

## Memorandum

Date: June 30, 2011

To: Planning Commission

From: Zach Pelz

Subject: Additional public testimony for PLN-11-01 (proposed 2011 West Linn Trails Plan) and method of categorizing and responding to comments

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The Planning Commission received 116 pieces of verbal and written testimony regarding the proposed adoption of the 2011 West Linn Trails Plan and associated Comprehensive Plan amendments. The content of this testimony can be generalized into nine categories: Cost; Health, safety and crime; Questions regarding particular alignments; Public input process; Environmental/habitat impact; Private property rights/impacts; Need for a long-term vision; Transportation and access; and, Public benefit.

Attachment 3 includes a draft summary of all written and oral testimony received, by these categories. The summary table includes six fields: Section, Issue, CID, Comments, TID, and Response.

The *Section* field identifies relevant State, Regional and local policies and regulations that may be applicable to a given comment. Population of this field will commence following the Planning Commission's decision to pursue specific comments.

The *Issue* field describes which of the nine categories (Cost; Health, safety and crime; etc.) a particular comment was attributed to.

Much of the public testimony included arguments that were substantially similar and were therefore grouped into a single comment to reduce redundancy. The *CID (Comment Identification number)* field is included to more easily reference specific comments within an Issue area.

The *Comment* field describes the main point of the argument raised in testimony.

*TID (Testimony Identification)* is the unique number assigned to each piece of written and verbal testimony received. This TID number corresponds to a TID number on all written testimony submitted and to a TID number next to the individual's name in the minutes for oral testimony for the June 15 and June 22 Planning Commission meeting.

Many individuals submitted both written and oral testimony. Where there was substantial alignment between written and oral testimony a single TID was assigned. Where multiple pieces of testimony were not substantially aligned a new TID was assigned.

A breakdown of all written and verbal testimony including the owner of the testimony and Issue category assigned to each piece of testimony will be made available upon request.

Finally, the *Response* field will be populated with staff's analysis of the comments raised on a particular issue. This work will commence following the Planning Commission's decision to pursue specific comments. A few sample responses have been added to the comment summary table to facilitate the visualization of this process.

Attachment 3.1 includes all of the eligible written testimony received with its corresponding TID number. Attachment 3.2 includes the draft minutes from the June 15 Planning Commission Hearing with TID numbers assigned to each testifier.

Staff is in the process of assigning testimony regarding specific alignments or areas of the City to the proposed Trails System Concept Plan Map to facilitate the discussion regarding specific trails and routes. We are working to present this map at the July 6 worksession.

## Attachment 3: Comment Summary

**Summary of Citizen Comments on 2011 West Linn Trails Plan (PLN-11-01)**

Section	Issue	CID	Comments	TID	Response	
Cost		1	Cost is not an issue for this plan since trail development will take place over the course of many decades	T1	Because a number of variables impact the timing and design of particular trail segments, an estimate for the total cost of the complete Trails Plan concept is difficult to ascertain. The City of West Linn often receives easements and land donations from citizens and other donors interested in these efforts. Similarly, the Trails Plan recommends flexibility in design features such as, surface type and width, to accommodate particular environmental and physical constraints present along a given trail alignment. Individual unit costs for a variety of trail surface types and other ancillary features is included in Tables 6 and 7 in Chapter 5: Recommendations of the 2011 Trails Plan, to give an idea of the relative magnitude of common trail amenities. The various trail segments recommended in the 2011 West Linn Trails Plan will be implemented over the next 50 or more years; the City's current budget constraints as well as the national and international economic environment is likely to be different from today. Assigning a monetary benefit to the proposed Trails Plan is as difficult as calculating costs. Walking and biking trails increase physical activity, reduce single-occupant vehicle trips and improve community livability. It is difficult however, to calculate the monetary benefits of reduced heart disease, reduced greenhouse gas emissions, lower congestion and personal travel delay, less wear and tear on City streets and interesting recreational opportunities during the life of a trail.	
		2	Plan implementation will cost more than the City has available in its budget	T50, T51		
		3	What is the financial impact to the taxpayers of West Linn?	T17, T47, T51		
		4	City must consider potential cost of proposed trails given current economy	T31, T4, T10, T11, T3, T35, T32, 51		
		5	Costs of Trails Plan far outweigh the benefits	T31		
		6	Concerned about SDC fees collected from developers for trails	T31		
		7	City has several other projects that require more immediate attention such as the construction of a police station and maintenance of its water system	T31, T47, T97		
		8	Scope of Trails Concept Plan is aggressive	T31, T3, T8, T8, T17, T98		
		9	Trails plan will require considerable maintenance costs	T3, T42, T9, T25, T14		
		10	Taxpayers are subsidizing these trails	T11		
		11	Money to implement trails plan should be used for street and sidewalk improvements	T5, T16, T70, T108		
		12	Policing costs will be high	T5		
		13	I-205 Trail cost is likely to be approximately \$1.4 million	T7		
		14	Trails development is not a good use of public money	T14, 28, T24, T6, T70, T106		
		15	Plan development should be discarded before any additional funds are wasted	T50		
		16	Is this trail plan a higher priority than a new Police Station or Aquatic Park?	T51		
		17	Have the hidden costs, such as maintenance, been considered?	T51, T91		
	Cost		18	City should pursue all sources of public revenue for trail construction as environmental protections are increased		T56
			19	Please reconsider how money is spent; we have more critical issues, such as infrastructure, education, and street maintenance to address		T57, T58
		20				



Section	Issue	CID	Comments	TID	Response
	<b>Cost</b>	21	The cost to taxpayers is excessive; nearly \$68 million. Where is money for this project going to come from?	T59, T70, T77, T84, T100, T107	
		22	City is not maintaining their existing trails, money should be spent on maintaining existing trails and should then talk about adding new trails.	T59, T67, T65, T85, T86, T87, T97, T112	
		23	White Oak Savanna trail will be paid for by a private grant and will be no closer than 100-feet from any home.	T62	
		24	Plan is a wish list and not a real plan; plan should be scaled back and should consider additional factors	T69, T85	
		25	now is not the time to spend this money on new trails and maintenance	T70, T108	
		26	Maintenance costs often exceed construction costs	T70	
		27	City didn't consider the staffing requirements when it decided to be the City of Parks, Rivers and Trees	T86	
		28	City cannot afford to spend any more money on parks	T92	
		29	Planning horizon is excessive	T80	
		30	City should finish existing projects before taking on new ones	T80	
		31	Plan recommends expensive plan for property acquisition	T83	
		32	City collects additional fees for parks and trails already	T89	
		33	there is significant vandalism and a lack of maintenance at the City's park facilities	T92	
		34	Cost of property acquisition could be used to purchase kayaks for the public	T99	
		35	City needs more sports fields and possibly a sports complex as an alternative to trails	T99	
		36	Plan does not cover the cost of implementation	T100	
		37	\$32 million to acquire property	T100	
		38	It is not likely that the whole Trails network will ever be built.	T102	
		39	The Trails Plan is not perfect but the amount of time and money that would be required to study each trail segment in detail would be unrealistic and is not required at this time.	T102	
		40	As the economy worsens, revenue and taxes from new construction will decline. Cities cannot continue to seek revenue from taxpayers for these types of projects	T108	
	41	Concerns regarding maintenance cost are valid as they were not included in the report.	T112, T116		
	42	A citizen testified that members of their neighborhood work together to clear existing trails between Nixon Street and Mary S. Young, perhaps we could propose that trail maintenance be shared by the City and volunteers from local neighborhood associations	T112		
	43	An "Adopt a Trail" program would be a workable solution to the maintenance concerns raised	T112		

Section	Issue	CID	Comments	TID	Response
		44	Plan expresses City's value walking and biking as viable transportation options	T34	
		45	Lack of physical activity and associated health problems are well documented especially the growing trend of youth diabetes	T34	
		46	Oregon State Parks Director is encouraging an increase in urban trails connecting to urban areas in recognition of health concerns and the demand for urban trails	T34	
		47	Expresses City's commitment to a more walkable, healthy and sustainable community for generations to come	T41	
		48	Many trails connect the Sunset Neighborhood to Wilderness Park and have never witnessed vandalism, hooliganism, fire issues	T44	
		49	Previous fire caused by ODOT maintenance of site	T2, T4, T75	
		50	Fires are commonly caused by humans	T2	
		51	Trails increase the speed and frequency of fire	T2	
		52	Police staff should respond to questions about their jurisdiction over trails; criminal statutes enforced in parks and on trails; share crime stats for zip codes with parks and trails and compare increase or decrease of crime with federal crime statistics	T46	
		53	Police should discuss procedures for patrolling parks and trails	T46, T112	
		54	Police should discuss how a citizen complaint regarding trails is handled by the PD	T46, T85	
		55	What additional security will be implemented to ensure safe use of the trails	T51	
		56	Old ODOT rest area was dangerous	T4, T27	
		57	Numerous safety issues (fire, landslide, difficulty to police)	T7, T5, T16	
		58	No ability to patrol by police and therefore safety concerns	T9, T11, T14, T16, T18, T22, T48, T28, T71	
		59	Trails will create additional problems of outsiders coming into out town	T16	
		60	A paved trail would expose me and my family to greater risk of theft, vandalism and potential criminal activity	T28, T13, T58	
		61	A trail behind my home would require me to close the blinds at night and jeopardize the beautiful view	T48	
		62	Trails will give unlimited access to backyards of hundreds of homes	T48, T53, T67	
		63	Walk trails and sidewalks almost daily	T52	
		64	Trails provide a more pleasant and safer walk than sidewalks	T52	
		65	I don't think anyone wants strangers walking through their backyard	T53	
		66	Student Trail Survey: 73 percent do not associate crime with the trail near their home	T54	
		67	Student Trail Survey: 86 percent do not associate interruption of privacy with trails near their home	T54	
		68	Tualatin River Trail in this area poses safety risk to elderly, wheelchair users, young mothers meeting up with cyclists due to sharp corners with visual obstructions; improving the visibility would require the condemnation of 7 homes	T59, T18	

Section	Issue	CID	Comments	TID	Response
	Health, Safety and Crime	69	Existing landslide zone south of Barrington Heights near I-205	T66	
		70	numerous faults along Willamette River	T66	
		71	property owners will be legally liable for injuries on private property	T67	
		72	No responsible parent would allow their children to ride bike to school along the river	T73	
		73	Concerned about fire danger from human access to Oak Savanna Trail (I-205) Trail	T75	
		74	Concerned about fire, safety and traffic on Oak Savanna Trail (I-205 Trail)	T76	
		75	Traffic through Barrington Heights averages 40 miles per hour	T76	
		76	Has witnessed a registered pedophile standing outside her home along Palomino Loop Trail	T77	
		77	Police do not respond to residents concerns	T77	
		78	Police will not patrol trails	T78	
		79	Need safer walking and bike routes in existing rights of way	T83	
		80	concerned about safety, noise, garbage, fireworks, litter	T90	
		81	Public safety and fire have not been addressed in this plan	T91	
		82	Plan does not address earthquake hazards	T91	
		83	Nothing in the Plan about lighting	T91	
		84	Has also noticed an increase in graffiti under Pete's mtn. bridge	T93	
		85	Concerns with security stemming from previous trespass issue	T96	
		86	Developer of homes on Imperial Drive informed me of drug and prostitution activities below homes at I-205 rest area	T108	
		87	There are alternatives available to the sole policing by West Linn Police including neighborhood watch and surveillance cameras.	T112	
	88	A plan to maintain safety in and along trails should become an integral part of this trails plan to that citizens can understand how the City proposes to address security issues	T112		
	89	I disagree with the contention that teenage nuisances are an issue. These issues occur throughout the City and nation and have no correlation to trails.	T116		

Section	Issue	CID	Comments	TID	Response
	<b>Health, Safety and Crime</b>	90	We are not concerned that the following issues presented by those testifying in opposition are accurate and appear to be scare tactics: Fire, trails may help provide access to fire response; Rape, the incident reported was unsubstantiated; Squatters, this is not uncommon anywhere and is a police matter; Perverts, perhaps individuals should exhibit some discretion in their private activities and become educated about registered sex offenders in your area; Costs, the cost of a 50-year plan would be distributed over 50-years and would likely not directly affect many current West Linn residents; Plans made by dead people, many plans and laws take years to pass and even though legislator pass on, proposal may still be relevant. Using this logic, are we to assume that our opinions do not matter at all because we will likely pass on before the 50-year plan is completed? What about the US Constitution?; Litter, occurs throughout the City; Staff Agenda, unfair and untrue accusation. This has been an ongoing project. Assigning a monetary benefit to the proposed Trails Plan is as difficult as calculating costs. Walking and biking trails increase physical activity, reduce single-occupant vehicle trips and improve community livability. It is difficult	T116	
		91	There is no evidence to support the claim that, "many crimes occur on foot or bicycle"	T116	
		92	Arguments linking trails to prostitution are inaccurate. Prostitutes are everywhere and they typically travel by car, not by bicycle.	T116	
		93	Objective of trails is for health, exercise, and recreation. Trails provide that need to the community.	T116	
		94	It would have been helpful for the Police Chief to be at the June 22 meeting to answer questions but concerns of "not being able to police what is not visible" is relevant to many other circumstances throughout the City other than trails.	T116	
		95	Domestic disputes and other similar issues are more frequently listed in the police log than problems in parks	T116	

Section	Issue	CID	Comments	TID	Response
Questions regarding particular alignments		96	Why does the Plan not include pedestrian connection from Mapleton to Mary S. Young Park?	T1, T48	
		97	Opposed to trail access from Mapleton Drive to Mary S. Young Park	T13	
		98	Area between Mary S. Young and Cedar Park is of particular concern	T3	
		99	Opposed to Oak Savanna (I-205) Trail	T42, T2, T5, T6, T7, T8	
		100	Oak Savanna does not meet the screening criteria	T7	
		101	Concerned about Tualatin River Trail	T16, T20	
		102	Concerned with trail between Willamette Park and Fields Bridge Park	T21, T22, T25, T26	
		103	Lives on property near Willamette River slough	T25	
		104			
		105	A better solution would be a trail along the south side of the Tualatin River	T28	
		106	Request for property addresses adjacent former Palomino Loop Trail (Neighbor Trail, New Secondary D5-Hidden Springs Trail, New Secondary D3 and Neighbor Trail)	T28	
		107	Tualatin River Trail through property would be very close to home	T33	
		108	Opposed to Trails Plan in current form; specifically the Swiftshore Parks trails, as designate Primary Routes	T56	
		109	Property impacts to Tualatin River property owners is great	T56	
	ing particular alignments		110	Totally against a path along the Willamette River and have not heard anyone in support of such a trail	T58
		111	Definition of primary trail does not fit with Tualatin River Trail from Pete's Mt. Bridge to Fields Park Bridge as is shown on proposed map	T59, T73	
		112	Tualatin River Trail does not provide continuous connections throughout the City; rather connects to Borland and Stafford. There is no access to transit and would serve a small number of users.	T59	
		113	We are not opposed to a small gravel trail along the Tualatin River for walkers and hikers	T59	
		114	Public access to this stretch of the Tualatin River exists in Swiftshore Park. This area is infrequently used.	T59	
		115	We have Swiftshore Park, lets leave it as is; people can already access and enjoy the nature, rapids wildlife and uniqueness of the Tualatin River.	T59	

Section	Issue	CID	Comments	TID	Response
Questions regarding particular alignments	Questions regarding	116	Recommend additional trail in Hidden Springs through open space by reservoir	T64	
		117	Pleased about the Haskins Road connection	T64	
		118	Hopes to see a sidewalk or path along Salamo Road	T64	
		119	Area where trail would go along Willamette River is only above water for 3-4 months out of the year	T67	
		120	opposed to trail behind Barrington Heights. City has plenty of trails already	T71	
		121	Area of the Tualatin River floods and experiences riverbank erosion	T73	
		122	If there is a trail on the ODOT site it needs to be as close to I-205 as possible and buffered from private property with fences	T75	
		123	there is no public desire for a trail along the Tualatin River	T81	
		124	Trail on his riverfront property is currently underwater	T82	
		125	The Savanna Oaks Trail (I-205 Trail) is incomprehensible	T85	
		126	Opposition to View Dr. trail; doesn't connect to other destinations	T88	
		127	access to destinations exists via existing public right of way	T88	
		128	When trying to access Mary S. Young on foot could not cross Highway 43 due to lack of safe crossings	T88	
		129	Tualatin River area should be left alone	T89	
		130	Area for proposed trails near Calaroga Ct would be underwater	T90	
		131	Concerned with trails along the Willamette River	T96	
		132	people don't use the trails we currently have	T96	
		133	City has a trails system that works just fine	T96	
134	Staff should remove trails along rivers and Savanna Oaks Trail (I-205 Trail) near Barrington Heights	T98			
135	Photo of Palomino Loop trail showing encroachment by private properties. Public is being denied of their right to access.	T106			
136	Testimony in opposition comes primarily from riverfront property owners and Barrington Heights residents does not reflect the overall view of the community	T116			

Section	Issue	CID	Comments	TID	Response
	<b>Public input process</b>	137	Please send a link to the proposed Trails Master Plan. I am having difficulty locating on City's website.	T38, T39, T40	
		138	There has been a lack of public involvement in the plan's development	T6, T106	
		139	Only 1/2 of 1 percent of eligible voters involved in plan development is not "strong support" as claimed by City staff	T6	
		140	Barrington Heights NA was not sought for input	T6	
		141	No notice of public workshops	T6	
		142	I-205 Trail does not satisfy screening criteria (environment, connectivity, concurrency)	T7	
		143	Decisions should not account for regional desires	T10	
		144	Has anyone walked along the proposed trail area on the Tualatin?	T18	
		145	Trails Plan is incomplete	T19	
		146	CDC Chapter 28 was modified by staff to existing version after approval by code development committee	T19	
		147	Staff should devise a completely new approach to the selection of trails and the Plan's development	T22	
		148	Trail Plan is staff legacy project	T25	
		149	Appears that City has decided to complete a trails plan and will implement it regardless of public opinion	T30	
		150	information presented to date lacks a balanced perspective	T30	
		151	Residents are not accurately informed	T30, T6	
		152	Agenda did not properly reference Trails Master Plan as PLN-11-01	T45	
		153	Specific amendments to Comprehensive Plan were not identified	T45	
		154	Lack of proper notice made it impossible to reference testimony and written submissions.	T45	
		155	Maps provided for review contained discrepancies; maps at meeting were inconsistent with cardboard maps on display	T45	
		156	According to the maps available for review, part of the Palomino Loop trail that were constructed with over 500 hours of Eagle Scout work will be eliminated. Why?	T45	
	157	Some emails submitted for the June 15 meeting did not make it into the record	T45		
	158	Support Trails Plan	T52		
	159	Many runners and walkers use the trails; these people express their support through usage	T52		
	160	Most opponents at June 15, 2011 meeting are against trails in their backyards; these people do not represent the bulk of West Linn citizens	T52		
	161	Concerns regarding exact location and design will be handled in the future	T52		

