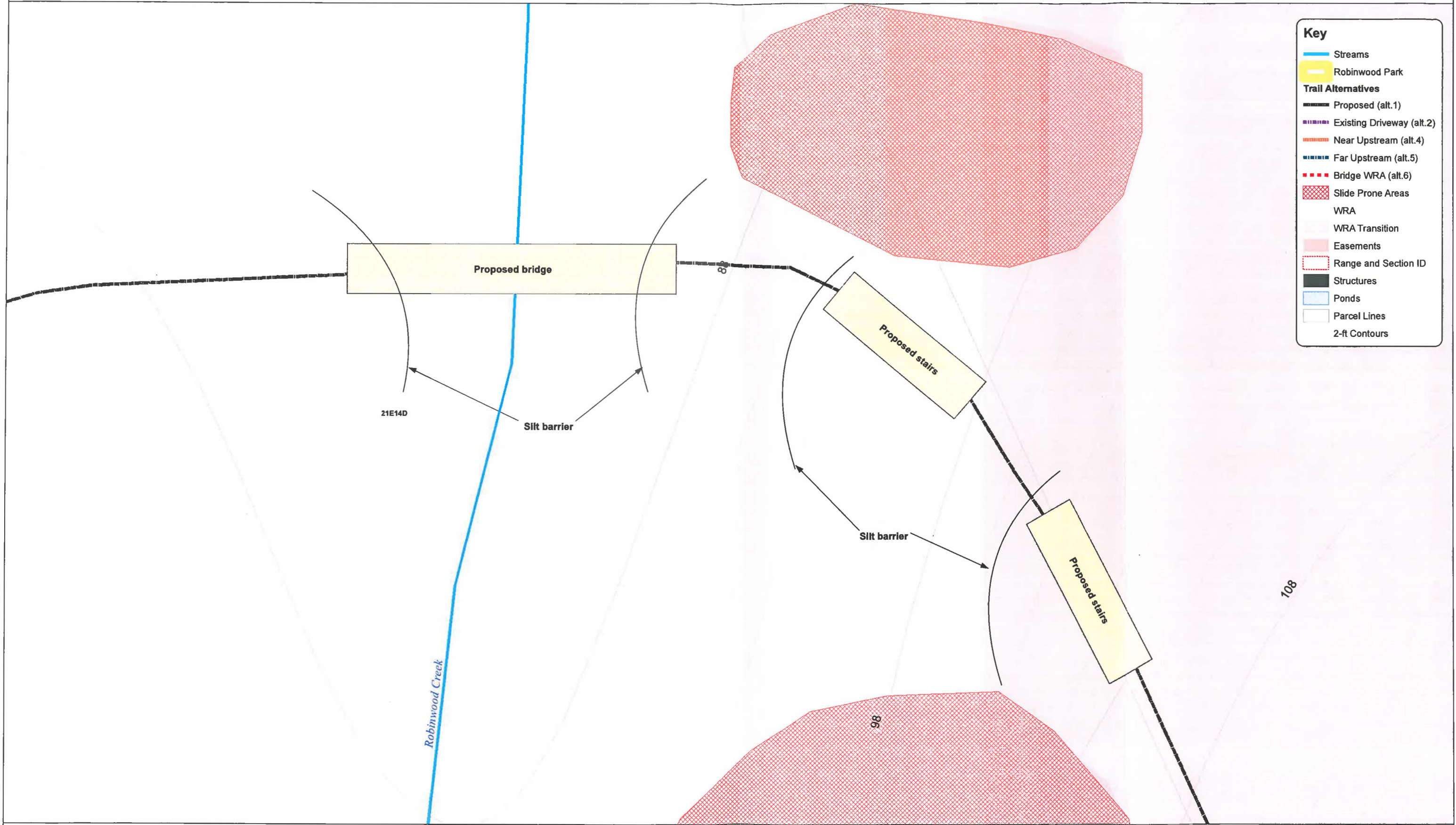


# Robinwood Creek Bridge Replacement Project

Robinwood Park, West Linn, OR

Exhibit E

## Sheet 4: Erosion Control



**Key**

- Streams
- Robinwood Park
- Trail Alternatives**
- Proposed (alt.1)
- Existing Driveway (alt.2)
- Near Upstream (alt.4)
- Far Upstream (alt.5)
- Bridge WRA (alt.6)
- Slide Prone Areas
- WRA
- WRA Transition
- Easements
- Range and Section ID
- Structures
- Ponds
- Parcel Lines
- 2-ft Contours

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Exhibit E

**31.070 EROSION AND SEDIMENT CONTROL DESIGN STANDARDS**

The following specific methods of soil erosion and sediment control shall be used during construction to control visible and measurable erosion. These methods shall be consistent with the *Erosion Prevention and Sediment Control Plans, Technical Guidance Handbook* (Clackamas County Department of Utilities, most current edition).