Section	Issue	CID	Comments	TID	Response
	Public input process	162	Planning Commission should recommend approval to the City Council	T52	
		163	The Parks Department has done an excellent job in planning and developing trails and parks	T52	
		164	West Linn Trails Survey December 2009	T54	
		165	In person interviews conducted by 20 West Linn High School Students		
		166	Purpose of survey was to assess the opinions of residents having parks and trails near their homes		
		167	104 surveys completed		
		168	86 percent satisfied with parks and trails in West Linn/8 percent dissatisfied		
		169	16 percent use trails near their home nearly every day/25 percent use trails once a week		
		170	54 percent use trails for exercise/44 percent to be outside		
		171	What is the correct procedure to establish standing in this legislative procedure?	T55	
	172	Staff informed me that parties who had not testified on June 15, would not have standing unless they attend the meeting on June 22; this seems to be an unfair hardship	T55		
	173	I was of the understanding that those who submitted testimony sheets would have standing if they did not have an opportunity to speak; can the City please clarify?	T55		
	174	Staff continues to assert that the public wants this but where are those citizens and why haven't they attended the meetings or written letters. Do the few people that support the plan know of its cost?	T59		
	175	Trails Master Plan has been a priority for the City Council since Parks SDC created in May 2009	T60		
	176	The City Council reiterated that support by awarding a contract to MIG for this Trails Plan in October 2009	T60		
	Public input process	177	To ensure that the City Council receives the best product for final consideration I recommend staff request the Planning Commission receive all public testimony and provide input to staff regarding issues for further consideration. Following plan revisions addressing these issues, staff will return to the Planning Commission in Fall 2011 with a proposed Trails Master Plan. The Planning Commission will then make a recommendation to the City Council and the City Council would hold a public hearing later in Fall 2011.	T60	
		178	Confusion about a trail through the White Oak Savanna and the Oak Savanna Trail as opposed during the June 15, 2011, Planning Commission hearing	T62	
		179	The trail through the White Oak Savanna will be a small trail approximately 4-feet wide and will be made of natural materials	T62	



Section	Issue	CID	Comments	TID	Response
		180	The trail will be ADA accessible and will be made of natural materials	T62	
		181	Completion of this trail segment in the White Oak Savanna is a stipulation of Metro's funding for this project. Metro will not release the full funds until this trail is complete.	T62	
		182	Have heard much testimony against the Plan	T63, T65	
		183	Some comments should make Parks Department reconsider a few specific items; this is why the City offers the opportunity for public comment	T63	
		184	I disagree with the viewpoints expressing that the entire Plan be scrapped until an undisclosed time in the future	T63	
		185	Parks Department worked hard to incorporate citizens' wants, desires and needs	T63	
		186	Planning Commission should listen to the citizens	T65	
		187	Wants public involved during the construction phase	T68	
		188	City's approach is one-dimensional and does not consider factors other than recreation	T69	
		189	opposed to trails that impact livability	T70	
		190			
		191	Small fraction of public has been involved in the development of the Trails Plan	T77	
		192	Trails Plan has adverse effects	T78	
		193	Decision are being made by people with no stake in West Linn's future	T78	
		194	Plans should be assessed for social impact	T80	
		195	Recommend to deny the Plan	T81	
		196	Staff has a personal agenda	T82, T95	
		197	there has been no demonstration of significant public support	T83	
		198	during the development of the plan, public input that didn't meet staff desires was excluded	T83	
		199	has heard a stated preference against riverfront trails	T84	
		200	No notice from City	T87	
		201	facts presented are unrealistic and biased	T89	
		202	Fields Bridge Park is not what City proposed to residents	T94	
		203	Residents have been misled and deceived by staff	T95	
		204	plan is totally flawed	T97, T73	
		205	have the trails sites been studied in person?	T97	
		206	City cannot guarantee the Plan will succeed	T98	
		207	City needs to prioritize needs and daylight hidden agendas	T98	
		208	Solar trail is politically advantageous	T98	
		209	Standards for the decision to approve or deny this Plan are not related to the Plan	T98	
		210	Who runs West Linn?	T100	
		211	People in favor of plan are outnumbered 100 to 1 but that is the nature of a new plan; people only get excited if they are directly affected	T102	

Section	Issue	CID	Comments	TID	Response
	Public input process	212	Maps of existing and proposed trails is a bit misleading. Many of the new routes are along City streets with existing sidewalks and bike lanes; some of these routes will only require signage to be considered a trail	T102	
		213	I recommend passage of this plan	T102	
		214	Community Attitudes Survey 2010 Campbell DeLong Resources, Inc.	T103	
		215	Of survey respondents, majority favor street improvements followed by trails, pathways and sidewalks		
		216	Visited City Hall on June 24 to follow up on request to review public records and was informed that staff had not even bothered to look for the information	T104	
		217	Shouldn't the documentation that verifies the removal of Palomino Loop Trail be included in the proposed Trails Master Plan?	T104	
		218	Request for information regarding the exclusion of the Palomino Loop Trail from the inventory of current trails in the Trails Master Plan	T105	
		219	Staff informed me that I would be required to submit a public records request at a minimum of \$9 to find out why	T105	
		220	This is an unfair burden on one person when the information is a benefit to the entire community	T105	
		221	Oregon Attorney General recommends waiving fees for information that benefits the general population	T105	
		222	Planning Director agreed that this request was reasonable and promised to provide it but did not	T105	
		223	I visited City Hall to meet with Planning Director but was told he was unavailable only to witness him leave City Hall and go to sleep in his car	T105	
		224	What can citizens do when City officials mislead them and delay their participation in the public process?	T105	
		225	Planner was terribly confused about the issue of standing	T105	
		226	I am deeply concerned that staff who are paid with taxpayer money would provide information that would cause a citizen to believe they had no standing in an issue facing all our citizens	T105	
		227	Why would the Planner say that someone does not have standing, when in fact they filled out a community comment form on the topic and thereby have followed the letter of the law in order to have standing?	T105	
		228	can find no evidence that City was reimbursed for private use of this public land	T106	
		229	How was this public trail converted to private use without a public process?	T106	
		230	Would it be prudent to request an audit of public property to ensure these losses do not continue?	T106	
		231	Private notice for June 22, 2011 Planning Commission meeting on Trails Plan	T107	
		232	states that public testimony from June 15, 2011 nearly stopped the Master Trails Plan		
		233	states that 16 spoke against Plan all ending with applause from the audience		

Section	Issue	CID	Comments	TID	Response
	Public input process	234	There seems to be a force trying to shove this Trails Plan down residents' throats even though they don't want it	T108	
		235	Were not made aware of plans directly from City. Only became aware of project after neighbor received notice that City approved an ODOT power plant in the I-205 right-of-way	T110	
		236	When we researched the project and discovered the trail being planned on this right-of-way we began to seek meetings with the City's Parks Department	T110	
		237	It is difficult to get information from the City about these proposed projects	T110	
		238	I feel it is unfair for the Parks Director to assert that the City has reached out to our organization	T110	
		239	The Trails Plan was developed with a flawed process and is over-reaching, insufficiently supported and invalid	T110	
		240	Please add to residents ability to protect and enjoy the Willamette River and create a trails system worthy of your citizens.	T111	
		241	If a property owner has prior knowledge of a trail system before they purchase property, they cannot have a voice in opposition to the plan. Also, when a person purchases property next to publicly owned land, they are accepting whatever changes may occur to the public property	T112	
		242	Can this issue be brought to a vote in the next election? Because this plan will affect all of West Linn it is fair to give an opportunity for all residents to make their opinions count.	T112	
		243	Do not shelve the plan, refine it to address those comments warranting merit	T112	
		244	I felt the behavior of those testifying at the June 22 Planning Commission meeting was appalling, showing little civility	T114	
		245	City staff should not be subjected to insults and should not have to endure having their motives questioned. Staff works hard to do a good job for the residents of West Linn	T114	
		246	I would certainly not want to be an employee of West Linn if being treated in such an offensive manner was part of the job	T114	

Section	Issue	CID	Comments	TID	Response
	Public input process	247	Thanks to Commissioner Horsey for voicing support for the staff near the end of the meeting	T114	
		248	Trails Plan should be passed on to the City Council for approval with few changes. The adopted plan should be in the best interest of all citizens.	T114	
		249	Attached Survey of Residents Attitudes toward trails near their residences as presented by teacher at West Linn High School	T115	
		250	My perception of both hearings was that of a hostile and intimidating nature towards the Planning Commission and Parks Department	T116	
		251	Overall, opinions seemed shortsighted, self serving, and displayed an interesting sense of entitlement rights among homeowners	T116	
		252	I ask that staff and the Planning Commission sift through these arguments to pick the ones with merit to scrutinize for further study and research	T116	
		253	If property owners intend to pursue a vacation of the public access on Calaroga Ct., I would like to see an open public process so that all nearby residents can discuss and give input	T116	
		254	The pattern of entitlement is not uncommon; we've seen people who visit the San Juan Islands in Washington fall in love with the area and purchase property only to then oppose all new tourism or development.	T116	
		255	People who do not live in West Linn refer to the City as West Berlin to describe the attitudes of West Linn residents	T116	

Section	Issue	CID	Comments	TID	Response
		256	Habitat loss occurred following ODOT use of site	T2	
		257	Willamette riverfront trail should go along Nixon rather than through sensitive riparian habitat	T42	
		258	ODOT right of way creates trash from use	T4	
		259	Trail on Tualatin River should be on south side of river because of less impact to property and habitat	T11	
		260	Fields Bridge Park is an environmental failure	T11	
	Environmental/Habitat impact	261	The environmental impact from the Trails Plan is significant	T12, T3, T20, T21, T20, T23, T26, T28, T35, T47, T50, T51	
		262	Only flat area of his Willamette-front property is 2-feet from his home and therefore there is no room for a trail	T15	
		263	There is a narrow strip of property between the river and homes and not enough room for a trail	T18, T28	
		264	The City needs to outline the specific impacts of these trails before moving forward	T19, T17	
		265	Increase in litter on trail	T25	
		266	Wildlife habitat along Tualatin River retreats when people are present	T35, T48	
		267	Current Code protects natural resources	T50	
		268	If trails are approved, how does City propose to accommodate wildlife habitat?	T47	
		269			
		270	Environmental impacts from Tualatin River trails are great	T56	
		271	NEPA process will apply if Federal Funds are used during construction	T56	
		272	Believe an EIS will find the Swiftshore Trails projects objectionable because of the unique habitat: only rapids until Gaston; adjacent lands protected by Urban Growth Boundary; many characteristics which contribute to habitat	T56	
		273	Presence of Woodpeckers on Tualatin River trail area suggests that habitat is suitable for Northern Spotted Owl	T56	
		274	There will be impacts to the environment and we believe the river is more beautiful in its natural state rather than with a sidewalk along it	T58	
	Habitat Impact	275	This stretch of the Tualatin River hosts a number of unique plant and animal habitat and would be greatly impacted by an asphalt pathway	T59	
		276	Staff should be aware of the habitat impact from overuse and should make sure that their attempts to make these areas enjoyable for all do not result in complete elimination of these habitats	T59	
		277	Riverfront area contains unique habitat value and species would be displaced by trails	T69	

Section	Issue	CID	Comments	TID	Response
Environmental/		278	Please reconsider the need to protect wildlife and the environment	T72	
		279	Are the environmental impacts as portrayed in the plan realistic and accurate?	T72	
		280	Impacts to habitat	T78	
		281	Plan is in conflict with State Planning Goal 13	T80	
		282	existing routes will not create new impacts	T81	
		283	not opposed to trails on public property, but opposed to trails on private property and trail that impact plant and wildlife habitat	T84	
		284	Plan is not consistent with Metro Title 13	T84	
		285	Trees in Forest Park are dying because of pressure from humans and increased access	T84	
		286	trail will disturb riparian area and habitat and will impact deer, fox, rabbits and birds	T88	
		287	Environmental impact from trails	T89	
		288	Plan does not address the strategy to protect wildlife	T91	
		289	Trails will displace wildlife and should not be permitted	T95	
		290	I have serious concerns for my neighbors, myself and wildlife. I would like to schedule a meeting to discuss how the plan will affect my property.	T109	
		291	Agree with arguments about cost, loss of home value, concern about existing parks, streets and maintenance problems, criminal activity, loss of privacy, liability, trash	T109	
	Environmental/Habitat impact		292	I want to understand how a trail behind my home would impact wildlife	T109
		293	my family marvels at the wildlife that lives near the water, precisely where the trail would be placed	T109	
		294	Animals use the bank and yard to mate, nest, and raise their young. It's tragic to think that an asphalt strip would replace that.	T109	
		295	A trail will most assuredly displace this wildlife	T109	
		296	The plan states that the potential damage to wildlife is low however this cannot be the case where I am located	T109	
		297	There is no tangible drawback to approving and implementing the plan under consideration	T111	
		298	Those testifying in opposition to the Plan using the impact to the environmental as their argument are hypocritical. I know many riverfront property owners that apply chemicals to landscaping, asphalt driveways, motor boats, jet skis, pontoon planes, removing large trees for better river views, tree houses, larger homes, new construction and remodeling.	T116	
		299	I believe the public has a right to learn about and learn from the river. Trails may help to create a culture of learning and respect for this environment.	T116	

Section	Issue	CID	Comments	TID	Response
	Private property rights/impacts	300	Riverfront property owners do much to restrict public access to river	T29	
		301	concerned about how City may use the Plan in future land use decisions; requests for easements during new development	T31	
		302	Agrees with City's policy not to use power of condemnation to obtain property; City should adequately compensate owners for use of property	T31	
		303	City should reach out and contact riverfront property owners who are significantly affected by the proposal before a final decision on the Plan is made	T31	
		304	Plan contains a route through Lake Oswego property in West Linn which could likely be constructed in conjunction with Water Plan expansion in 2013-2015	T41	
		305	Trails in backyards is unfair and unneighborly	T3	
		306	City Condemned Property for Calaroga Pump Station and this Plan is no different	T9	
		307	Property devaluation from new trails will cost the County a lot of money is lost tax revenues	T9	
		308	purchased property after county officials informed him nothing would ever be built near their property	T12	
		309	Staff's personal agenda to develop trails on private property is inconsistent with citizens desires; public money should not be spent to advance staff's personal agendas	T13	
		310	Trails will devalue property	T15, T17, T28, T48, T25	
		311	The Trails Plan is a taking	T16, T31, T67	
		312	Trails will impact private property	T16, T17, T31, T50, T81	
		313	Approval of Plan would signify willful ignorance to security, trespassing issues, flooding and private property rights	T18	
		314	Dogs on trail defecate in his yard	T19	
		315	Planning Commission should engage affected property owners more in this debate	T24	
		316	Do not support the condemnation of private property to construct public trail	T25, T58, T68	
		317	Plan should be revised to address concerns of riverfront property owners	T47, T28	
	318	Anxious about asking adjacent property owners to dedicate easements	T49		

Section	Issue	CID	Comments	TID	Response
	Private proper	319	Plan does not address concerns of adjacent property owners	T50	
		320	How will the trails impact riverfront homeowners?	T51	
		321	Riverside trails should be reserved for densely built areas of condos, hotels, commercial and industrial areas and should retreat to public streets in residential areas	T49	
		322	Trails Plan infringes on rights of private property owners and their security and safety.	T53	
		323	Student Trail Survey: 64 percent said trail near home did not affect decision to purchase/35 percent said made purchase more attractive	T54	
		324	Student Trail Survey: 43 percent said trail improved property value/53 percent said didn't affect property value	T54	
		325	Plan proposes 10-12 foot trail through property	T69	
		326	City should reassess the need and desire to place trails in areas that require acquisition of private property	T72	
		327	Previous impacts to property from City's negligence	T77	
		328	Riparian rights cannot be restored once removed	T78	
	Private property rights/impacts	329	Diminished property values from having lines on a map	T78	
		330	there must be less invasive ways of accomplishing connectivity other than through private property	T81	
		331	Will have difficulty trying to sell home with trails planned nearby	T87	
		332	Plan infringes on private property rights	T91	
		333	Only reason we still live in West Linn is because we cannot sell our home	T108	
		334	There are two sides to the issue of acquiring private property for trails. One side of the argument is that property owners should be able to use their property as they wish and the other is that if property owners purchase property with trails planned on them they should expect that sometime in the future that plan may be implemented.	T112	
		335	Please replace my testimony sheet presented at the June 22 meeting. The number of miles requiring acquisition of private property is 17.3 miles.	T113	
		336	Should not eliminate the right of property owners to sell or dedicate property to the City	T116	



Section	Issue	CID	Comments	TID	Response
	Need for long-term vision	337	if trails are not on plan they will never be asked for and will never be built	T1, T63	
		338	Planning Commission must consider the long-term greater public good for all citizens	T29, T31	
		339	Benefit to future generations	T29, T36	
		340	Plan promotes Willamette River Greenway Plan initiated in 1967	T29	
		341	Plan will better position the City to obtain state and regional trail development funds	T34	
		342	Comments on Trails in Clackamas Co. jurisdiction: All land zoned RRF-5 and can accommodate trails.	T37	
		343	Believes this trail will connect residents to parks, shopping and schools and will be an asset to the neighborhood and the community	T41	
		344	Arguments in opposition to trail are based on fear and are not reality	T44, T29	
		345	Planning Commission is appointed by City Council to represent citizens that do not have the right to vote because they are too young or not yet born, you must therefore think big	T49	
		346	A 50-year plan may be scary but it is not too big	T49	
		347	Without planning we end up scrambling and cobbling together space for police stations, we end up with schools that have to bus kids that live only 1/2 mile away because there are no safe routes for walking and biking, we end up with a shortage of ball fields, and streets without continuous sidewalks	T63	
		348	My neighborhood was built with small pathways that connect to streets and allow my children to safely and easily walk to their friends homes or parks. Without a plan these homes would have been isolated on dead end streets	T63	
		349	What are the consequences of not approving this plan?	T79	
		350	No city master plan should exceed 5-10 years	T80	
		351	Trails Master Plan is a misnomer, should be called Pedestrian and Bicycle Master Plan to adequately describe the breadth of the plan; safe routes to schools, walkable links to jobs, or convenient links to the grocery store or to the park	T102	
	352	Lines on the map are important; it means that more study will be done to determine the right location for a trail. If lines are removed from the map, trails will never be built. There may not be a willing property owner now but there will be one in the future.	T102		
	353	Preserving existing easements and rights of way to the river is important to the quality of life for West Linn residents and protects and upholds the original intent of the Willamette River Greenway	T111		
	354	The Greenway Program should be aggressively protected by West Linn	T111		

Section	Issue	CID	Comments	TID	Response
		355	Plan shows trails connecting nodes	T1	
		356	City's topography does not lend itself to connectivity	T3, T85	
		357	Parking at Fields Bridge Park is already a problem	T4	
		358	Area of riverbank is well used during the summer months when water is low	T12	
		359	The City's desires can be accommodated in streets and sidewalks	T17, T28	
		360	Trail along Tualatin should be designated as a secondary route and not a primary route	T17, T18, 21, T22	
		361	The City should use streets and sidewalks instead of a continuous Tualatin River trail	T21	
		362	Continuous sidewalks along Willamette Falls Drive would be a better alternative and should be a higher priority	T26	
		363	The mission of the trails plan, to provide access to river, has already been satisfied	T22, T21, T22	
		364	Riverside can be enjoyed from canoe or kayak	T23	
		365	new Eagle Scout trail has increased traffic through his backyard by 400 percent	T23	
		366	A lot of traffic on the Willamette already	T25	
		367	Thanks to staff for admitting that Plan is a transportation plan	T30	
		368	Does admission of transportation function mean that plan intends to promote transit aspirations of Lake Oswego, Milwaukie, Gladstone, Oregon City and Portland?	T45	
		369	Is Plan supported by taxpayers of those communities	T45	
		370	The Trails Plan is not necessary because current right of way laws make the river accessible to all; Goal 15 can be met without the Trails Plan which is a waste of limited public resources	T50	
		371	Student Trails Survey: 22 percent said if improvements were made would desire wider and longer trail/34 percent said make no improvements	T54	
		372	Student Trails Survey: 68 percent said they would like current trails to connect with other trails	T54	
		373	frustrated about lack of easy bike access to get around town	T68	
		374	would like river trails but there is nowhere to do this	T68	
		375	difficult sidewalk connections exist	T80	
		376	Metro is satisfied with streets providing connectivity	T82	
		377	Would like walkable access to destinations she frequents	T88	

Section	Issue	CID	Comments	TID	Response
	Transportation	378	bike paths are necessary	T88	
		379	Would like to see an indoor rec. center. Oregon is too rainy and we don't need anymore outdoor facilities.	T90	
		380	Trails frequently proposed on steep slopes and are not practical	T91	
		381	Where is all the required parking and trailheads?	T91	
		382	60 percent of the waterfront in West Linn is publicly owned	T92	
		383	Eagle scout trail terminates in his back yard and has resulted in increased traffic and increased off-leash dog activity	T93	
		384	The river and water is already a trail that is open to the public	T99	
		385	Had to drive children to friends because there were no safe routes for them to get there on their own; it is ridiculous to have a major route like Skyline Blvd that children cannot safely walk on	T102	
		386	Path near I-205 was least objectionable route to ODOT	T110	
		387	When we purchased home in 2000 on Calaroga Ct, realtor advertised two public easements and a public right of way to the Willamette River as amenities	T116	
	Transportation and Access	388	This public easement on Calaroga Ct has been made to look as though it is private property by the adjacent homeowner, with a boat parked on the easement and a tree planted nearby to discourage public use of this access. We understand there are similar issues in other parts of the City.	T116	
		389	After we received permission from the City to maintain the public access, we were yelled at by the adjacent homeowner who let his dog after us.	T116	
		390	There are many elderly people in our neighborhood that should be able to access the river	T116	
		391	I do not completely agree with the arguments that the Calaroga Ct right of way is completely under water. This year is unusual as we have higher than average precipitation and snowmelt. There are just as many seasons when you can access the adjacent island on foot because the water level is so low.	T116	

Section	Issue	CID	Comments	TID	Response
	Public benefit	392	Willamette River should be free for all to enjoy	T29	
		393	Not all Barrington Heights residents are opposed to Oak Savanna (I-205) Trail; most of the families on Imperial Drive cannot wait for the trail	T44	
		394	Barrington Heights has no parks and is the largest West Linn neighborhood without one	T44	
		395	Children in Barrington Heights have no place to recreate	T44	
		396	Majority of West Linn residents want this	T44	
		397	Where are all the people in support of the Plan?	T3	
		398	I believe there is a need for a trails plan and a proper way to go about it. Care to discuss compromises?	T43	
		399	Hiking trails are not about walking through peoples' backyards	T14	
		400	This Plan does not represent public desire	T19	
		401	Only 9 in 24,000 residents expressed support for access to the river	T19	
		402	The City has enough trails and parks that offer serenity and quiet	T35	
		Public benefit	403	Purchased home because of sense of peace	T48
	404		There are very few places left in the area where you can feel like you're miles away from everything	T48	
	405		West Linn bikers are not commuters, they are recreational cyclists looking to put on significant mileage on roads	T73	
	406		What are the economic, legal and political consequences of approving this plan?	T79	
	407		Parks are used so much that residents cannot even enjoy them	T94	
	408		This proposal is not fair and will be fought by residents	T96	
	409		Shocked at staff's recommendation to approve the Trails Plan	T97	
	410		Willamette and Tualatin Rivers are real assets to be enjoyed by all citizens of West Linn	T102	
	411		ODOT is not enthusiastic about the Oaks Savanna Trails options. ODOT prefers no trail due to liability and vandalism.	T110	
	412		I am not confident that the City's assertion that the trail being a minimum of 70 feet from property lines on Imperial Drive is accurate	T110	

Section	Issue	CID	Comments	TID	Response
	Public benefit	413	The Willamette Riverkeeper and our members throughout the Willamette Valley and Metro Area support a vigorous local trail system in the City of West Linn. Such a system would provide great benefits to the people of West Linn.	T111	
		414	There are many benefits from local trails in cities like West Linn, from allowing residents to get close to the Willamette River to providing connections between neighborhoods in the City	T111	
		415	The proposed Trails Plan is about connecting people, is about the physical wellbeing of residents and about providing connection to the natural world	T111	
		416	Although some people may not use a particular trail route for various reasons, others may	T116	
		417	The Plan proposed a number of different trails for different users and different skill levels and should be appropriate to the wide range of interests and ability throughout the City	T116	
		418	Arguments asserting that trails will attract outsiders are hypocritical. Anyone has a right to come to West Linn. Do these residents not ever leave the boundaries of the City?	T116	
		419	freeway noise will be unappealing for trail users	T5	
	Miscellaneous	420	Appreciates all the work that has gone into the Plan	T8, T14	
		421	Willamette River Greenway Plan was not about scenic vistas	T9	
		422	The plan should be tabled	T10, T9	
		423	Planning Commission should vote no on plan	T12, T17, T24	
		424	These are also not the types of trails projects that would be undertaken by the Boy Scouts	T20	
		425	Would be very disappointed if an Eagle Scout project were removed to be replaced with one of these trails	T20	

Attachment 3.1: Eligible Written Testimony (*received by midnight Wednesday, June 29, 2011*)

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Monday, May 23, 2011 8:17 AM  
**To:** Pelz, Zach  
**Subject:** FW: WL Trails Master Plan

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Donna Ragan [<mailto:dragan1998@comcast.net>]  
**Sent:** Sunday, May 22, 2011 6:24 PM  
**To:** Sonnen, John  
**Subject:** WL Trails Master Plan

I was reviewing the Trail map and was unsure what a section along the Willamette identifies.

If you start at Cedar Island and go west to the residential properties on the channel, there is a bright green very thin line along the residential waterfront. Another reference is my property at 4981 Mapleton Dr.

I'm unclear why there is the bright green line when we own that property.

Please call or email me when you have time to discuss.

Regards,

Donna Ragan

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Monday, May 23, 2011 8:06 AM  
**To:** Pelz, Zach  
**Subject:** FW: Trails Plan Adoption

Please add to record

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Ron Brown [<mailto:lelandmcf@comcast.net>]  
**Sent:** Saturday, May 21, 2011 2:33 PM  
**To:** Sonnen, John  
**Subject:** Trails Plan Adoption

West Linn City Planning Commission

Being one of several private land owners along the Tualatin River between Fields Park and Willamette Park, we have brought up our objections to the commission about running a trail through our property. Private property was never shown on any of the proposals during the meetings and was always shoved off to the side as if it didn't matter. As far as I can tell, the proposed trail still goes through Private Property. This is unacceptable. I would like to see your impact studies report concerning damage to the river environment and animal habitat when people are introduced along previously left alone areas. How does your proposed trail along the river comply with the CDC regulations that protect the vegetation and wildlife along the water ways? What gives you the right to propose anything that goes through privately owned property without their consent?

Ron & Sarah Brown





## Memorandum

Date: June 15, 2011

To: Planning Commission

From: Zach Pelz

Subject: New Material for PLN-11-01 for June 15, 2011 Planning Commission Hearing

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Attached are additional submittals and communication that have been received since the publication of the staff report for PLN-11-01; proposed adoption of the 2011 West Linn Trails Plan.

**Pelz, Zach**

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**From:** Kathy Hinrichs [kathy-hinrichs@comcast.net]  
**Sent:** Wednesday, June 15, 2011 4:29 PM  
**To:** Sonnen, John; Pelz, Zach  
**Subject:** West Linn Proposed Trails Master Plan

Please consider this letter my written comment on the proposed West Linn Master Trails Plan. First I want to thank you and your project teams for developing such a comprehensive long range plan and process for implementation. And I appreciate the priority you have placed on citizen involvement.

I have spent much time on or near the Tualatin River and I believe the development of a continuous, off-street Primary classified trail from Willamette Park to Fields Bridge Park as proposed would irreparably harm the wildlife and habitat along the river. My family and I have rafted the Tualatin several times a year from spring to fall for the past 25+ years, as well as, enjoyed the Swiftshore and Fields Bridge open spaces. My kids saw their first ever Eagle, blue heron, beaver, river otter, fox, and fawn in the wild along the river. Even a protected western painted turtle was spotted in the area. This stretch of the Tualatin is a beautiful, scenic habitat and a treasure that we need to protect.

With the increased use of the Swiftshore opens space over the past 10 years and the development of Fields Bridge Park, we have seen impact on the wildlife and habitat. That is not unexpected or surprising. We see fewer blue heron and deer in those areas. It has been several years since we've seen beaver or otter. The wild geese still return but their nesting grounds are often disturbed. We need to insure that development of trails and access points to the river do not destroy the very treasure that we hope to preserve and enjoy. I believe the trail as proposed along the Tualatin would, in fact, harm and in some cases totally destroy the wildlife and habitat.

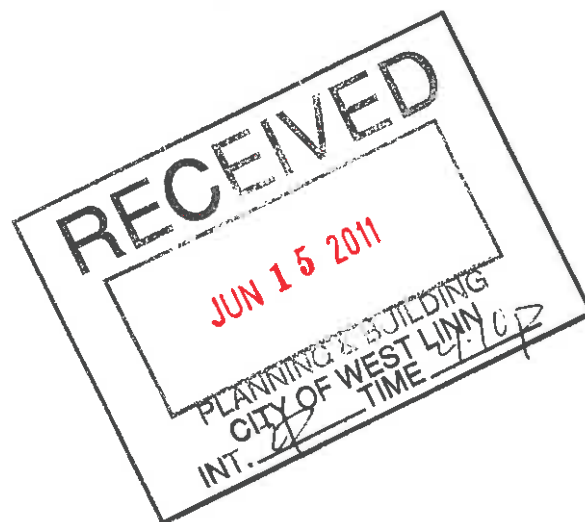
I would, therefore, respectfully request that other alternatives be looked at to achieve the goal of having connected routes between the two parks. Possibly a combination of lower impact paths, existing streets/sidewalks, and intermittent river access points would achieve this goal. We should not unnecessarily harm the Tualatin River habitat and wildlife when other options exist and are feasible.

Sincerely,

Kathy and Mark Hinrichs  
25445 Swiftshore Dr.  
503-655-5060

Please provide the addresses at the tax lot level of resolution for all properties adjacent to the Neighbor, New Secondary D-B- Hidden Springs Tr., New Secondary P3, Neighbor Trail as described in Zach Pelz description of the former Dolomite Loop trail.

Lynn Fox  
PO Box 236  
Marylhurst, Or 97036





# Oregon

John A. Kitzhaber, MD, Governor

## Department of Transportation

Region 1 Headquarters  
123 NW Flanders Street  
Portland, Oregon 97209  
(503) 731.8200  
FAX (503) 731.8531

June 15, 2011

City of West Linn  
Planning Commission  
22500 Salamo Road, #1000  
West Linn, OR 97068

**Subject: Trail Plan for Adoption**

Dear Chair Martin and Planning Commission Members,

The purpose of this letter is to support the adoption of the City of West Linn Trail Plan. I had the opportunity to participate in the development of the plan as a member of the Technical Advisory Committee. The plan adoption will better position the city to obtain state and regional funds for trail development.

The plan adoption will express the City's value for walking as a viable travel option and express encouragement for citizens to walk for exercise. The Center for Disease Control well documents the increase in chronic diseases due to lack of physical activity; especially the growing trend of diabetes in our young people. These are real costs to lives and our economy.

Serving as a project manager during the recent development of the Oregon Transportation Plan, the statewide transportation policy, I received a letter from the Oregon State Park director encouraging an increase in trails within urban areas and connecting to urban areas. This recommendation is based on the recognition of the health crisis, the growing trend toward more people living in urban areas and a sheer demand for urban trails.

Thank you the opportunity to participate in this important effort. We are available to help work out the permit details of trails and trail crossings within ODOT right of way as you move toward implementation.

Sincerely,

Gail Curtis, AICP, Senior Land Use and Transportation Planner  
Oregon Department of Transportation

C: Steven Schalk, Permit Specialist, District 2A, ODOT

## Pelz, Zach

---

**From:** Sonnen, John  
**Sent:** Wednesday, June 15, 2011 12:45 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Proposed Trail System

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** Mike Massey [<mailto:mikemasemail@comcast.net>]  
**Sent:** Tuesday, June 14, 2011 5:57 PM  
**To:** Sonnen, John  
**Cc:** 'Mike Massey'  
**Subject:** Proposed Trail System

I was told to send any comments regarding the proposed trail system to you to be included in the public hearing June 15.

There are three points I would like to make:

1. I *would* be very supportive of a trail system *IF* West Linn were not going about it the way you are. It comes across to me and many of the people I talk with that West Linn has decided to do a trail system, and it **WILL** happen, regardless of public opinion. To date, what information I have seen presented on the topic is sorely lacking a balanced view of pros and cons and timing. Shortly after noticing West Linn had started assessing fees for parks on utility bills a few years ago, I spoke with the mayor regarding a bond issue to fund additional police that had failed. He told me that "we" (referring to West Linn government) know that the people want to support their police department, so we just moved funding of parks to utility bill fees, and moved the park funds over to pay for police services. I doubt that is even constitutional. That attitude that 'you know what is best for us' is *not* how elected government is intended to operate. I feel West Linn government taking on the same attitude with this path project.
2. You put on a show of taking public input, but you do not honestly and accurately inform West Linn residents about the issues. Only a *few* homeowners are aware of the issues, because they live in the affected areas. Do you even know all the diversity of wildlife that makes the banks of the Tualatin River their home? Eagles for example. If so, you have not informed the public. Do you know that some homeowners along your path actually **OWN** the land to the center of the river? You gloss over these things as if they do not exist. This approach just reinforces the perception (reality?) that you have already decided what is best for us and are going to do it, regardless of what the impact is. This path project is the type of project that has issues which the majority of residents are not qualified to pass judgment on. You **MUST** present an honest, complete, concise and readable discussion of why this path project is worth spending today's scarce funds on (compared to other projects that you have promised or that may be more critical), **AND** what all the significant issues are that need to be considered.
3. A few years ago, West Linn put on a big deal about a program to improve roads. You told us it would cost more not to maintain the roads. You showed pictures of roads in different stages of decay, and said that they would be addressed in priority order. I was impressed with the thoroughness of the plan. I live in the Willamette area, and like to walk to town. However 10<sup>th</sup> St between 5<sup>th</sup> and Willamette Falls Dr is virtually impassable. The street is so torn up from decay that cars steer around to avoid the worst spots. The sidewalk is broken and sticking up

and deep in water in the winter (and even missing in places). I saw a young mother pushing a baby in a carriage in the street, because the carriage would not roll on the sidewalk. I see grade school children walking home from school, because West Linn chooses not to afford buses, and sometimes they are walking in the street because West Linn chooses not to afford to fix the sidewalks. BEFORE YOU SPEND ONE PENNY ON A RECREATIONAL PATH ALONG THE RIVER, FIX THE STREETS AND SIDEWALKS YOU PROMISED TO FIX!

It is time to do the job you (West Linn government) were elected to do, in the honest manner you were intended to do it.

Respectfully,

Mike M  
503-722-9977

130

## Pelz, Zach

---

**From:** Roy Browning [t5grrr@yahoo.com]  
**Sent:** Tuesday, June 14, 2011 3:06 PM  
**To:** Sonnen, John; Pelz, Zach  
**Subject:** Proposal for trails

Good morning,

I have just become aware of the comprehensive trails plan and thought I might point out a few items that may affect it.

I have the great pleasure of living with the Tualatin river in my back yard and having a sizable area of parkland and an access pathway next to my home as well. I also spend much of my time living in China on the Yalu River where the Chinese have tamed the river to such a degree that it no longer supports life of any kind so perhaps I can offer some direct insights from simple observation.

I have noted that when there are people in the 70 feet or so of parkland between my property and the river that it is very silent except for the sound of the people. The many birds, squirrels, Eagles, Herons, and others that populate this area of the river basin simply go away or hide when there are people here. I know that this is common behavior for wild animals and birds but I think it should be obvious that a trail along the river will eliminate that wildlife. Those that can leave will leave, those that cannot will hide as is natural and normal for wildlife.

Living on the Yalu River in China, looking across a 100 meter expanse of dead water I have become acutely aware of the most extreme level of river management. All of the Chinese rivers, all of them, are dead. Any species of wildlife that once populated the rivers are extinct and have been replaced by carp farmed in massive pens. The river banks are all covered with stone and lined by pathways where vendors sell cheap foods and toys. Trees exist but none are over 2 meters high and are constantly replaced as they die from pollution in the soil and water. There are no birds, no ducks, no geese, no eagles, no fish, and no future for the river, is is now a simple sewer.

The Chinese often talk on public television shows about the country of America. They state that the Americans are not worthy of this great land, that they are weak in vision. To prove this they show vast areas of land that are not utilized for growing food, to them land is either for buildings or farmland. They believe that America should be taken over by their kind and converted to a vast farm where all fish, birds, and animals are raised in pens for food. All rivers are used for irrigation and for sewage, sport and recreation is reserved for vacation spots such as Hainan island where most of the land and beaches are carefully landscaped with cement walkways, symmetrical gardens with short trees, and fountains with algae filled ponds.

This is the Chinese vision and I believe that expansion of pathways and the spoilage of the natural areas is a start along the same lines.

One can think that this pathway through the quiet forests along the carefully restored Tualatin River would be just a pathway, but all destruction has to start somewhere. When the erosion starts due to high water, we will cut down the trees and shrubs to allow lining the river banks with stone and concrete, then when flooding occurs, we will dredge the river to allow more flow. Where is the wildlife and peace on the river then, where does it stop?

Better never to start. There are many pathways already, there are many parks isolated for their

serenity and quiet, please leave them that way. We don't need the expansion, we don't need the expense, we don't need the destruction of our wildlife habitat. I am sure that the environmental study pointed that out already but it needs to be repeated.