A. All land area proposed for excavation, vegetation removal, soil stockpiling, or which will have exposed soil shall be considered part of the development site.

B. May 1st through September 30th, the duration of soil exposure shall be kept to a maximum of 21 days. All disturbed soil that remains exposed for 21 days or more during construction shall be treated with an erosion control cover (i.e., plastic, seeding or mulching), following grading or construction, until soils are revegetated or otherwise stabilized.

C. October 1st through April 30th, the duration of soil exposure shall be kept to a maximum of seven days. All disturbed soil that remains exposed for seven days or more during construction shall be treated with an erosion control cover (i.e., plastic, seeding or mulching), following grading or construction, until soils are revegetated or otherwise stabilized.

D. During construction, runoff from the development site shall be controlled, and runoff and sediment resulting therefrom shall be retained on site.

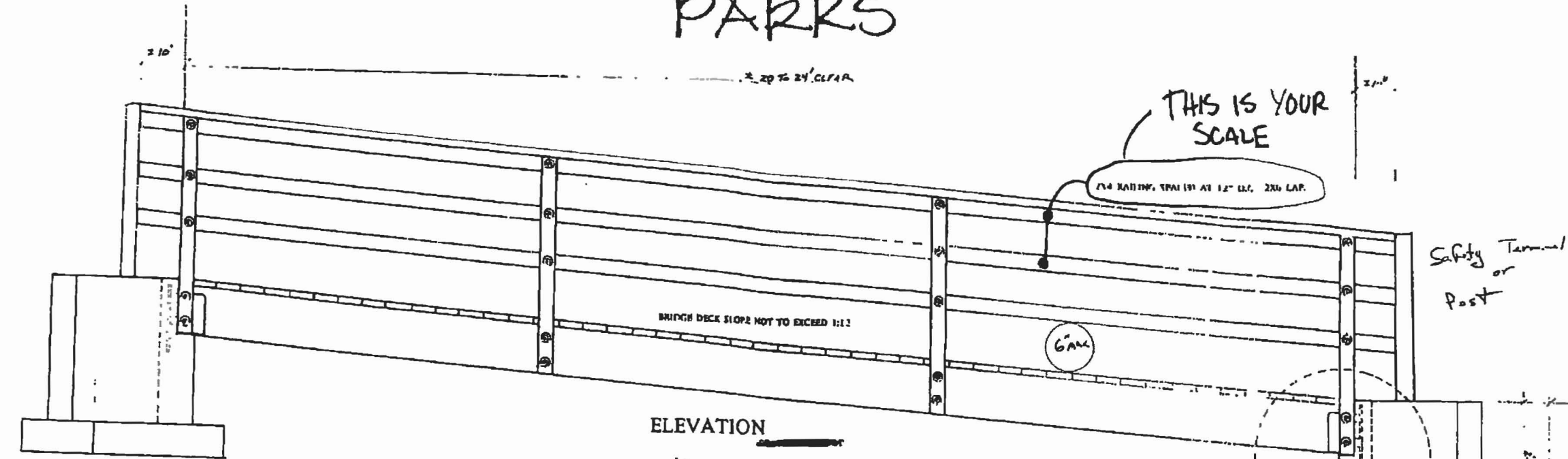
E. A stabilized pad of gravel shall be laid and maintained at all entrances and exits to any development site from which vehicular traffic may track soil or debris onto the public right-of-way. The gravel pad(s) shall be installed and inspected by City staff prior to any development or site preparation. No other vehicular entrance or exit may be used to access the development site.

F. Gravel pads shall be maintained to function properly. If the gravel pad does not adequately remove dirt and mud from the vehicle wheels, such that mud tracking is evident off site, additional measures must be taken.

G. Topsoil removed for development shall be stockpiled and reused to the degree necessary to restore disturbed areas to their original or enhanced condition, or to assure a minimum of six inches of stable topsoil for revegetation. Additional soil shall be provided if necessary, to support revegetation. Soil shall be stockpiled outside of tree dripline, so as not to affect existing tree health.