Sincerely,

Roy Browning and Hua (Sunny) Sun  
25455 Swiftshore Drive  
West Linn, OR 97068  
503-344-6772

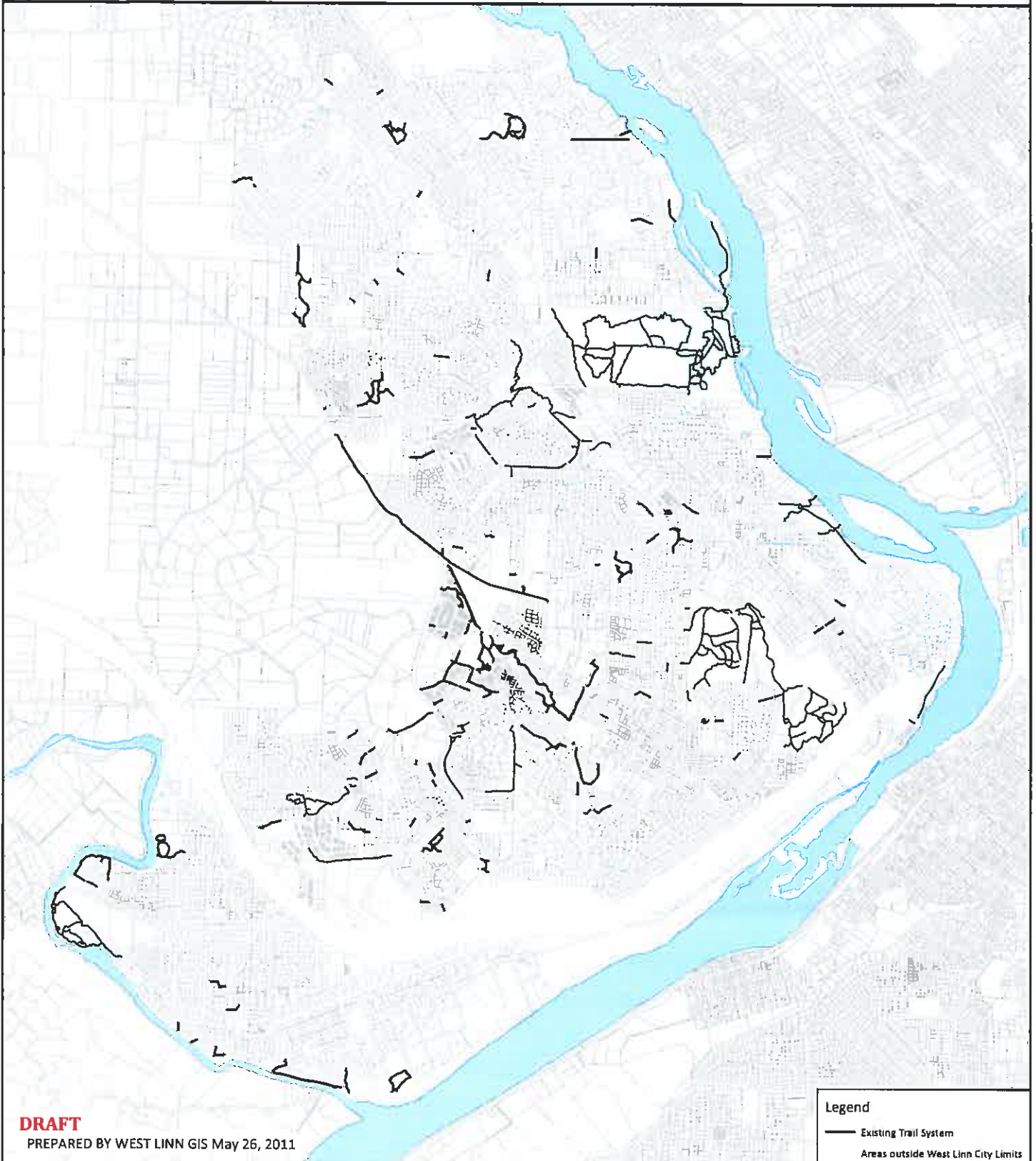
Roy D. Browning : email:royb@mfchelp.com: [www.mfchelp.com](http://www.mfchelp.com)  
Coastal Instruments (Dandong) Company, Ltd.  
No.7 Tongxing Industrial Compound, Zhen'an District  
Dandong, Liaoning, P.R. China 118000  
Phone: +86-415-613-2608, Fax: +86-415-613-2798, Skype in (USA): 971-244-8757  
China Mobile: +86-130-5033-6757, USA Mobile:1-971-275-0759

T35





# West Linn Existing Trails System



**DRAFT**

PREPARED BY WEST LINN GIS May 26, 2011

### Legend

- Existing Trail System
- Areas outside West Linn City Limits

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Taxlot Base Source: Clackamas County GIS

0 0.25 0.5 1 Miles

PLANNING/PROJECTS 2011/EXISTING\_TRAILS\_SYSTEM\_20110528.MXD/ ZP / 5-26-2011

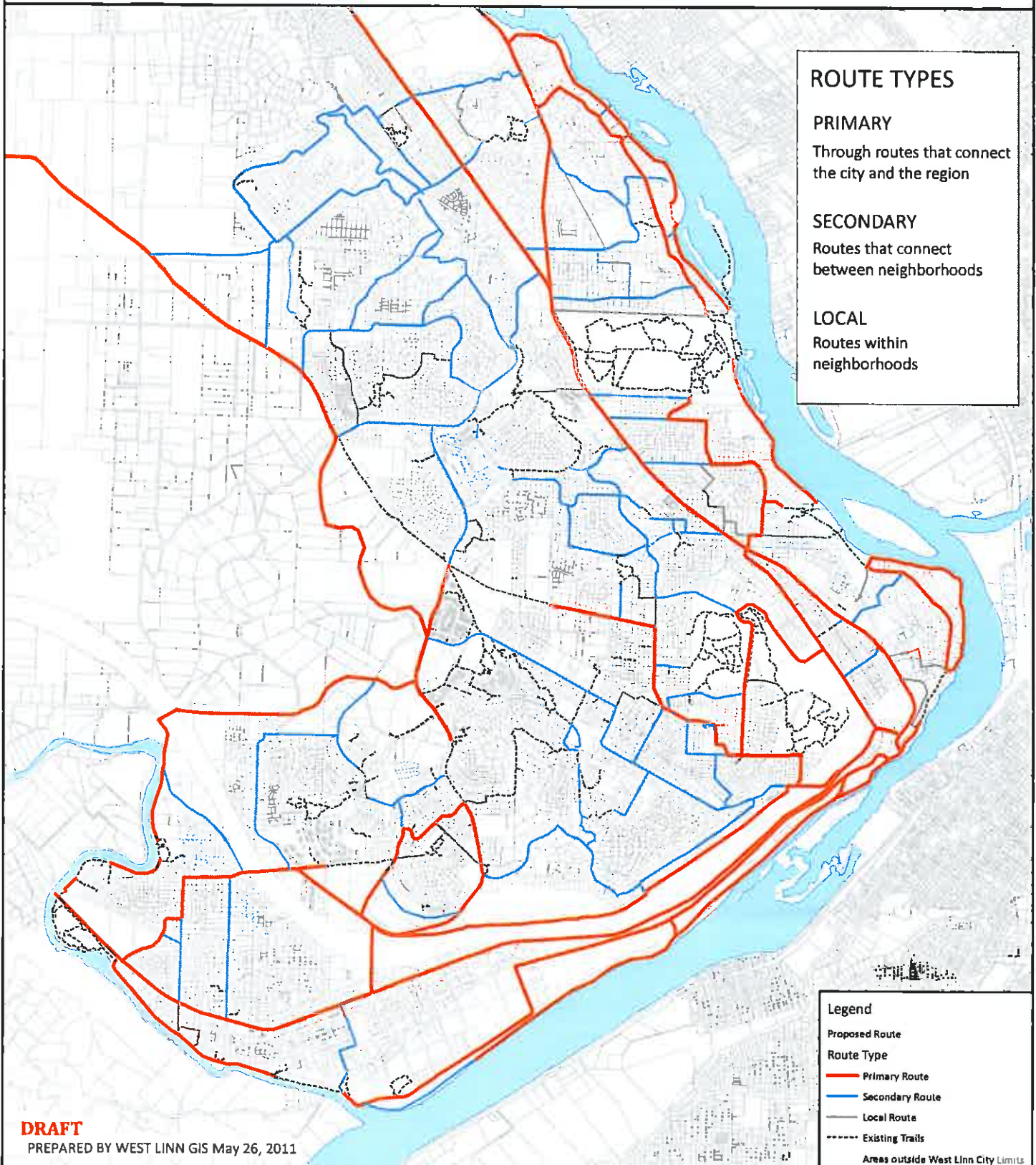


T34



# West Linn Trails System Concept Plan

Proposed Route Segments by Route Type



**ROUTE TYPES**

**PRIMARY**  
Through routes that connect the city and the region

**SECONDARY**  
Routes that connect between neighborhoods

**LOCAL**  
Routes within neighborhoods

**Legend**

Proposed Route

Route Type

- Primary Route
- Secondary Route
- Local Route
- - - Existing Trails
- Areas outside West Linn City Limits

**DRAFT**  
PREPARED BY WEST LINN GIS May 26, 2011

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Taxlot Base Source: Clatsop County GIS



PLANNING/PROJECTS 2011/TRAILS\_SYSTEM\_CONCEPT\_20110526.MXD / ZP / 5-26-2011



T30



## Pelz, Zach

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**From:** Chris and Diana Starkus [cdstarkus@yahoo.com]  
**Sent:** Tuesday, June 07, 2011 10:04 AM  
**To:** Pelz, Zach  
**Cc:** Worcester, Ken  
**Subject:** Re: West Linn Trails Master Plan

Zach,

Thank you very much for the attachments and link. Chris and I will take a closer look at it this week. The trail system seems like a positive addition to the community.

If I'm able to make the meeting -- and I have my calendar marked -- hopefully I'll have the opportunity to thank you in person.

Sincerely,  
Diana Starkus

--- On Mon, 6/6/11, Pelz, Zach <[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)> wrote:

From: Pelz, Zach <[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)>  
Subject: West Linn Trails Master Plan  
To: "Pelz, Zach" <[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)>  
Cc: "Worcester, Ken" <[KWorcester@westlinnoregon.gov](mailto:KWorcester@westlinnoregon.gov)>  
Date: Monday, June 6, 2011, 9:10 AM

Good morning,

Your request for a link to the Trails Master Plan and corresponding maps was forwarded to my inbox this morning. A link to the Trails Master Plan and staff analysis of its compliance with state and local policies is included [here](#); the documents are included under the "Project Files" section of the page. Maps of the existing and proposed trails system are located on pages 63 and 76 of the Staff Report, respectively (these maps have also been included as an attachment, as the scanned maps have lost some of their original resolution). Please feel free to contact me anytime to discuss the matter further. As a reminder, the Planning Commission is scheduled to hear public testimony on the proposed adoption of the Trails Master Plan on June 15, 2011.

Thank you and have a great day,

Zach

Zach Pelz, AICP

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



*Special Projects Planner*

22500 Salamo Rd.

West Linn, OR 97068

P: (503) 723-2542

F: (503) 656-4106

Web: [westlinnoregon.gov](http://westlinnoregon.gov)

West Linn Sustainability Please consider the Impact on the environment before printing a paper copy of this email.

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

## Pelz, Zach

---

**From:** Preisz, Linda [mailto:lindap@co.clackamas.or.us]  
**Sent:** Monday, June 06, 2011 5:03 PM  
**To:** Pelz, Zach  
**Subject:** RE: PLN 11-01 New Trails Plan

Looks okay. It is all zoned RRFF-5. Trails can be accommodated there. We get a little anxious if trails are being planned in EFU area. Thanks for your help.

Linda

---

**From:** Pelz, Zach [mailto:zpelz@westlinnoregon.gov]  
**Sent:** Monday, June 06, 2011  
**To:** Preisz, Linda  
**Subject:** RE: PLN 11-01 New Trails Plan

These segments are shown on the attached map. To clarify, the City would not extend funds for the development of these segments until these properties fell within the UGB.

 Zach Pelz, AICP  
[mailto:zpelz@westlinnoregon.gov]  
Special Projects Planner  
22500 Salamo Rd.  
West Linn, OR 97068  
P: (503) 723-2542  
F: (503) 656-4106  
Web: [westlinnoregon.gov]

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---

**From:** Preisz, Linda [mailto:lindap@co.clackamas.or.us]  
**Sent:** Monday, June 06, 2011 4:47 PM  
**To:** Pelz, Zach  
**Subject:** RE: PLN 11-01 New Trails Plan

Could you send me those proposed trail locations?  
Thanks, Linda

---

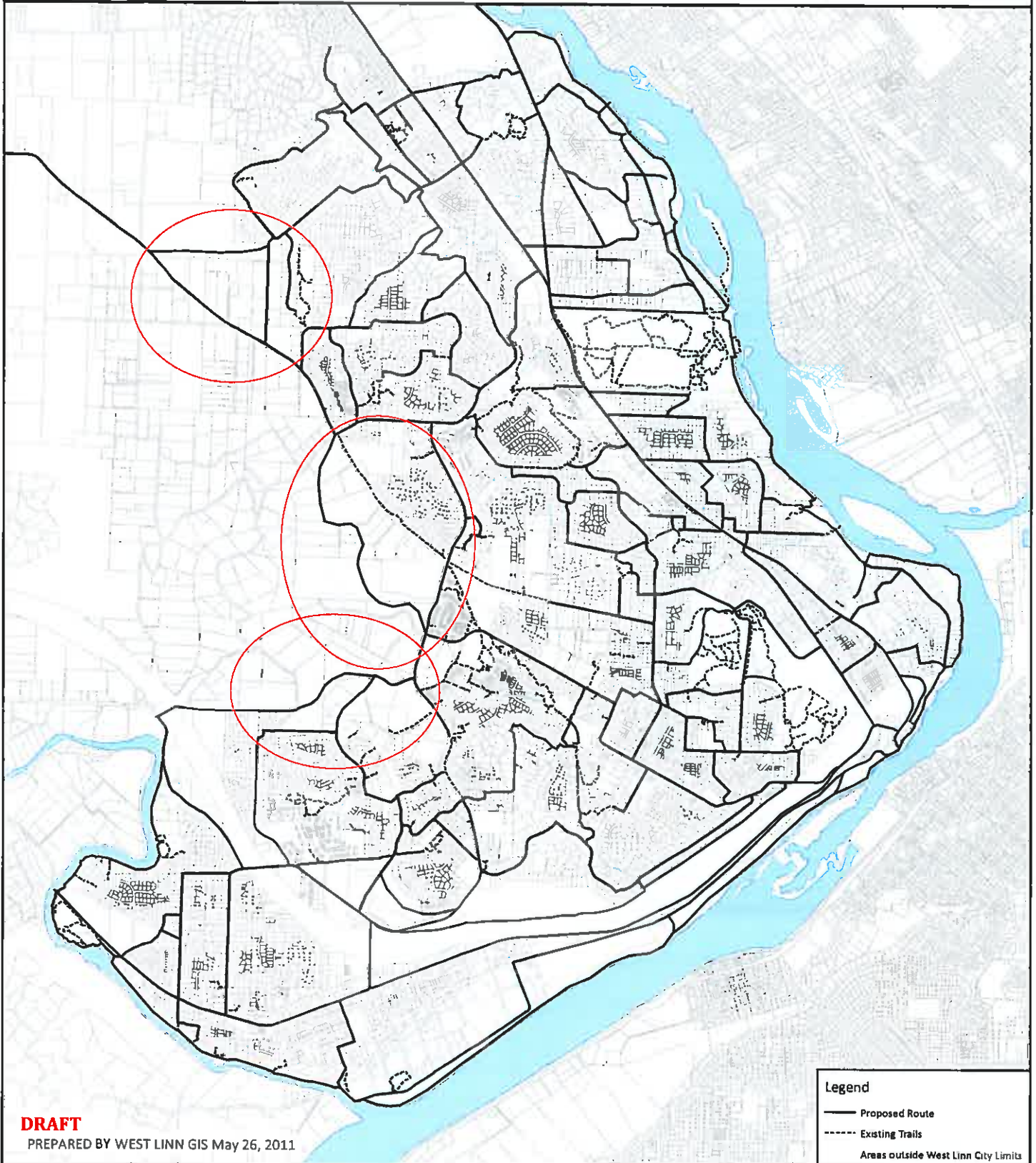
**From:** Pelz, Zach [mailto:zpelz@westlinnoregon.gov]  
**Sent:** Monday, June 06, 2011  
**To:** Preisz, Linda  
**Subject:** RE: PLN 11-01 New Trails Plan

Linda,

A couple of the proposed trail segments are outside of the City's existing UGB.



# West Linn Trails System Concept Plan



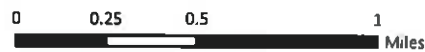
**Legend**

- Proposed Route
- - - Existing Trails
- Areas outside West Linn City Limits

**DRAFT**  
 PREPARED BY WEST LINN GIS May 26, 2011

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Taxlot Base Source: Clackamas County GIS



PLANNING/PROJECTS 2011/TRAILS\_SYSTEM\_CONCEPT\_20110526.MXD / ZP / 5-26-2011



T31



Zach Pelz, AICP  
[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)  
 Special Projects Planner  
 22500 Salamo Rd.  
 West Linn, OR 97068  
 P: (503) 723-2542  
 F: (503) 656-4106  
 Web: [westlinnoregon.gov](http://westlinnoregon.gov)

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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**From:** Preisz, Linda [<mailto:lindap@co.clackamas.or.us>]  
**Sent:** Monday, June 06, 2011 4:20 PM  
**To:** Pelz, Zach  
**Subject:** FW: PLN 11-01 New Trails Plan

Hi Zach:

Are the trails inside the city limits of West Linn? Are there plans for going outside the UGB?

*Linda Preisz*

Senior Planner  
 Clackamas County Land Use and Zoning  
 503.742.4528  
[lindap@co.clackamas.or.us](mailto:lindap@co.clackamas.or.us)

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137

## Pelz, Zach

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**From:** Preisz, Linda [lindap@co.clackamas.or.us]  
**Sent:** Monday, June 06, 2011 4:47 PM  
**To:** Pelz, Zach  
**Subject:** RE: PLN 11-01 New Trails Plan

Could you send me those proposed trail locations?  
Thanks, Linda

---

**From:** Pelz, Zach [mailto:zpelz@westlinnoregon.gov]  
**Sent:** Monday, June 06, 2011  
**To:** Preisz, Linda  
**Subject:** RE: PLN 11-01 New Trails Plan

Linda,

A couple of the proposed trail segments are outside of the City's existing UGB.

 Zach Pelz, AICP  
[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)  
Special Projects Planner  
22500 Salamo Rd.  
West Linn, OR 97068  
P: (503) 723-2542  
F: (503) 656-4106  
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*Public Records Law Disclosure* This e-mail is subject to the State Retention Schedule and may be made available to the public.

**From:** Preisz, Linda [mailto:lindap@co.clackamas.or.us]  
**Sent:** Monday, June 06, 2011 4:20 PM  
**To:** Pelz, Zach  
**Subject:** FW: PLN 11-01 New Trails Plan

Hi Zach:

Are the trails inside the city limits of West Linn? Are there plans for going outside the UGB?

*Linda Preisz*

Senior Planner  
Clackamas County Land Use and Zoning  
503.742.4528  
[lindap@co.clackamas.or.us](mailto:lindap@co.clackamas.or.us)



T37

**Pelz, Zach**

---

**From:** Preisz, Linda [lindap@co.clackamas.or.us]  
**Sent:** Monday, June 06, 2011 4:20 PM  
**To:** Pelz, Zach  
**Subject:** FW: PLN 11-01 New Trails Plan

Hi Zach:

Are the trails inside the city limits of West Linn? Are there plans for going outside the UGB?

*Linda Preisz*

Senior Planner  
Clackamas County Land Use and Zoning  
503.742.4528  
[lindap@co.clackamas.or.us](mailto:lindap@co.clackamas.or.us)

**Pelz, Zach**

---

**From:** Sonnen, John  
**Sent:** Monday, June 06, 2011 8:57 AM  
**To:** Pelz, Zach  
**Subject:** FW: trails masterplan MAP

John Sonnen, Planning Director  
*Planning and Building, #1524*

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**From:** david gross [<mailto:duffy050@msn.com>]  
**Sent:** Tuesday, May 31, 2011 10:03 AM  
**To:** Sonnen, John  
**Subject:** trails masterplan MAP

Good morning -

I can't seem to locate the proposed trails master plan map on the City's website. Can you help?

Thanks

Dave Gross

734

**Pelz, Zach**

---

**From:** Sonnen, John  
**Sent:** Monday, June 06, 2011 8:56 AM  
**To:** Pelz, Zach  
**Subject:** FW: West Lin Trails Plan

John Sonnen, Planning Director  
*Planning and Building, #1524*

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**From:** Walt Gamble [<mailto:walt@waltgamble.net>]  
**Sent:** Monday, May 30, 2011 6:03 PM  
**To:** Sonnen, John  
**Subject:** West Lin Trails Plan

Please send us a link to the proposed trails systems or instructions to find it. Walt and Jackie Gamble

W.R. "Walt" Gamble, PE  
*.."not from my BLACKBERRY, if you need immediate attention call me"..*



**GAMBLE CONSTRUCTION SERVICES**

1786 SW Greenway Circle  
West Linn, OR 97068  
[walt@waltgamble.net](mailto:walt@waltgamble.net)  
503-781-9314

**Pelz, Zach**

---

**From:** Sonnen, John  
**Sent:** Monday, June 06, 2011 8:56 AM  
**To:** Pelz, Zach  
**Subject:** FW: WL Master Trail Plan

John Sonnen, Planning Director  
*Planning and Building, #1524*

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**From:** Chris and Diana Starkus [<mailto:cdstarkus@yahoo.com>]  
**Sent:** Saturday, May 28, 2011 5:30 PM  
**To:** Sonnen, John  
**Subject:** WL Master Trail Plan

Hello,

I looked for the Master Trail Map at [westlinnoregon.gov](http://westlinnoregon.gov) but had a difficult time finding it. I am writing to ask for a copy of the map or help finding it through the website.

Thank you,  
Diana Starkus  
2453 Marylhurst Drive

140



## Memorandum

Date: June 22, 2011

To: Planning Commission

From: Zach Pelz

Subject: New Material for PLN-11-01 for June 22, 2011; Continuation of Planning Commission Hearing for proposed 2011 West Linn Trails Plan

---

Attached are additional submittals and communication that were submitted at or following the June 15, 2011, Planning Commission hearing on PLN-11-01: 2011 West Linn Trails Plan. Also attached is an example of how public testimony related to this matter is being cataloged.