H. The owner shall be responsible for the prompt cleanup of all sediments that are carried onto any public or private streets, or onto adjacent property as soon as the owner becomes aware of such problems or within the time required by the City. The owner shall be responsible for cleaning and repairing streets, catch basins, drainageways, stormwater drainage facilities, and adjacent properties contaminated or damaged by sediment. Failure to do so will be in violation of this code.

# TYPICAL TRAIL BRIDGE WEST LINN PARKS

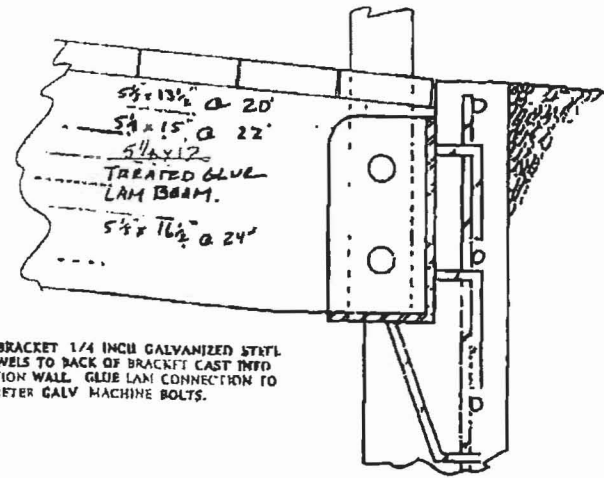


ELEVATION  
NOT TO SCALE

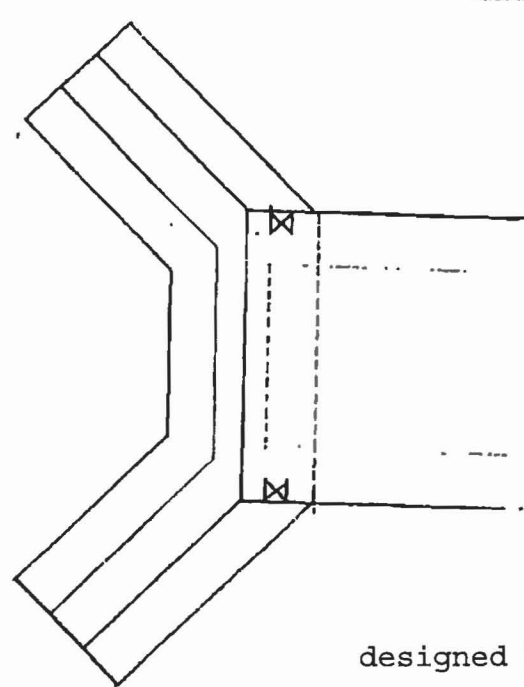
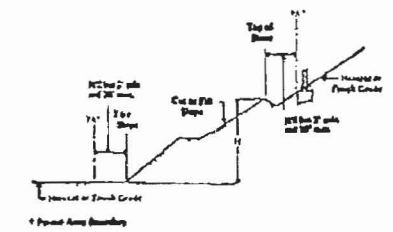
- GENERAL NOTES
1. CONCRETE TO BE 3,000 PSI REINFORCING STEEL, #4 GRADE 60.
  2. ALL LUMBER AND GLUE LAMS TO BE PRESSURE TREATED, ALL DIMENSIONAL LUMBER AND DECKING TO BE "OUTDOOR WOOD, OR EQUAL"
  3. ALL WOOD TO WOOD BOLT FASTENERS TO BE 3/8" GALV. BOLTS WITH MALLEABLE IRON WASHERS.
  4. SCREW 2X6 DECKING TO GLUE LAMS WITH NON-CORROSIVE DECK SCREWS.

OPTIONAL FOUNDATION IN LINA OF CONCRETE  
RAILROAD TIES, STITCHED INTO HILLSIDE AND TIED TOGETHER WITH #4 REINFORCING STEEL IN A CONFIGURATION SIMILAR TO THE CONCRETE FOUNDATION SHOWN.

FABRICATED BEAM BRACKET 1/4 INCH GALVANIZED STEEL WELD #4 REBAR DOWELS TO BACK OF BRACKET CAST INTO CONCRETE FOUNDATION WALL. GLUE LAM CONNECTION TO BE 2 BA. 3/8" DIAMETER GALV MACHINE BOLTS.