Summary of Citizen Comments on 2011 West Linn Trails Plan (PLN-11-01)					
Section	Issue	QID	Comments	TID	Response
		1	Cost is not an issue for this plan since trail development will take place over the course of many decades	T1	Because a number of variables impact the timing and design of particular trail segments, an estimate for the total cost of the complete Trails Plan concept is difficult to ascertain. The City of West Linn often receives easements and land donations from citizens and other donors interested in these efforts. Similarly, the Trails Plan recommends flexibility in design features such as, surface type and width, to accommodate particular environmental and physical constraints present along a given trail alignment. Individual unit costs for a variety of surface types and other ancillary features is included in Tables 6 and 7 in Chapter 5:
		14	Plan implementation will cost more than the City has available in its budget	T50, T51	Recommendations of the 2011 Trails Plan, to give an idea of the relative magnitude of common trail amenities. The various trail segments recommended in the 2011 West Linn Trails Plan will be implemented over the next 10 or 15 years; the City's current budget constraints as well as the national and international economic environment is likely to be different from today. Assigning a monetary benefit to the proposed Trails Plan is as difficult as calculating costs. Walking and biking trails increase physical activity, reduce single-occupant vehicle trips and improve community livability. It is difficult however, to calculate the monetary benefits of reduced heart disease, reduced household gas emissions, lower congestion and personal travel delay, less wear and tear on City streets and interesting recreational opportunities during the life of a trail.
		12	What is the financial impact to the taxpayers of West Linn?	T17, T47, T51	
		3	City must consider potential cost of proposed trails given current economy	T31, T4, T10, T11, T3, T35, T32, 51	
		4	Costs of Trails Plan far outweigh the benefits	T31	
		2	Concerned about SDC fees collected from developers for trails	T31	
		5	City has several other projects that require more immediate attention such as the construction of a police station and maintenance of its water system	T31, T47	
		6	Scope of Trails Concept Plan is aggressive	T31, T3, T8, T8, T17	
		7	Trails plan will require considerable maintenance costs	T3, T42, T9, T25, T14	
		8	Taxpayers are subsidizing these trails	T11	
		9	Money to implement trails plan should be used for street and sidewalk improvements	T5, T16	
		10	Polking costs will be high	T5	
		11	I-205 Trail cost is likely to be approximately \$1.4 million	T7	Preliminary engineering for the I-205 (Savanna Oak) Trail segment is currently underway. A preliminary cost estimate has not yet been prepared, however, based on the preliminary unit costs, \$1.4 million is not out of line with what could be expected for this segment.
		13	Trails development is not a good use of public money	T6	As outlined in the Staff Report for PLN-11-01 (2011 West Linn Trails Plan), the City has a number of existing goals, policies and action measures that direct staff to develop a comprehensive, city-wide network of trails. The West Linn City Council passed a resolution authorizing the completion of this work.
		15	Plan development should be discarded before any additional funds are wasted	T50	
		16			
		17			
		18			
		19	Is this trail plan a higher priority than a new Police Station or Aquatic Park?	T1	
		20	Have the hidden costs, such as maintenance, been considered?	T3	
		21			
		22			
		23			

Section	Issue	CID	Comments	TID	Response
Health, Safety and Crime		24	Plan expresses City's value walking and biking as viable transportation options	T34	
		25	Lack of physical activity and associated health problems are well documented especially the growing trend of youth diabetes	T34	
		26	Oregon State Parks Director is encouraging an increase in urban trails connecting to urban areas in recognition of health concerns and the demand for urban trails	T34	
		27	Expresses City's commitment to a more walkable, healthy and sustainable community for generations to come	T41	
		28	Many trails connect the Sunset Neighborhood to Wilderness Park and have never witnessed vandalism, hooliganism, fire issues	T44	
		29	Previous fire caused by ODOT maintenance of site	T2, T4	
		30	Fires are commonly caused by humans	T2	
		31	Trails increase the speed and frequency of fire	T2	
		32	Police staff should respond to questions about their jurisdiction over trails; criminal statutes enforced in parks and on trails; share crime stats for zip codes with parks and trails and compare increase or decrease of crime with federal crime statistics	T46	
		33	Police should discuss procedures for patrolling parks and trails	T46	
		34	Police should discuss how a citizen complaint regarding trails is handled by the PD	T46	
		35	What additional security will be implemented to ensure safe use of the trails	T51	
		36	Old ODOT rest area was dangerous	T4, T27	
		37	Numerous safety issues (fire, landslide, difficulty to police)	T7, T5, T16	
		38	No ability to patrol by police and therefore safety concerns	T9, T11, T14, T18, T22, T48	
		39	Trails will create additional problems of outsiders coming into town	T16	
		40	The trails on the Tualatin would have poor visibility in corners		
		41	A paved trail would expose me and my family to greater risk theft, vandalism and potential criminal activity	T28, T11	
		42	A trail behind my home would require me to close the blinds at night and jeopardize the beautiful view	T48	
		43	Trails will give unlimited access to backyards of hundreds of homes	T48	



**Pelz, Zach**

---

**From:** Shroyer, Shauna  
**Sent:** Tuesday, June 21, 2011 3:45 PM  
**To:** Pelz, Zach  
**Subject:** FW: West Linn Trails Plan

Shauna Shroyer, Administrative Assistant  
Public Works, #1557

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**From:** JERRY ANDERSEN [<mailto:jerryandrea@msn.com>]  
**Sent:** Tuesday, June 21, 2011 3:42 PM  
**To:** CWL Planning Commission  
**Cc:** Worcester, Ken  
**Subject:** West Linn Trails Plan

I support the West Linn Trails Plan. I get my exercise by walking the existing trails and sidewalks almost daily. The trails like the one along Tanner Creek away from street traffic provide for a more pleasant and safer walk. I meet many walkers and runners on these trails. They are showing support for trails through their usage.

I watched the Planning Meeting from home last week. Except for one person those testifying seemed to represent the highly motivated people that don't want a trail in their backyard. They don't represent the bulk of the West Linn citizens. This is a 50 year plan. The concerns regarding the exact location and design of each trail should be handled in the future on an individual basis. I think the Planning Commission should send the plan on to the Council with a recommendation for approval.

I support the efforts of the Parks Department. They have done an excellent job in planning and developing West Linn's trails and parks.

**Pelz, Zach**

---

**From:** Sonnen, John  
**Sent:** Tuesday, June 21, 2011 2:51 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: June meetings & Metro Study update

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Hidden Springs Nbrhd Associates [<mailto:WLHSNA@msn.com>]  
**Sent:** Tuesday, June 21, 2011 11:48 AM  
**To:** Sonnen, John  
**Subject:** Fw: Fw: June meetings & Metro Study update

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

**From:** Kathe Worsley  
**To:** Hidden Springs Nbrhd Associates  
**Sent:** Tuesday, June 21, 2011 8:43 AM  
**Subject:** Re: Fw: June meetings & Metro Study update

I will not be able to attend tomorrows meeting but I have written a piece for it- how do I submit it to the city as obviously their Contact Us link doesn't work for submitting comments.  
Below is my comment if you want to print it out and turn it in for me?

To West Linn Planning Commission and City Council:  
I am very concerned about your trail plans for West Linn.  
Specifically this item:

*F. Access and property rights.*

*5. Legal access to, and along, the riverfront in single-family residential zoned areas shall be encouraged and pursued especially when there are reasonable expectations that a continuous trail system can be facilitated. The City recognizes the potential need for compensation where nexus and proportionality tests are not met. Fee simple ownership by the City shall be preferred. The trail should be dimensioned and designed appropriate to the terrain it traverses and the user group(s) it can reasonably expect to attract. The City shall be responsible for*

*signing the trail and delineating the boundary between private and public lands or access easements.*

This is infringing on the rights of private property owners and their security and safety. I don't think anyone wants strangers wandering through their property and by their homes. This sets a very dangerous and invasive precedent.

Kathe Worsley

1877 Woodland Terrace

Lake Oswego, OR 97034

503-636-5057

# West Linn Trails Survey

## December 2009

In Person Interviews conducted by  
Twenty West Linn High School students.  
Presented to West Linn Parks & Recreation Board by  
Kate Fogarty            Zach Valentine  
Katie Longtain        Talea Hunt  
West Linn High School Instructor: Todd Jones  
In cooperation with West Linn Parks and Recreation

# Purpose

- This survey was conducted to see what West Linn residents think about having parks and/or trails near their homes.
- There were a total of 104 surveys done across West Linn in 10 different locations.

# Neighborhoods We Surveyed

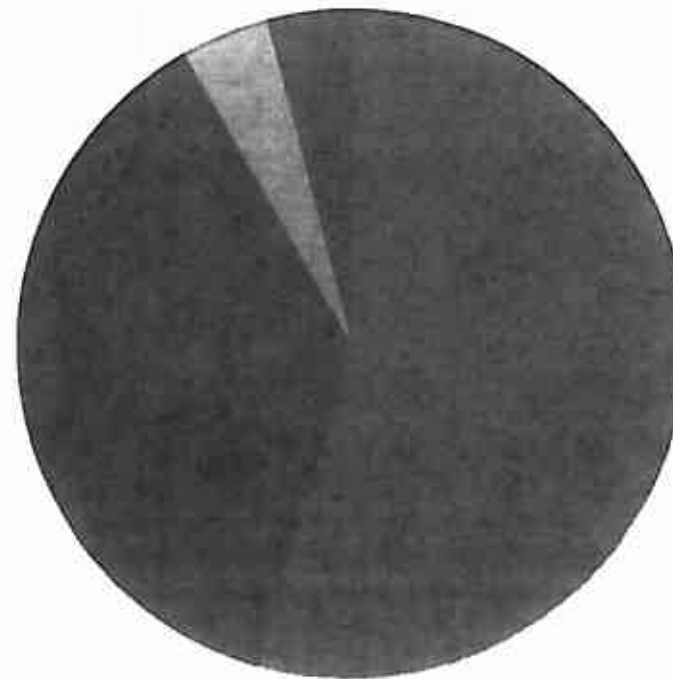
- Southwest corner of Wilderness Park (Oregon City St.): 8 homes
- Palomino Loop: 16
- South end of Mary S Young State Park (Mark Ln.): 6
- East of Tualatin Nursery and Fields Bridge: 10
- Vicinity of Robinwood Park: 10
- Tanner Creek area, east end: 13
- Tanner Creek area, west end: 12
- Willamette neighborhood near Willamette Park: 7
- River Street near McLean House and Maddox Woods: 15
- Vicinity of Sahallie Illahee Park: 7

TSL

# How satisfied are you with the public parks and trails in West Linn?

Satisfaction

- a.) Very satisfied-51
- b.) Somewhat satisfied-35
- c.) Somewhat dissatisfied-4
- d.) Very dissatisfied-4

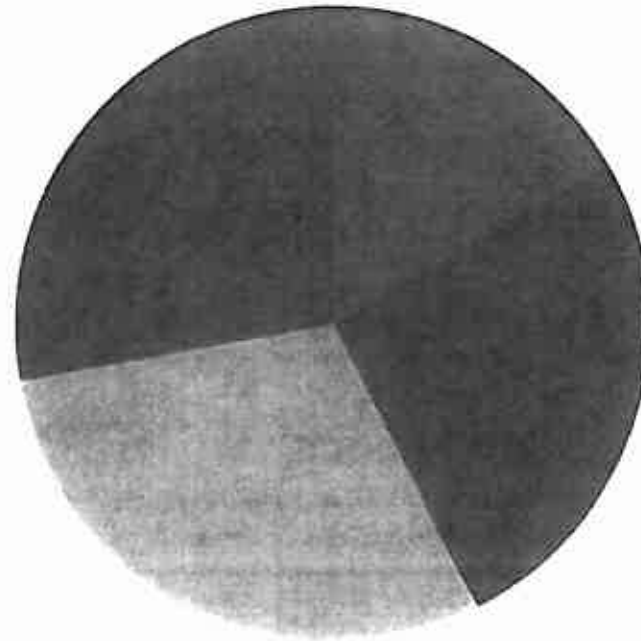


- Very satisfied
- Somewhat satisfied
- Somewhat dissatisfied
- Very dissatisfied

# How often do you use the trails near your house?

Usage

- a.) Nearly every day-16
- b.) Once a week-25
- c.) Once a month-29
- d.) Several times a year-27



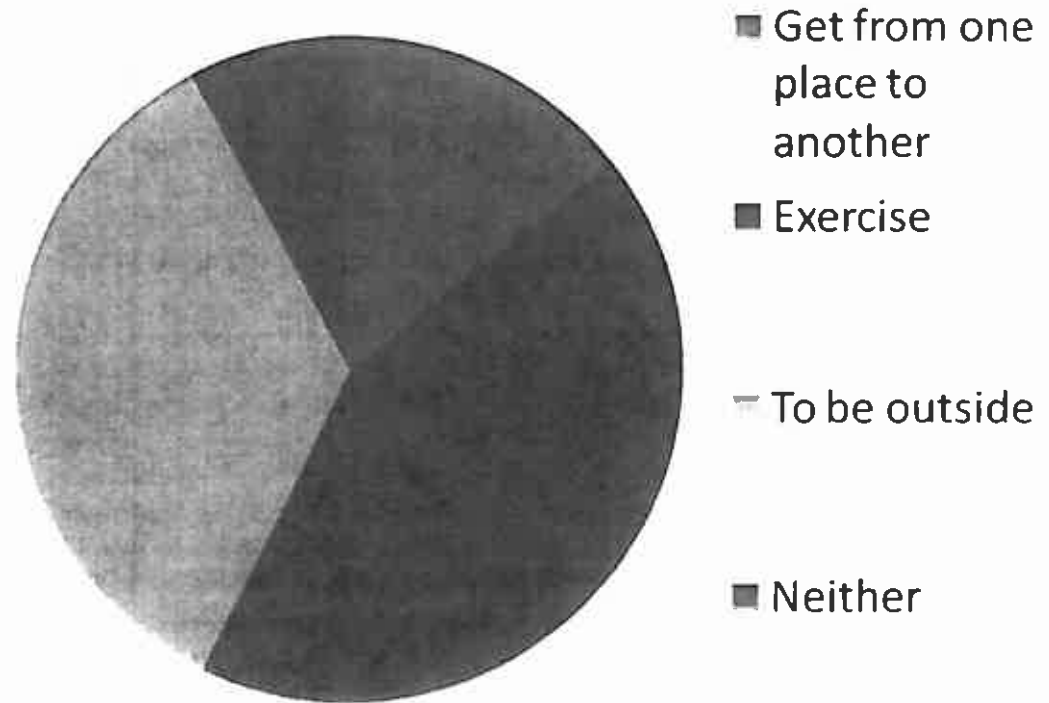
- Nearly everyday
- Once a week
- Once a month
- Several times a year



# For what do you use your local trail?

Reasons for use

- a.) Get from one place to another-18
- b.) Exercise-54
- c.) To be outside-44
- d.) Neither-10