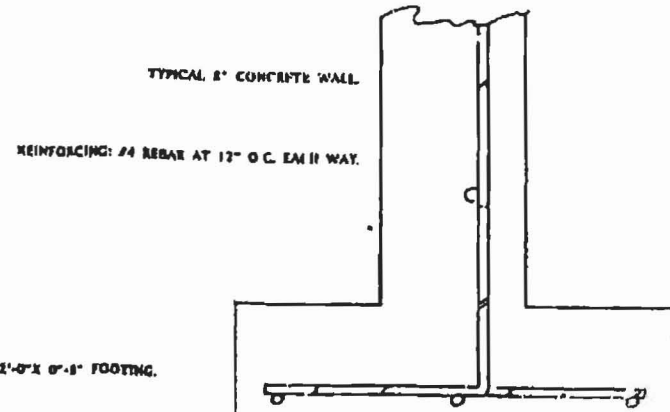


APPENDIX 1801 UNIFORM BUILDING CODE



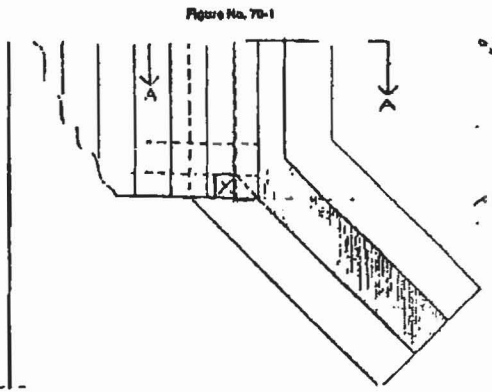
APPROVED PLAN  
City of West Linn  
Planning Director's Signature  
DATE: *Jan 20, 2010*  
BY: *Pat O'Brien*

THIS PLAN REVIEW APPROVAL DOES NOT PREVENT THE CITY OF WEST LINN FROM CHANGING THE PLAN AT ANY TIME.



designed by: Pat O'Brien

TYPICAL 2'-0\"/>





### DEVELOPMENT REVIEW APPLICATION

For Office Use Only

PROJECT NO. <i>DR-11-01 / WAP-11-01</i>	STAFF CONTACT <i>TOM SÖPPE</i>
NON-REFUNDABLE FEE(S) <i>NA</i>	REFUNDABLE DEPOSIT(S) <i>NA</i>
	TOTAL <i>NA</i>

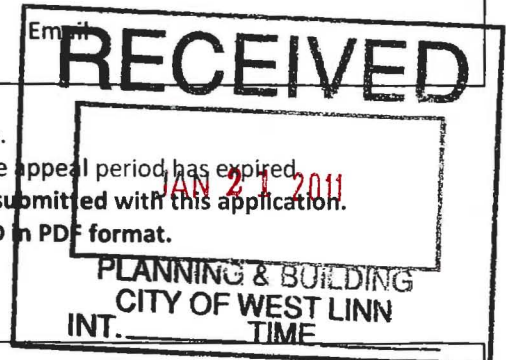
Type of Review (Please check all that apply):

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Annexation                              | <input type="checkbox"/> Historic Review                            | <input type="checkbox"/> Quasi-Judicial Plan or Zone Change                |
| <input type="checkbox"/> Appeal and Review *                     | <input type="checkbox"/> Legislative Plan or Change                 | <input type="checkbox"/> Street Vacation                                   |
| <input type="checkbox"/> Conditional Use                         | <input type="checkbox"/> Lot Line Adjustment * / **                 | <input type="checkbox"/> Subdivision                                       |
| <input checked="" type="checkbox"/> Design Review                | <input type="checkbox"/> Minor Partition (Preliminary Plat or Plan) | <input type="checkbox"/> Temporary Uses *                                  |
| <input type="checkbox"/> Easement Vacation                       | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures     | <input type="checkbox"/> Tualatin River Greenway                           |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities      | <input type="checkbox"/> One-Year Extension *                       | <input type="checkbox"/> Variance  |
| <input type="checkbox"/> Final Plat or Plan                      | <input type="checkbox"/> Planned Unit Development                   | <input checked="" type="checkbox"/> Water Resource Area Protection/Wetland |
| <input type="checkbox"/> Flood Plain Construction                | <input type="checkbox"/> Pre-Application Conference *               | <input type="checkbox"/> Willamette River Greenway                         |
| <input type="checkbox"/> Hillside Protection and Erosion Control |   |  |

Home Occupation, Pre-Application, Sidewalk Use Application\*, Sign Review Permit Application\*, and Temporary Sign Permit Application require different or additional application forms, available on the City Website or at City Hall.