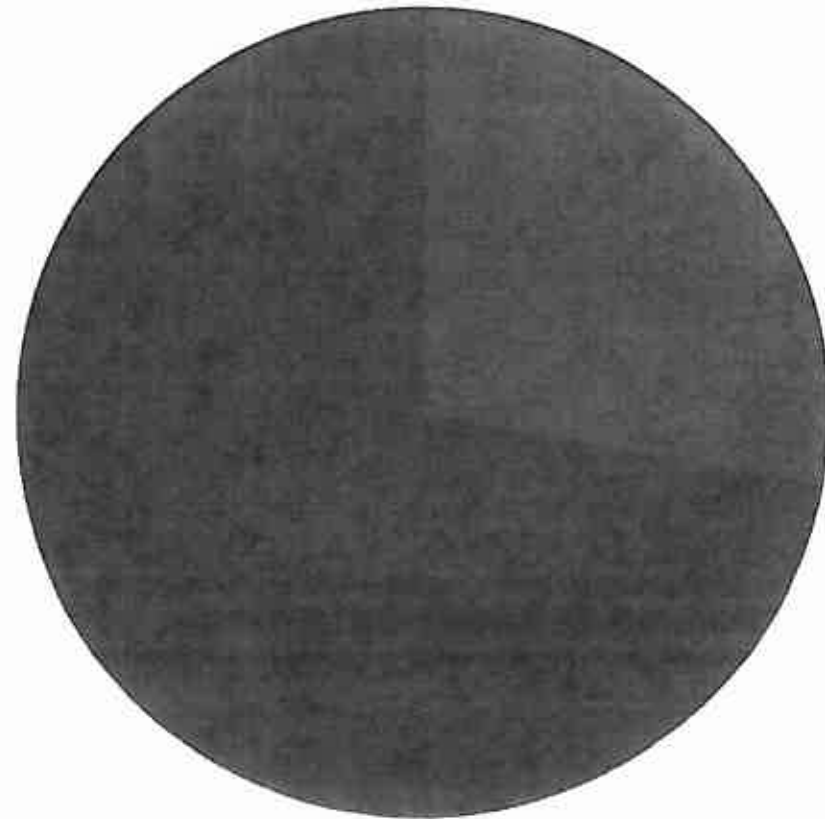
TSH

# Do you associate crime with the trail near your house?

Crime

Yes- 28

No- 73



- Yes
- No

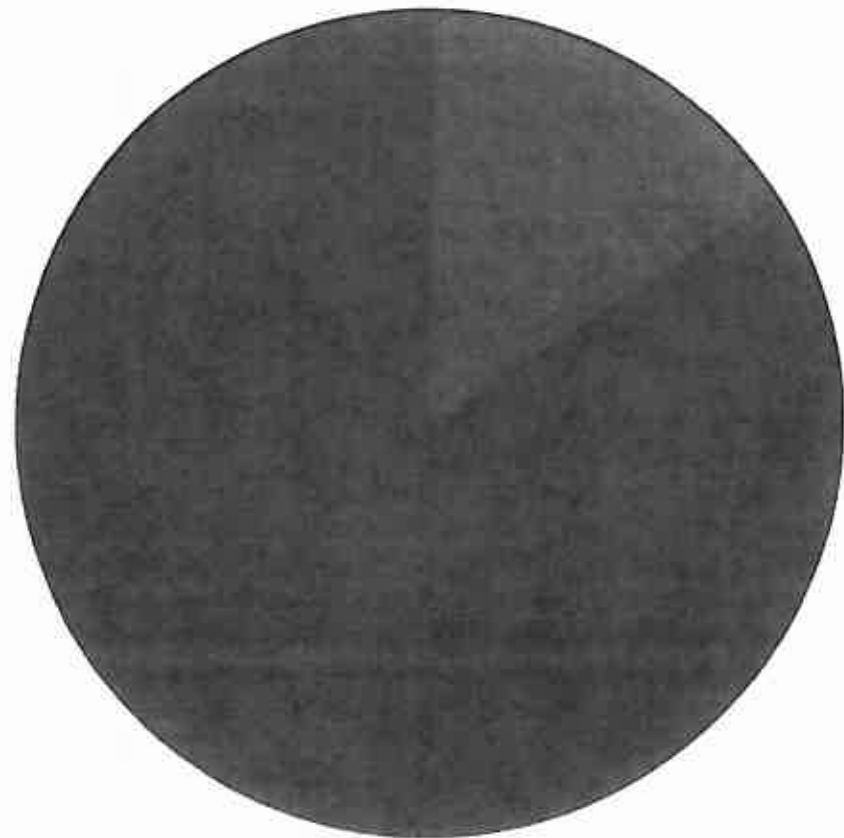
TS4

# Do you associate interruption of privacy with the trail near your home?

Privacy

Yes- 16

No-86



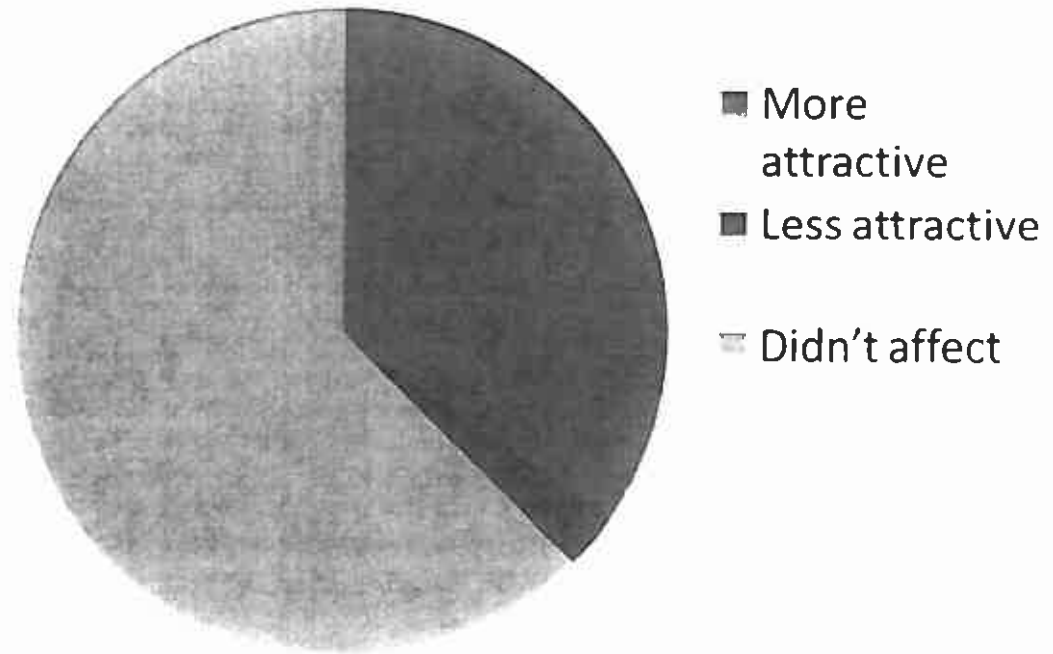
■ Yes  
■ No

TSH

# What role would you say having a trail near your home played in your decision to buy your home?

Role in buying home

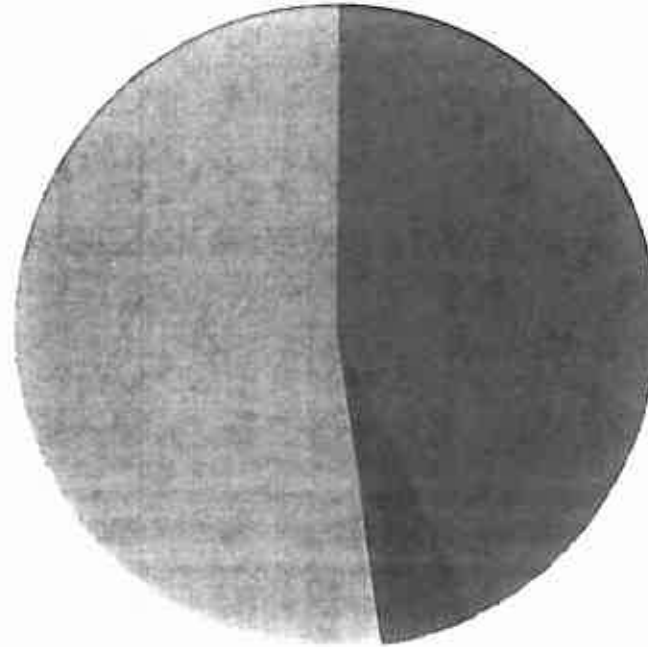
- a.) Made purchase (or rental) more attractive- 35
- b.) Made purchase (or rental) less attractive- 3
- c.) Did not affect decision- 64



# Would you say having a trail near your home has...

- a.) Improved property value- 43
- b.) Decreased property value- 5
- c.) Didn't affect property value- 53

Value



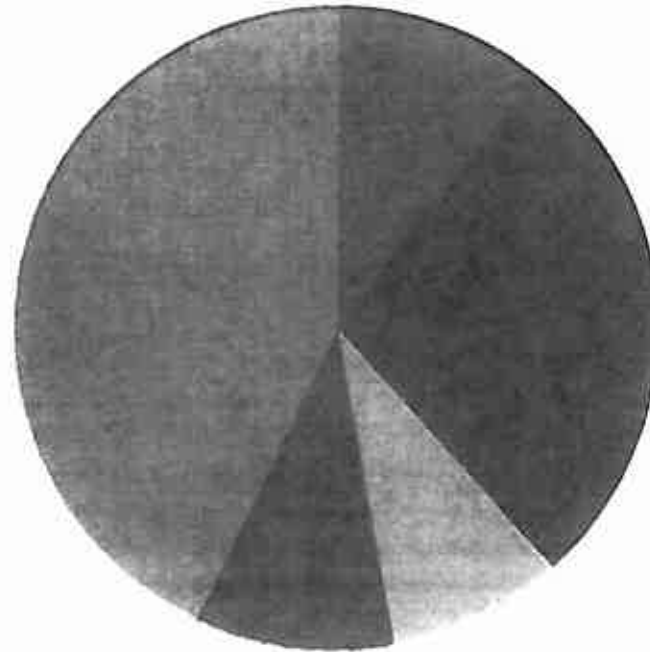
- Improved property value
- Decreased property value
- Didn't affect property value

154

# If the city could improve your local trail, what specifically would you want done?

## Improvements

- a.) More frequent maintenance- 14
- b.) Wider longer trail- 22
- c.) Add benches- 7
- d.) All of the above- 8
- e.) No improvements- 34



- More Maintenance
- Wider, longer trails
- More benches
- All of the above
- No improvements

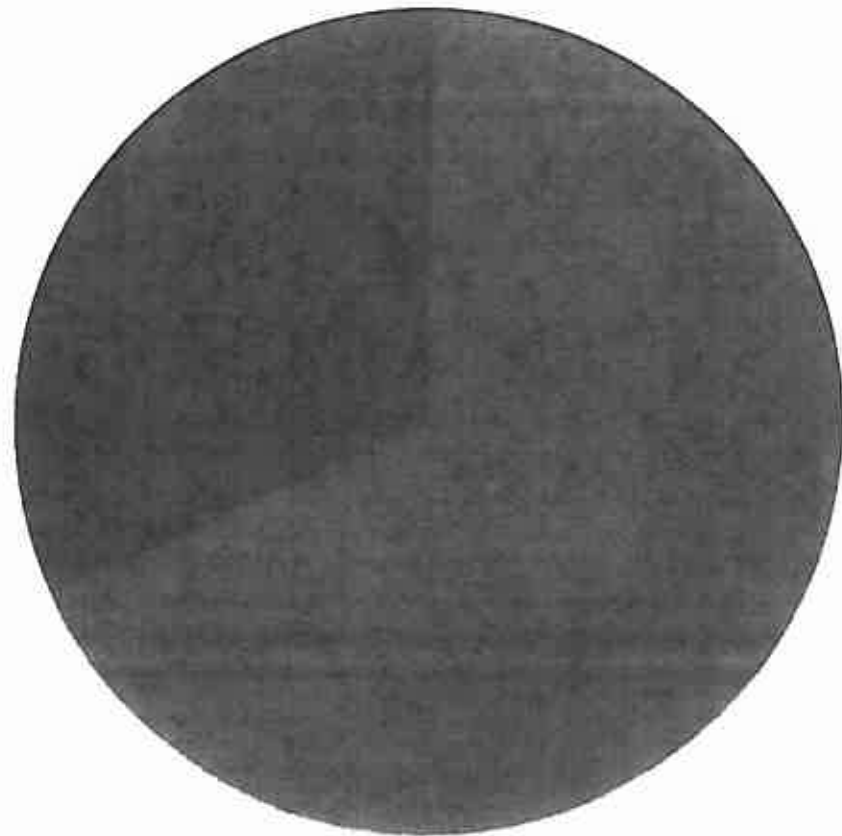
154

# Would you like current trails to connect with other trails?

Connect with other trails

a.) Yes- 68

b.) No- 32



■ Yes  
■ No

**Pelz, Zach**

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**From:** Hidden Springs Nbrhd Associates [wlhsna@msn.com]  
**Sent:** Wednesday, June 22, 2011 1:27 PM  
**To:** Pelz, Zach; Sonnen, John  
**Cc:** Rivera, Sherrie  
**Subject:** Standing issue answers provided by city planner Pelz  
**Attachments:** Zac answer to standing questions.pdf

Dear Mr. Pelz,

Thank you for taking the time to assist me in Mr. Sonnen's absence this morning. Attached please find a copy of the document you provided me in response to my question about "standing" regarding the Trail Master Plan currently before the Planning Commission. You advised me that you did not think the attached was the correct information but it was all you had. Would you please contact the city attorney to determine the correct procedure to obtain standing for the Planning Commission meeting that began on June 15, 2011 and was extended to June 22, 2011?

Please accept my apology for the necessity of contacting you by email as I do not own a computer or have a personal email address and am sending you information via another party's email address. Despite the hardship to my self and the intrusion of privacy on others, they have graciously allowed me to use their computer and email to contact you because time is of the essence. I request that you do not reply to this email address but respond to my mailing address at PO Box 236, Marylhurst, Oregon 97036 or provide the requested information at the planning commission meeting tonight.

During our conversation this morning you advised me that the parties who had not testified at the Planning Commission meeting on June 15, 2011 would not have standing on the Trail Master Plan proposal unless they attended the meeting of the Planning Commission tonight, June 22, 2011. This seems to be an unfair hardship on citizens who have already spent time and energy to participate and have standing.

Furthermore, it was my understanding at the June 15, 2011 Planning Commission meeting, that those parties who did not have an opportunity to testify at the initial meeting would have standing if they had filled out testimony sheets at the first meeting but were unable to attend the second meeting. It was disconcerting when you advised me this morning they would not have standing after they had dedicated their time and energy to attend the first meeting. Would it be possible to obtain clarification from the city attorney regarding the standing of individuals who turned in testimony sheets but were not allowed to testify at the first meeting before the meeting this evening?

Thank you again for your assistance.

Cordially,

Lynn Fox  
PO Box 236  
Marylhurst, Oregon 97036



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99.140 ESTABLISHING STANDING TO APPEAL OR REVIEW

A. Any person or recognized neighborhood association with standing may pursue an appeal or seek review of any land development decision. Standing is established in the following way:

B. The person or recognized neighborhood association appeared before an approval authority other than the Director, either orally or in writing, and provided their name and address; signed the sign-in sheet or testimony form provided at the hearing; or submitted comments to the Director, in writing, and provided their name and address to the Director regarding a decision. Neighborhood association standing can only be established by a person identifying, either in testimony or in writing, that they represent a specific neighborhood association. (Ord. 1474, 2001; Ord. 1568, 2008)

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West Linn Community Development Code  
Ch. 99: Procedures for Quasi-Judicial  
Decision making

TSS

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Wednesday, June 22, 2011 11:32 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Trails Plan: Response  
**Attachments:** PlanCommresp.doc

John Sonnen, Planning Director  
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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

**From:** Arnold Peterson [<mailto:arniehp@gmail.com>]  
**Sent:** Wednesday, June 22, 2011 10:42 AM  
**To:** Sonnen, John  
**Subject:** West Linn Trails Plan: Response

The attached letter is submitted for consideration by your staff, the commission, and city attorney. Thanks for your attention to this process. Arnold Peterson

TSP

Arnold H. Peterson  
25435 Swiftshore Drive  
West Linn, Oregon 97068

Mr. John Sonnen, Planning Director  
City of West Linn  
22500 Salamo Road #600  
West Linn, Oregon 97068

June 22, 2011

Dear Mr. Sonnen:

I am a retired forester, most recently as the Assistant Forest Manager, Management Section, Yakama Agency, Bureau of Indian Affairs, US Department of Interior. In that role I served as a supervisor of work units that participated in interdisciplinary teams tasked with *analysis of environmental impacts of proposed federal actions*, most often timber sales. We were required to follow an approval process that was outlined in the National Environmental Policy Act of 1969 (NEPA).

I write this letter to the West Linn Planning Commission/Department to protest the "West Linn Trails Plan" in its current form. I object to specific trails and their designations of route types and the design standards that apply. Specifically, the Swiftshore Park trails, designated a Primary Route, that would connect Swiftshore Park to Willamette Park downstream and Fields Park upstream are objectionable because of the impacts to the environment and protection of individuals' rights as property owners versus that of West Linn's eminent domain.

This process included review and comment by the affected public just as does the West Linn Trails Plan. It is not clear to me the extent to which NEPA applies to the plan development or will to the implementation phases, however, if federal monies are used, then it becomes a "federal proposal" and NEPA and a host of federal statutes would apply, such as the National Historic Preservation Act (NHPA), Sec. 106; and the Archaeological Resources Protection Act (ARPA). The cost of environmental review and preparation of an EIS is significant, but is, at least in part billable to the federal funds obtained. I have assumed that your planning staff, as well as your City Attorney and your Publics Works Department (the transportation section, at least) have made you aware of opportunities available to solicit funds from the US Department of Transportation (USDOT), Title 23 (gas tax and other appropriated funds).

I believe it prudent for you to pursue the public monies even if this process seems burdensome, as this process does protect the environment, inform the affected public, and provide financial assistance to communities (taxpayers) with limited resources. I imply that the process under NEPA could be avoided if non-federal funding was used, and this might be an alternative that should be considered. However, you have embarked on a process that includes public disclosure and discourse; therefore I have assumed that you will continue with public involvement in the next phases of plan development, as well as a concern to most effectively utilize our tax dollars.

I also believe that in any environmental analysis, whether an EIS or an Environmental Analysis (EA), that the Swiftshore Trails projects will be found objectionable because the habitat is unique for at least three reasons:

1. This reach of the Tualatin River is the only erosional structure, or is the only rapids, in the river until somewhere upstream of Gaston.
2. The adjacent lands, although private, are protected by an Urban Growth Boundary (This is the north aspect of Pete's Mountain; the boundary is the Tualatin River.), and
3. This latter area has many of the characteristics of an old-growth forest habitat that add to the complexity of the total area habitat when considered in relationship to the adjacent Tualatin River riparian zone.

These features make possible a rich diversity of flora and fauna. I am unaware of any Northern Spotted Owls or other endangered species making use of this habitat (I am not a wildlife biologist or a botanist specialized in threatened and endangered species.)

However, my wife and I have observed both male and female Pileated Wood peckers in our back yard over this past fall/winter/spring. I have learned from my wildlife biologist contacts that these birds use habitat with the essentially the same characteristics as would the Northern Spotted Owl. I suggest that the woodpeckers are at least an indicator species for conditions that exist in this ecosystem in its ability to support other species found in old-growth forests.

If my observations are correct, then the impacts associated with the current trail location and/or design standards would be detrimental due to the area taken for trail development and the bicyclists or any other users traveling greater than 10 mph. Any additional human incursion into this riparian zone is an additional impact, but to connect the parks with trails that encourage use by higher speed vehicles is unjustified by the objectives to preserve special and fragile habitat while providing access for pedestrian traffic out to enjoy the riparian zone and the flora and fauna. I encourage the Planning Commission/Department to consider the lowest standard for route designation and design width such as a 6' wide path designed for pedestrian traffic. Such a trail would have a "light hand on the land" that would provide a protection and preservation such a special habitat combination deserves.

My last point about rights of property owners versus the eminent domain of West Linn also relates to the number of properties that would need to be condemned. I am aware of at least two properties downstream of Swiftshore Park that would need to be condemned because the fee land extends to the center of the Tualatin River. If the Primary Route designation were to be retained, then at least one other property would be required also. At least two properties upstream between Swiftshore and Fields Parks are needed due to the proximity of dwellings to the river bank. Given the 24-26' width of the proposed right-of way, additional width by condemnation may affect other properties, as well. My sympathies lie with the individuals that will be adversely affected by this trail proposal. The "greater good" philosophy of eminent domain, I suggest, has already been achieved

by access currently provided by West Linn at the Swiftshore Park swimming hole and other access points. The additional access in this proposal is imprudent when considered in the contexts of economics, physical environment, and fairness.

In conclusion, I advise rejection by the West Linn Planning Commission of the West Linn Trails Plan as currently developed. I applaud the Commission's policy of public disclosure and discourse and the Parks Department for their current operations. I also wish to commend the Planning Department for the enormous effort they have undertaken and request that they consider my suggestions for future plan/implementation modification(s). Thank you for the opportunity to make a difference.

Sincerely,

Arnold H. Peterson

Cc: Bob Martin, Planning Commission  
Ken Worcester, Planning Department  
Zack Pelz, Planning Department  
City Attorney (original copy)  
Dave Froode

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Wednesday, June 22, 2011 12:38 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Proposed Trails

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** [carol.gatto@comcast.net](mailto:carol.gatto@comcast.net) [<mailto:carol.gatto@comcast.net>]  
**Sent:** Wednesday, June 22, 2011 12:37 PM  
**To:** Sonnen, John  
**Subject:** West Linn Proposed Trails

West Linn's Planning Director, John Sonnen

John: Please reconsider how city money is spent - rather than trails (which will all be in future planning), can we address more critical issues - such as infrastructure, education, street improvement and maintenance, etc. The list can go on forever.

It is hoped the planning commission can put their efforts and budget in more control to where the real issues are present and clear.

Carol Gatto  
1994 Furlong Court - West Linn OR 97068  
503.635.6711

151

**Pelz, Zach**

---

**From:** Sonnen, John  
**Sent:** Wednesday, June 22, 2011 9:20 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: trail plan

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** Fred and Jean Schubert [<mailto:fredcs@comcast.net>]  
**Sent:** Tuesday, June 21, 2011 10:02 PM  
**To:** Sonnen, John  
**Subject:** trail plan

Mr. Sonnen: We have lived in West Linn for 58 years. We are unable to attend the public hearing but want to say we are totally against the proposed path along the Willamette River. We have not heard anyone we know say they approved it!

First, we strongly object to taking private property (essentially peoples' back yards) for this path. The attendant downsides would be not only loss of privacy but concerns about trespassing, littering, drinking unknown people at one's "back door" and chance of crime. We feel the path would be used more by others than residents of West Linn.

The second concern is the cost. This path would cost millions of dollars and, since the river floods most years, much upkeep and repair. I don't know how much money the city has but am certain this would affect other projects. West Linn already has a lot of access to the river. A new police station or city pool would be more important. We can't afford to pay for this trail in today's economy.

Third, we are sure there would be some environmental impact but we personally think the river more beautiful in its natural state rather than having a "sidewalk" along it.

Sincerely,  
Fred and Jean Schubert  
4022 Calaroga Cou

## Pelz, Zach

---

**From:** Sonnen, John  
**Sent:** Wednesday, June 22, 2011 11:30 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Trails Plan Important Information

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Kathleen McDonald [mailto:kathleen@kathleenmcdonaldrealestate.com]  
**Sent:** Wednesday, June 22, 2011 10:53 AM  
**To:** Sonnen, John  
**Subject:** West Linn Trails Plan Important Information

To: John Sonnen:

Regarding the proposed plan for additional West Linn trails:

**1. Your definition of a Primary Route on page 68 of the plan does NOT match the area from the Pete's Mt. bridge along the Tualatin River up to Fields Park bridge....which has been marked as a "Primary Route" on the plan.**

"Primary Routes have Citywide and regional significance and provide continuous connections throughout the City to key destinations and the region. Primary routes can have access to transit and are intended to serve the needs of the maximum number of users of varying modes (on foot and bicycle) abilities, (including the elderly, young children and mobility device users) and purposes (i.e. transportation and recreation). Primary routes are likely to be paved but may be unpaved due to environmental constraints. They may be on - or off street facilities and can pass through a variety of land uses."

**Dangerous curves would make this route a safety hazard for an elderly ... wheelchair bound or young mother meeting up with a cyclist. You can't straighten the river..... ")**

Width would be an issue on these curves and bends in the river....7 homes would need to be condemned and taken down for the visibility to be improved and the path wide enough to be safe.

**But most important.....this is NOT an area that "provides continuous connections throughout the City" it goes off onto Borland road and the Stafford area.**

**There is NO access to transit, and serving the maximum number of users ... etc would be a nightmare...users to go where?**

There is no problem having a gravel path along the river...for walkers and hikers....

**2. This area of the 84 miles of the Tualatin river is right above where it feeds into the Willamette, and is a slope with rapids....a very unique area of any of our Portland Rivers, and needs to be protected. The over 100 year old trees along the bank can not live with asphalt on their root systems....a federal Forester has looked at the trees and knows the damage this pathway would cause.**



**You already have public access to this area.....a large lawn park, and swimming hole...with access to the street...and the only citizens who use it are the young adults in the summer for swimming and sunbathing....and local neighbors who throw balls for their dogs. This is called **Swiftshore Park**.**

**3. The Tax payer expense is excessive.** Looking at the plan, and trying to figure out the costs....it looks like it will be almost **68 million dollars**. Where are you going to get this money? The government only funds construction not **maintenance....**and if you walk along the little trail you have right off of Pete's Mt. bridge you will see your bird houses laying on the ground, and your trail in mud and mostly just gone. **West Linn is not maintaining the trails they have....clean them up and then talk about adding more.**

**You continually say "the people want this" ... where are those citizens that want this so badly....why haven't they attended the meeting or written letters. Have you told these few people what the cost will be and do they also want that?**

**4. Lastly, someone who knows parks, is a park director or employee, and truly loves the outdoors and wants to see people also enjoy it .... will obviously know the importance of protecting our unique and beautiful areas from speeding cyclists (major transportation) trash, gang graffiti (as on the Pete's Mt. Bridge trail head) and want these special areas to be accessible to everyone....but not so overused and abused with 24 foot wide paths that they are destroyed, and NO ONE can see the bald eagle teaching its young to hunt, or the osprey feeding from the river...baby ducks and geese learning to work thru the rapids....**

**We HAVE access for people to come see all of this...we have parking, we have a large staircase leading down from the streets above....so people can come and enjoy the solitude and nature.**

**We have Swiftshore Park. Lets leave it as it is, it is on all the city maps.....people can access it and enjoy the nature, rapids, wildlife and uniqueness of it.**

## **Kathleen McDonald Peterson**

**Diamond Platinum Member Million Dollar Club  
Voted Portland Monthly - 2011 Five Star Award for Overall  
Customer Satisfaction by Clients  
Broker - Keller Williams Realty Portland Premiere**

**Bridgeport Lake Oswego West Linn All of Portland Area  
17700 SW Upper Boones Ferry Rd. Suite 100  
Portland, Oregon 97224**

**[Kathleen@KathleenMcDonaldRealEstate.com](mailto:Kathleen@KathleenMcDonaldRealEstate.com)  
Cell: 503-380-3683  
Efax: 503-336-7202**

***"Kathleen Is Always Available – Call or email now"***



## Memorandum

**Date:** June 21, 2011

**To:** John Sonnen, Planning Director  
Ken Worcester, Parks and Recreation Director

**From:** Chris Jordan, City Manager

**Subject:** Trails Master Plan

It has come to my attention that the Planning Commission has received a significant amount of public testimony on the proposed Trails Master Plan and has scheduled a Special Meeting for June 22, 2011 to continue the public hearing on this topic.

The Trails Master Plan has been a priority of the City Council since funding was included for it the Parks Systems Development account and approved by the Council in May 2009. The Council reiterated that support by awarding the contract to MIG in October 2009.

To ensure the Council receives the best product for final consideration, I recommend that staff request the Planning Commission to pursue the following process:

- 1) Complete the public hearing by receiving all the public testimony on June 22 (or a later date if necessary);
- 2) Close the public hearing and provide any additional input to staff regarding items or issues that may need further consideration by staff, the consultant or the Parks & Recreation Advisory Board;
- 3) Request that staff return in Fall 2011 with the proposed Trails Master Plan and any amendments that staff or the Parks & Recreation Advisory Board would like the Planning Commission to consider based on the public testimony received;
- 4) The Planning Commission would then review and deliberate on this final proposed Plan and would then make a recommendation regarding the Plan to the City Council;
- 5) The Council will hold a public hearing later in Fall 2011 on the Trails Master Plan.

By taking this approach, it would be our intent to ensure that all public testimony is heard by the Planning Commission in a timely fashion, and that the staff and the Parks & Recreation Advisory Board have the opportunity to prepare a final proposal that takes this testimony into consideration prior to a Planning Commission recommendation and a City Council decision.

Please let me know if you have any questions.

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Wednesday, June 22, 2011 9:20 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: trail plan

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Fred and Jean Schubert [<mailto:fredcs@comcast.net>]  
**Sent:** Tuesday, June 21, 2011 10:02 PM  
**To:** Sonnen, John  
**Subject:** trail plan

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Third, we are sure there would be some environmental impact but we personally think the river more beautiful in its natural state rather than having a "sidewalk" along it.

Sincerely,  
Fred and Jean Schubert  
4022 Calaroga Cou

**Roberta Schwarz**

---

**From:** Roberta Schwarz <roberta.schwarz@comcast.net>  
**Sent:** Wednesday, June 22, 2011 3:40 PM  
**To:** 'cwl\_planningcommission@westlinnoregon.gov'  
**Cc:** 'Worcester, Ken'  
**Subject:** Trail in White Oak Savanna

Dear Chair Martin and West Linn Planning Commission,

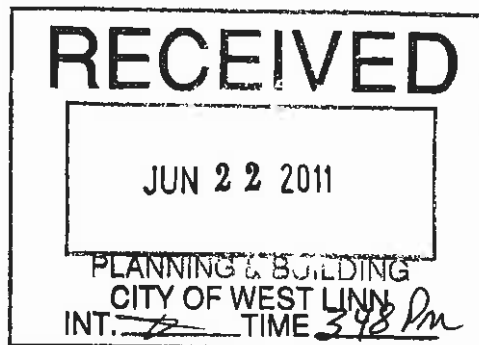
Please enter this correspondence into the public record.

I was unable to attend your recent meeting concerning the trails system in West Linn because I was picking up a grant check from the Tribal Council of the Spirit Mountain Community Fund for restoration funds for the White Oak Savanna. I am participating in a fund raiser at the summer's first Farmer's Market during your next meeting on this item so I will not be able to attend and testify tonight.

Apparently there was some confusion at your first meeting about a possible trail going to the ODOT property. That is called the Oak Savanna Trail, I believe. That is **not** the one that I have been working on getting private grant money for and which will go through part of the White Oak Savanna. The one that I have been working on getting private funding for will be a small trail that is about 4 feet wide and made of natural materials and will be the White Oak Savanna Trail.

The White Oak Savanna Trail would be paid for by a private (not government) grant that has been applied for and it would be a small trail no closer than 100 feet from any homes. It would be made of natural materials and would be ADA accessible. It is required by one of the grant funders, Metro, that a trail in this, our newest natural park, be installed by the end of this year. It is stipulated in the grant award that was received by West Linn from Metro in order to purchase the land that a trail be installed in the White Oak Savanna by the end of 2011. \$30,000 of the \$333,000 that was awarded for the purchase of the White Oak Savanna has been held back by Metro until that stipulation is satisfied. I therefore request that the small natural trail which will be paid for by private money be allowed to be installed in the White Oak Savanna. This will allow us to stay in compliance with the Metro grant stipulation and to be able to get the final \$30,000 of the grant that they are holding until completion of a trial by the end of this year.

Sincerely,  
Roberta Schwarz  
Co- founder, NLWL and  
White Oak Savanna Committee Chair



762

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Wednesday, June 22, 2011 3:52 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Trails Master Plan

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Amy Murphy [<mailto:mahermurphy@yahoo.com>]  
**Sent:** Wednesday, June 22, 2011 3:32 PM  
**To:** CWL Planning Commission  
**Cc:** Murphy, Amy  
**Subject:** Trails Master Plan

Dear Planning Commission:

I am a West Linn resident residing at 4960 Ireland Lane. I was also recently appointed to the WL Park and Recreation Advisory Board.

Although I learned about and studied the Trails Plan because of my involvement with the Advisory Board, I am writing of my own accord. All of my comments and opinions are solely my own.

I attended last week's city Planning meeting and heard a lot of testimony against the Trail Plan. Some of the testimony, especially the testimony regarding specific trails, was interesting and should make the Parks Department at least reconsider those few specific trail items. That is why our city offers the ability for citizens to comment on planning activities in our city, to ensure that the best decisions with the least amount of negative impact are being made. While there were several other comments made that I disagree with, the main viewpoints I disagree with are those that suggested that the entire Plan be scrapped until sometime in the distant, non-disclosed future.

There are several reasons why I think that the Plan should not be tabled or eliminated, but the main reason is because without an adopted Trails plan there will not be trails incorporated into city planning. We have all seen what happens in this city without proper foresight and planning: We end up scrambling and cobbling together a space to put a much needed police station, we end up with schools that have to bus kids that live within a half mile because there is no safe way for them to walk there, we end up with a shortage of sports fields and open space, and we end up with streets that lack continuous sidewalks and neighborhoods that lack interconnectivity.

I live adjacent to the Rosemont Summit neighborhood built by Renaissance homes. The neighborhood was built with small pathways connecting streets without which my children would not be able to safely and easily walk to friends homes nor be able to access Parker Rd. Without such a **plan** in place for these paths the houses on our dead-end street would have been isolated from the rest of the neighborhood and parts of the city.

A Trails Plan is a necessary document to create a city that provides functional trail system for all of its citizens that walk, bike, skate, roll, run, and/or hike. The Parks Department worked hard to provide a Trail plan which

incorporated citizen wants, desires, and needs. You can do your part to further these by supporting and passing the Trails Master Plan.

Thank you,  
Amy Murphy

[mahermurphy@yahoo.com](mailto:mahermurphy@yahoo.com)  
503-490-2712

**Pelz, Zach**

---

**From:** Sonnen, John  
**Sent:** Tuesday, June 21, 2011 9:28 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Trails Plan

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** [k\\_petzold@comcast.net](mailto:k_petzold@comcast.net) [mailto:[k\\_petzold@comcast.net](mailto:k_petzold@comcast.net)]  
**Sent:** Tuesday, June 21, 2011 9:17 AM  
**To:** Tan, Jennifer; Carson, Jody; Cummings, Teri; Jones, Michael; Sonnen, John; Kovash, John  
**Subject:** Trails Plan

Good morning,

I have lived in West Linn for the past 11 years, having "migrated" after 25+ years living in Lake Oswego and have never had cause to communicate directly with my elected officials, until now. I am firmly opposed to the West Linn Trails plan and cannot understand why this "plan" is even on your agenda especially considering the economic conditions we are all experiencing.

My obvious questions are:

1. How much is this "trail" going to cost me?
2. Where in your budget do you find the funding?
2. What impact is this river "trail" going to have on the habitat?
3. Does this "trail" come before a new Police Station or the Aquatic Park?
4. How is this "trail" going to impact homeowners living on the river?
5. What additional security will be implemented to ensure a safe (for the: walkers, bikers, skateboarders, runners, homeowners) 17 mile pathway?
6. Have you considered the "hidden" costs in maintaining this trail? i.e. the rise of the river during the winter and spring?

I live in Carriage Meadows, not even close to the river, however, do not understand why my Council and the Parks Department is even considering pushing this agenda when there are other more important issues facing the City of West Linn.

Very truly yours,

Kathleen A. Petzold  
1825 Deana Drive  
West Linn, OR  
503-650-7322  
[k\\_petzold@comcast.net](mailto:k_petzold@comcast.net)

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Tuesday, June 21, 2011 8:43 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: 2011 West Linn Trails Plan

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** [sportsfam5@comcast.net](mailto:sportsfam5@comcast.net) [<mailto:sportsfam5@comcast.net>]  
**Sent:** Tuesday, June 21, 2011 8:14 AM  
**To:** Sonnen, John  
**Subject:** 2011 West Linn Trails Plan

Dear Mr. Sonnen,

We are emailing you to express our opposition to the proposed 2011 West Linn Comprehensive Trails Plan. We will be out of town on June 22nd, but want our opposition to be added to the public record.

We are against the trails plan for several reasons:

We don't believe it's necessary since current right of way laws make the river accessible to all. Goal 15 can be met without the trails plan which would waste limited city resources.

This trails plan does not address the concerns of adjacent property owners, infringes on the rights of riverfront property owners, and would cost more than the city has available in its limited budget.

The trails plan would likely put the environment at risk and damage our natural resources. We think that current code adequately protects our natural resources. We also think that using limited city funds on an unnecessary project is bad government policy.

We do hope that you and the leaders of West Linn listen to the majority of citizens opposed to this plan and discard it before spending any more time and resources on designing it. We don't want it, don't need it, and can't afford it.

Sincerely,

Steve and Dawn Gunther  
18665 Nixon Ave.  
West Linn, OR 97068  
503-697-0595



## Shroyer, Shauna

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**From:** Una Schmidt [unaschmidt@comcast.net]  
**Sent:** Tuesday, June 21, 2011 9:07 AM  
**To:** CWL Planning Commission  
**Cc:** Sonnen, John  
**Subject:** Master Trails Plan

Members of the West Linn Planning Commission;

I thank you for your motivation, time and effort that went into the 2011 Master Trails Plan. And heart felt thanks and recognition go to the many committees, and of course the staff.

You are a recommending body to officials that are elected by the citizens of West Linn, but please remember you have been appointed to represent citizens that as yet do not have the right to vote, namely those who are too young to vote, and the unborn of West Linn's future citizens. Therefore, it is your job to think big. Although a 50 year plan may be a bit scary, it is not at all too big. Our plan must be grand, but not grandiose, and you were appointed because you know the difference.

I will admit that I am anxious when I read in the plan that properties adjacent to public access and proposed trail designations could be asked to dedicate an easement to such property. Since most residences are fronted by a public street, this public access makes many homeowners vulnerable to unwanted easement negotiations.

My second comment relates to waterfront trails. As an avid bicyclist I have traveled through bicycle trails along riverfronts in several states. As just one example, last summer we cycled on the Centennial trail in Washington along the Spokane River. This popular trail which extends into Idaho uses public streets very safely and successfully through single family residential areas. Actual bank side trails are constructed in densely built areas of condos, hotels, commercial and industry, perhaps using trail completion as a density bonus or basis of conditional use. Please remember the June 15th testimony of Dave Froode regarding private property rights. Your plan can be achieved without diminishing any citizen's property rights. Good luck to you.

Best regards,

Una Schmidt  
6545 Failing Street  
West Linn, OR 97068  
6/21/2011

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Monday, June 20, 2011 12:44 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Trails master plan  
**Attachments:** Dan Benson.docx; ATT00001.txt

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** Dan Benson [<mailto:danbenson@d-velopment.com>]  
**Sent:** Monday, June 20, 2011 12:27 PM  
**To:** Sonnen, John  
**Subject:** Trails master plan

Mr. Sonnen,  
I am unable to attend next Wednesday's meeting but have attached a document that I hope can be reviewed prior to final decisions regarding the trails master plan.  
I really appreciate you taking the time to review this.

Thank you,  
Dan Benson

503.998.2329

Dan Benson  
25375 swiftshore dr  
West linn, Or 97068

I appreciate you taking time to read this letter. I am writing this letter to show my opposition to the proposed master trail plan. I am unable to attend the upcoming meeting but was able to attend last Wednesday's meeting and will try to refrain from covering the same points that were accurately mentioned in the previous meeting.

I worked and saved very hard to purchase and remolded my home located on the Tualatin river. This is my first home and honestly it is my dream home. It is a place I envisioned raising a family and living for a very long time. When I saw that the proposed master trail plan had a trail running between my home and the river I was very concerned. I was fortunate to find a house that was extremely close to the river. I have a very small back lawn between my home and the rock retaining wall (constructed after the 1996 flood). The river in the winter and early spring months comes to the base of this retaining wall. Obviously having a trail below the average high water level would be ecologically and economically misadvised. Any other trail location would be running directly through by back lawn.

The slides presented on Wednesday showed that a "primary route" is a paved or unpaved trail 10-12' wide with 2' shoulders on both side and 5' slope transitions (equating to a minimum of 24' trail traveling through my 13' wide back lawn). This would not be feasible in the location behind my home in addition to many neighboring homes. This makes me concerned that many other trail locations may have looked good on paper but realistically they will be unfeasible or cost prohibitive. I strongly believe the parks department needs to reexamine what they are proposing. I'm sure the swiftshore area is not the only area with this issue.

My Primary concerns with this or any trail behind my home are:

- Loss of privacy
- Security
- Loss of property value
- Loss of nature and wildlife

**Privacy-** One of the main selling features to me was the unbelievable peaceful environment behind my house. Here I am in the middle of a great neighborhood but when I walk to the back of my house it's as if I'm miles away from civilization. The solitude is absolutely amazing. Having a trail behind my home would put people literally feet from the windows that line the back of my home, forcing me to shut the blinds on the view that I love so much.

As was mentioned in the meeting on Wednesday, I too would be worried about who is outside in the darkness looking into my lit home and watching. Your home is a place that you should feel totally safe and protected from others. Constantly wondering who is looking into my home would crush our sense of

privacy. I keep saying "my home" but its not just mine. It's anyone's home that will have this or any proposed trail running through his or her backyard. I had worked very hard and paid a premium for this house because of the solitude that it has. This is very important to me and is my primary concern with the proposed trails.

**Security-** Trails will give indiscriminating access to the backyards of hundreds of homes. I am often out of town but am at ease knowing that we have a very close neighborhood where everyone watches out for each other's homes. The at ease feeling will be shattered knowing that individuals can easily access the back of my house from the trail running through my back yard. Someone could easily break a window or pick a lock in the back of my house and no one would ever know they were there. It seems like a thief's dream come true. Easy access to the back of homes, away from neighbors. They could walk the path "casing" homes and learning patterns (what types of tools they will need, who has dogs, who has alarms, when are others on the trails etc.) all while pretending to be a normal person out for an evening walk.

The swiftshore park down the street from my house is a beautiful area but I rarely ever go there. I have been down there too many times and seen high school kids smoking pot, drinking, I even one time walked down on people having sex. This is just one small park that is hosting all of this activity. I can't begin to imagine the illegal activities that would occur along an unpatrolled trail.

I strongly feel that putting any trail that provides access to the back yards of unwilling residents is incredibly irresponsible and disrespectful.

**Property value-** As I had mentioned, the solitude was the major selling feature for me. I would have never looked twice at this property if it had a trail running through the back lawn. If this proposal were to go through I would begin to look for other homes which is sad because I have fallen in love with the city and home that I am in. To make it worse, even the proposal of the future trail would damage my likelihood of selling and achieving a selling point that the home deserves.

**Loss of nature-** Almost every day I will see deer across the river. Even the movement of me opening my deck door will send them running up the hill and away from the river. Having constant foot traffic along the river will greatly disturb the wildlife and natural feel of the river.

One of the amazing things about the lower portion of the Tualatin river is the solitude that can be found so close to our busy city. I have been floating down the river for years now and every time I do it I cannot believe that we are minutes from a large city. There are sections of the river that you would think you couldn't find even hours from Portland. It is a true thing of beauty and putting a path all along the river would destroy that feeling. There are very few places left in the area where you can go and feel like you're miles away from everything. The rapids section of the Tualatin is one of these locations. It already has a number of access points for people to enjoy. Let's please minimize our impact on this truly wild section of the river.

I really appreciate your time and consideration. I spoke a lot about the trail running along the Tualatin river but it's really all of the trails that run and provide easy and unwanted access to the backyards of all residents on West Linn that I am concerned with.

I know that a lot of time and effort went into the master trail plan and I appreciate the great work that the parks department does. However, seeing the overwhelmingly large opposition to this proposal I would hope that those of you making this decision would recommend that the parks department look at these concerns addressed by the public and bring a revised plan up for consideration at another time.