Site Location/Address  <i>Robinwood Park / No site address</i>	Assessor's Map No.
	Tax Lot <i>21E14DA 3500 +</i>
	Total Land Area <i>14.94 ac</i>
Brief Description of Proposal <i>Construct pedestrian footbridge across Robinwood Cr. New stairs.</i>	
Owner Name & Address <i>City of West Linn Ken Warburton 22500 Salamo Rd., West Linn</i>	<input checked="" type="checkbox"/> Check if this is the applicant. Phone <i>(503) 723-2542</i> Email <i>zputz@westlinnoregon.gov</i>
Consultant Name & Address	<input type="checkbox"/> Check if this is the applicant. Phone Email

- All application fees are non-refundable (excluding deposit).
  - The owner/applicant or their representative should be present at all public hearings.
  - A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
  - Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format.**  
If large sets of plans are required in application please submit only two sets.
- \* No CD required / \*\* Only one copy needed



The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. The applicant waives the right to the provisions of ORS 94.020. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

<i>[Signature]</i>	<i>1/21/2011</i>
Applicant's signature	Date
Owner's signature	Date



CITY OF WEST LINN  
 22500 Salamo Rd.  
 West Linn, OR. 97068  
 (503) 656-4211

PLANNING RECEIPT  
 Receipt: # 936334  
 Date : 01/21/2011  
 Project: #DR-11-01  
 BY: SR

\*\*\*\*\*

NAME : CITY OF WEST LINN PARKS

ADDRESS : 22500 SALAMO RD

CITY/STATE/ZIP: WEST LINN OR 97068

PHONE # : 503-657-0331

SITE ADD. : ROBINWOOD PARK TL#21E14DA3500+

\*\*\*\*\*

TYPE I HOME OCCUPATIONS		HO	\$	
PRE-APPLICATIONS	Level I ( ), Level II ( )	DR	\$	
HISTORIC REVIEW	Residential Major ( ), Minor ( ), New ( )	DR	\$	
	Commercial Major ( ), Minor ( ), New ( )			
SIGN PERMIT	Face ( ), Temporary ( ), Permanent ( )	DR	\$	
SIDEWALK USE PERMIT		DR	\$	
APPEALS	Plan. Dir. Dec. ( ), Subdivision ( ),	DR	\$	
	Plan Comm./City Coun. ( ), Nbhd ( )			

LOT LINE ADJUSTMENT		LA	\$	
CITY/METRO BUSINESS LICENSE		BL	\$	

\*\*\*\*\*

The following items are paid by billing against the up-front deposit estimate.  
 If the amount of time billed to your project exceeds the amount covered by the  
 deposit, additional payment may be required.

DESIGN REVIEW	Class I ( ), Class II (X)	RD	\$	0.00
VARIANCE	Class I ( ), Class II ( )	RD	\$	
SUBDIVISION	Standard ( ), Expedited ( )	RD	\$	
ANNEXATION	"Does Not Include Election Cost"	RD	\$	
CONDITIONAL USE		RD	\$	
ZONE CHANGE		RD	\$	
MINOR PARTITION		RD	\$	
MISCELLANEOUS PLANNING		RD	\$	

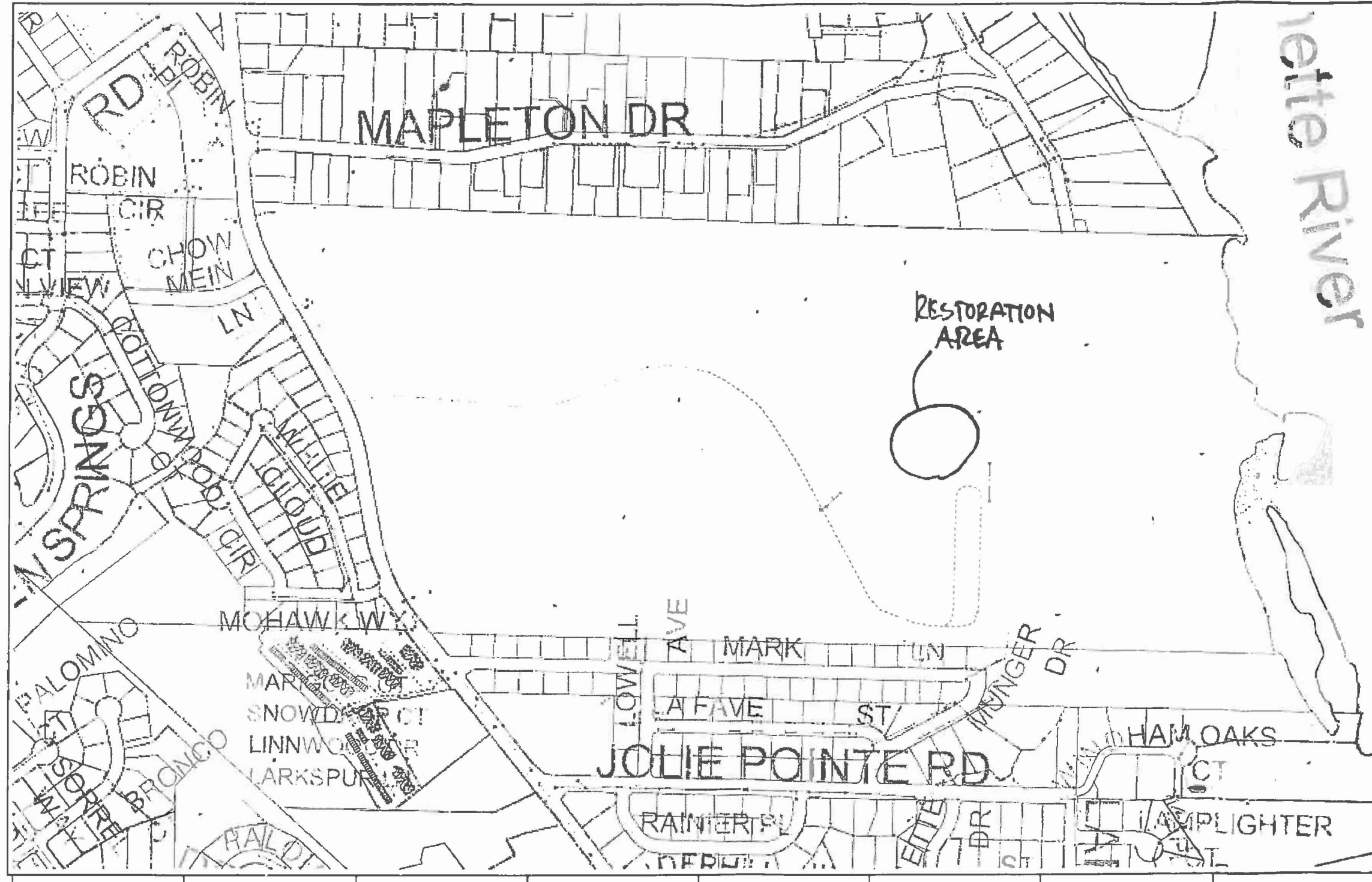
Boundry Adjustments	( )		
Modification to approval	( )	Water Resource	
Code Amendments	( )	Area Protection	(X)
Comp. Plan Amendments	( )	Street Vacations	( )
Temporary Permit Admin.	( )	Easement Vacations	( )
Temporary Permit Council	( )	Will. River Greenway	( )
Flood Management	( )	Tualatin River Grwy.	( )
Inter-Gov. Agreements N/C	( )	Street Name Change	( )
Alter Non-Conforming Res.	( )	Code Interpretations	( )
Alter Non-Conforming Comm.	( )	Type II Home Occ.	( )
Measure 37 Claims	( )	Planned Unit Dev. PUD	( )

TOTAL REFUNDABLE DEPOSIT		RD	\$	0.00
GENERAL MISCELLANEOUS Type:		PM	\$	

\*\*\*\*\*

TOTAL	Check #	Credit Card ( )	Cash ( )	\$	0.00
-------	---------	-----------------	----------	----	------

# Off Site Restoration Area



City of West Linn GIS (Geographic Information System), SnapMap Date: 1/19/2011

Scale: 652 Feet

**MAP DISCLAIMER:**  
 This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

↑  
 N  
 (503) 723 2542

①

Exhibit D