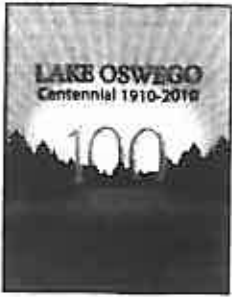
Thank you,

Dan Benson  
503.998.2329

745



748



CITY OF LAKE OSWEGO

LAKE OSWEGO TIGARD WATER PARTNERSHIP

4101 Kruse Way  
PO Box 369  
Lake Oswego, OR 97034

503-635-0270  
www.ci.oswego.or.us

June 15, 2011

West Linn Planning Commission  
City of West Linn, City Hall  
22500 Salamo Road  
West Linn, OR 97068

RE: Support for West Linn Trails Plan: A 50-Year Vision for the Future

Dear Chair Martin and Members of the Planning Commission:

On behalf of the Lake Oswego-Tigard Water Partnership, I am writing to support the adoption of the 2011 West Linn Trails Plan: A 50-Year Vision for the Future. The Plan is the product of many long years of public commitment to a more walkable, healthy, and sustainable community for generations to come. We commend your citizens for their forward thinking vision.

The Plan outlines a local route through property owned by Lake Oswego and which now contains the Lake Oswego Water Treatment Plant (the plant). The Water Partnership will be expanding Lake Oswego's facilities in the future and has been working with the Robinwood Neighborhood Association on feasible route option for a pathway through the plant connecting Mapleton Drive and Kenthorpe Way. This pathway will be constructed in conjunction with the Plant expansion by the Partnership in 2013-15.

The Partnership project team is looks forward to ensuring that the plant continues to be a good neighbor into the future and believes that the trail connecting residents to parks, shopping and schools will be an asset to the neighborhood and the community.

Sincerely,

Jane Heisler  
Communications Director  
Lake Oswego Tigard Water Partnership

cc: Dave Prock



**Pelz, Zach**

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**From:** Worcester, Ken  
**Sent:** Thursday, June 16, 2011 9:38 AM  
**To:** Pelz, Zach  
**Subject:** FW: Testimony for the Trails Plan  
**Attachments:** Letter to West Linn Planning Commission RE- Trails Master Plan 6-15-11.doc

Zach, I can't open this

Ken Worcester, Parks and Recreation Director  
Parks and Recreation, #1555

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**From:** Heisler, Jane [<mailto:jheisler@ci.oswego.or.us>]  
**Sent:** Wednesday, June 15, 2011 5:06 PM  
**To:** Worcester, Ken  
**Subject:** Testimony for the Trails Plan

Ken,  
My clock says 5:00 p.m. so I'm hoping to make the deadline. Could you please enter this into the record at tonight's hearing? Thanks. I would be there but already have two meetings this week.

Jane Heisler | Communications Director | Lake Oswego Interceptor Sewer Project (LOIS) / Lake Oswego-Tigard Water Partnership | Voice - 503-697-6573 | Mail - P. O. Box 369, Lake Oswego, OR 97034



**Lake Oswego - Tigard  
Water Partnership**

*How are we doing? Let us know at: [www.ci.oswego.or.us/tools/feedback.asp](http://www.ci.oswego.or.us/tools/feedback.asp)*

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**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Thursday, June 16, 2011 11:32 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Comprehensive Trails Plan

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Dave Froode [mailto:dfroode@comcast.net]  
**Sent:** Thursday, June 16, 2011 7:59 AM  
**To:** Sonnen, John  
**Subject:** West Linn Comprehensive Trails Plan

Mr. Sonnen: Here is a copy of my comments to the Planning Commission. Would like them in the public record. Thank you

Greetings. David Froode, Vice Pres. West Linn Riverfront Owners Association. I live at 19340 Nixon Ave, West Linn.

1. I have heard it said "this proposal is only a vision." It is a blurred vision with gaping holes. It lacks definition.

Actions speak louder than words.

Several years ago we sat down as a committee to create a new and improved Willamette Tualatin River Green Way code. It resulted in Chapter 28. Our primary focus was on protecting the rivers and habitat conservation area. We adopted Metro's overlay which declared the first 30 feet off limits in order to protect the environment. The proposal went through the needed process and was approved by the city council. After it became the code, it was altered by a staff member who integrated waterfront property trails. During our committee discussions, we unanimously agreed what ever was created as the green way code would apply to private property owners, commercial and city. Since then the city

has employed methods to exempt itself. This is way more than a vision.

On another occasion the city paid \$42,000.00 for a 20 foot wide easement on a waterfront easement. In a similar manner the city just paid \$40,000.00 for a non refundable earnest money agreement on lots in Willamette for a very desired top priority Police Station. This ain't no vision, this is an intent.

The city clearly shows it's intent far beyond what they would have people believe is a complacent flexible 50 year vision.

Once these visionary trail lines are put on paper, they become reality. I have been dealing with this "vision" for 22 years and it is an intent, a plan by a select few.

2. I have heard it said the city would not use condemnation to obtain property to fulfill this plan. Good, that is the proper way to do this. Only gain private land from willing sellers. This is not about trails, it is every thing about choice.

Property is the foundation of every right we have, including the right to be free. It is the genius of the old common law we have dominion over what we worked for. In a nutshell, we recognized beyond the rights of acquisition and disposal is the right of sole dominion, a right against trespass, the right of quiet enjoyment, and the right of active use to the extent the use does not violates the rights of others.

Supreme Court Justice Harry Blackmun:

The most comprehensive of rights and the right most valued by civilized men is the right to be let alone, and the concept of privacy embodies the moral fact that a person belongs to himself and not others nor to society as a whole...For it is a simple and undeniable fact that forcing Americans to

give up what they have worked for is indeed telling them how to live their lives and is indeed trampling on “personal rights.”

### 3. Process

This plan does not provide the quantitative evidence to establish need or want. Of the 24,000 people that live in this city, only nine expressed an interest in water front trails or river access. Many stated they are satisfied with the existing trails and focus should be on them. There were numerous comments about not impacting private property adversely. I am sorry but I fail to understand how the city can come to the conclusions we need to spend \$60,000,000.00 on a trails system we do not need or want.

We were promised a report that reflected the community's interests and that is not what we are dealing with here. These conclusions are not shared by the people who participated in the work shops or committees. Evidence of this is contained in the many community comments.

### 4. West Linn River Owners Association(WLRA)

For years and numerous testimony the WLRA has gone on record with these concerns. Liability, environment, safety, costs, property values, Goal 15 and maintenance. You have heard from many about those issues.

#### A. Property Values .

How do you compensate someone for the loss of security, sense of safety, privacy or use of their property? If the city is interested in developing this plan, tell them to purchase property from willing sellers.

In addition, simple logic dictates by designating river front trails, that in itself devalues the property. By law a seller has to disclose that to potential buyers. As a real estate investor I can unequivocally tell you it would be a disconnect for many potential buyers. Get enough negative activity causing the property to extend the days on the market and the price drops in order to sell. How do we explain this away?

So unless we are absolutely certain there is a need for a trail on private property, the city has no right putting a line through some ones property down grading the value.

B. Metro's and State's Goal to create waterfront trails. We met with Mel Sui, Metro's Trails Supervisor. Mr. Sui made it clear Metro is not mandating the trails be along the waterfront. They suggest the trails be in close proximity and parallel to the rivers. In other words, existing sidewalks, paths, streets are to be used to satisfy this goal. Not every trail needs to be right next to the river.

The West Linn Parks Plan scribed by MIG and worked on by the Parks Board and staff was adopted in 2007 by the City Council includes verbiage that trails can include roads as links for waterfront trail system.

This plan before you does not determine exactly where the trails would exist. I am very familiar with the trails in this city and know it is not rocket science to determine where good trails could exist and where existing right of ways are adequate. For this plan to fail to identify where trails are needed is negligent.

We would also point out there are many areas along the river the public has access to. There are two boat ramps, Cedar Island, Mary S Young Park, Maddox Woods, Burnside, and proposals for public to access the PGE area by Willamette area. This is all in addition to the public right of way mandated by the State's green way for public use. Just how much more is necessary and at what price to satisfy nine people?

### Conclusion

This plan severely lacks definition. That is unacceptable.

There is a very big difference between wants and needs. This is a principle most parents teach their children at an early age. The City has

demonstrated their own want but not the public's need.

Cities across the nation are bankrupt because of frivolous commitments. We have far greater needs in this city.

No one is against trails but this plan is far from complete.

My primary concerns are :

1. Address issues of those impacted.
2. Identify specifically where a new trail is needed and where existing right of ways are adequate to serve the goal.
3. Be exact in how the city would obtain private property and it should not be by condemnation but only from willing sellers.
4. Establish priorities based on environmental impact.
5. Create a plan to protect adjacent property owners from liability, crime and safety issues.
6. In these difficult economic times, lets focus on what we have and do what we can to improve that.
7. Honor the public. We know what we want and are willing to pay for.

Until these issues are reconciled, I would ask you not to allow this plan to move forward.

### Community Comments from Survey

I reviewed all of the community comments and note many issues raised are not answered in this Master Trails Plan.

Trails through private property are unwanted.

Maintain existing trails

Operation and finance key elements

Existing not maintained.

How can we afford it?

Sensitive to property owners

Safety major priority

Willamette River Green way, it doesn't always have to be on the river

Consider river levels when locating trails

No need for new stuff, improve what we have

Please do not consider putting trails in people's back yards

Lower impact for wildlife and riparian

**Written and Oral Presentation  
West Linn Trails Plan  
(Planning Commission Meeting)  
June 15, 2011**

**Intro:** The plan is nearly 200 pages so it is not possible for me to cover everything about the plan that concerns me. I have participated in prior meetings regarding the trail plan and provided input. There is much about the plan that is positive but in light of the limited time for comment I will focus on those parts of the plan that I find disturbing:

**In General:**

- ◆ This plan calls for nearly a 250% increase in trails for West Linn (25.6 miles currently and over 85 miles under the full plan). I do not believe an increase of this magnitude is warranted where the city population is only estimated to increase from 24,000 to 32,000 by 2017 (33% increase).
- ◆ Other plan goals are also oversized in trying to provide interconnection of all parts of West Linn together. Neighborhoods are unique and each has its own draw, but there is little call to connect them as the distance and topography challenges are well in excess of the physical capabilities of the majority of expected users to manage.
- ◆ I have yet to see any evidence that the scope of this plan is supported by any significant number of West Linn residents. There has been lots of input as the plan has been pushed through but I do not see a groundswell of citizens requesting this level of expansion.
- ◆ Cost is a serious consideration. As a West Linn property owner I am already paying over \$120 per year in park fees. A 250% increase in trails will require a much higher assessment. Are the citizens of West Linn aware of the build out cost and maintenance cost and that they will be the ones asked to raise their taxes/fees to pay for it? I do not see the city or parks department being able to maintain what they have. Many park facilities require large commitment of volunteer groups to maintain at their current level.

**Specific:**

- ◆ As a resident of West Linn and property owner on Nixon Avenue, I am concerned that the most recent map of proposed trails again shows a trail traversing private property ownership between Cedar Oak boat ramp and Mary S. Young Park (Draft Map dated May 26, 2011 page 39). I thought this route had been removed as unworkable from past plans.
- ◆ **Environment** is a listed concern for the plan yet this waterfront route presents the greatest danger to the environment. Room for the trail is very limited and will therefore cause it to be directly adjacent to the Willamette River on a part of the river containing beaver, geese, ducks, eagle, fish and other wildlife. Because of the limited navigability of this segment between Mary S. Young and Cedar Oak these animals use this area as a safe haven from the various and more intense uses of the river. There is not enough room for the trail and these animals to coexist. The trail also presents issues of erosion, noise, water and general pollution due to increased human usage in this area.
- ◆ **Connectivity** is another listed concern in the plan. Connecting Mary S. Young and Cedar Oak appears to be one of the goals of the plan even though usage of the two areas is by significantly different populations. Cedar Oak is generally a fishing, boating, personal watercraft use while Mary S. Young is a much quieter and less intense use by walkers and bicyclists. The two groups do not necessarily mix that well. Besides, there is already a connection between Mary S. Young and Cedar Oak which is known as Nixon Ave.
- ◆ **Maintenance/Cost.** Putting aside the issue of how to obtain the necessary private land in order to place up to a 26' wide path in this stretch, the area is still not an economical choice. River levels vary greatly between seasons with tidal influences also contributing to 5-10 swings in the high water mark. A ground level trail in this area will be subject flooding during a large portion of the year. An elevated path would be subject to damage from the significant amount of large debris that moves through the area each winter. The increased cost of acquiring the property, building a trail that can stand up to

the water and debris and cost of maintenance make this section of the river unsuitable for any trail let alone a primary trail location.

- ◆ **Community.** People pick their home locations for various reasons including the neighborhood ambiance. Placing a public trail in someone's back yard is unfair and neighborly. I urge those people who are charged with implementing this plan to recognize the rights of current residents to be free from unnecessary intrusions upon their homes and to avoid reducing the livability of our neighborhood.

Submitted by C. Craig Heath 19220 Nixon Avenue, West Linn, OR 97068



## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Thursday, June 16, 2011 11:34 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Trails Plan  
**Attachments:** Written and Oral Presentation West Linn.doc; Legal Disclaimer.txt

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** [charles.c.heath@ubs.com](mailto:charles.c.heath@ubs.com) [mailto:[charles.c.heath@ubs.com](mailto:charles.c.heath@ubs.com)]  
**Sent:** Thursday, June 16, 2011 11:27 AM  
**To:** Sonnen, John  
**Subject:** West Linn Trails Plan

Dear Mr. Sonnen, I have been advised that I should send you a copy of my presentation to the planning commission last night for placement in the record. I did leave a copy with one of the commissioners at the time I spoke but here is a copy for you as well.

Thank you.

C. Craig Heath  
Senior Vice President - Investments

<http://www.ubs.com/team/wrennfergusongroup>

UBS Financial Services Inc  
111 SW 5th Ave, Suite 3100  
Portland, Oregon 97204  
voice: 503-248-1308  
fax: 503-224-1802

## Pelz, Zach

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**From:** Worcester, Ken  
**Sent:** Thursday, June 16, 2011 11:41 AM  
**To:** Pelz, Zach  
**Subject:** FW: Citizen Request 12977 - Trails

Ken Worcester, Parks and Recreation Director  
Parks and Recreation, #1555

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**From:** Webmaster  
**Sent:** Thursday, June 16, 2011 10:54 AM  
**To:** Worcester, Ken  
**Subject:** Citizen Request 12977 - Trails

A new Citizen Request has been submitted to the Citizen Support Center, and assigned to you for prompt response. Please use the online Citizen Support Center to respond to this Citizen Request. As a reminder, your response will be included in the online tracking system for this Citizen Request. Thank you.

<b>Original Request</b>	<b>06/16/2011</b>	<b>Reference Number:</b>	<b>12977</b>
<b>SummaryDate:</b>		<b>Status:</b>	<b>Assigned</b>
<b>Name:</b>	<b>Mark Mutschler</b>	<b>Source:</b>	<b>online</b>
<b>Email:</b>	<b><u>drs.mutschler@gmail.com</u></b>	<b>Assigned To:</b>	<b>kworcester</b>
<b>Phone:</b>	<b>5036550519</b>	<b>Assigned Group:</b>	<b>Parks and Recreation</b>
<b>Topic</b>	<b><u>Trails</u></b>		
<b>Request Details:</b>	I think that the Trails Master Plan should include a paved path from the end of Mapleton Drive into Mary S Young Park to link a Bike Trail circuit that is very popular on Mapleton through to the MS Young road. I would also recommend that the River Front Trail go along Nixon and Mapleton instead of trying to put a developed trail in the river. In addition to destroying sensitive riparian habitat, much of the year the river floods this area so it would be un-usable and it would be extremely expensive to keep repairing and maintaining a trail there. Mark Mutschler 4993 Mapleton Drive		
<b>Comment:</b>			

Thank you for using the Citizen Support Center. The City of West Linn welcomes your continued involvement with City affairs.

**Pelz, Zach**

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**From:** Shroyer, Shauna  
**Sent:** Thursday, June 16, 2011 1:20 PM  
**To:** Worcester, Ken; Pelz, Zach  
**Subject:** FW: My testimony in electronic form.  
**Attachments:** Plng Commis testimony6-15 copy.pdf

FYI

Shauna Shroyer, Administrative Assistant  
Public Works, #1557

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**From:** Stephen B. Garner [<mailto:stevegema@comcast.net>]  
**Sent:** Thursday, June 16, 2011 12:17 PM  
**To:** CWL Planning Commission; Cindy ICE-Garner  
**Subject:** My testimony in electronic form.

I was unable to complete my written comments last night. They are attached. I will likely augment them, orally, on June 22. Thank you for your time, interest and adherence to the rules. Quite a meeting; perhaps best described as 1 in favor to 45 against some or all of the MTP. Mr. Markstahler's comments on who runs decisions and the city: city staff or the citizens, seemed painfully on point.

Keep up the good work.

**Best regards,**  
Steve Garner, President  
Barrington Heights, Hidden Creek Estates & Tanner Woods Neighborhood Association (BHTNA)

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Thursday, June 16, 2011 4:12 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Comprehensive Trails Plan

John Sonnen, Planning Director  
*Planning and Building, #1524*

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**From:** Dave Froode [mailto:dfroode@comcast.net]  
**Sent:** Thursday, June 16, 2011 11:45 AM  
**To:** Sonnen, John  
**Subject:** Re: West Linn Comprehensive Trails Plan

Care to discuss compromises? I believe there is a need for a trails plan and a proper way to go about it.

On 6/16/2011 11:32 AM, Sonnen, John wrote:

Thanks

John Sonnen

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

*Planning Director*

**West  
Linn**

22500 Salamo Rd.

West Linn, OR 97068

P: (503) 723-2524

F: (503) 656-4106

Web: [westlinnoregon.gov](http://westlinnoregon.gov)

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

**From:** Dave Froode [<mailto:dfroode@comcast.net>]  
**Sent:** Thursday, June 16, 2011 7:59 AM  
**To:** Sonnen, John  
**Subject:** West Linn Comprehensive Trails Plan

Mr. Sonnen: Here is a copy of my comments to the Planning Commission. Would like them in the public record. Thank you

Greetings. David Froode, Vice Pres. West Linn Riverfront Owners Association. I live at 19340 Nixon Ave, West Linn.

1. I have heard it said "this proposal is only a vision." It is a blurred vision with gaping holes. It lacks definition.

Actions speak louder than words.

Several years ago we sat down as a committee to create a new and improved Willamette Tualatin River Green Way code. It resulted in Chapter 28. Our primary focus was on protecting the rivers and habitat conservation area. We adopted Metro's overlay which declared the first 30 feet off limits in order to protect the environment. The proposal went through the needed process and was approved by the city council. After it became the code, it was altered by a staff member who integrated waterfront property trails. During our committee discussions, we unanimously agreed what ever was created as the green way code would apply to private property owners, commercial and city. Since then the city has employed methods to exempt itself. This is way more then a vision.

On another occasion the city paid \$42,000.00 for a 20 foot wide easement on a waterfront easement. In a similar manner the city just paid \$40,000.00 for a non refundable earnest money agreement on lots in Willamette for a very desired top priority Police Station. This ain't no vision, this is an intent.

The city clearly shows it's intent far beyond what they would have people believe is a complacent flexible 50 year vision.

Once these visionary trail lines are put on paper, they become reality. I have been dealing with this "vision" for 22 years and it is an intent, a plan by a select few.

2. I have heard it said the city would not use condemnation to obtain property to fulfill this plan. Good, that is the proper way to do this. Only gain private land from willing sellers. This is not about trails, it is every thing about choice.

Property is the foundation of every right we have, including the right to be free. It is the genius of the old common law we have dominion over what we worked for. In a nutshell, we recognized beyond the rights of acquisition and disposal is the right of sole dominion, a right against trespass, the right of quiet enjoyment, and the right of active use to the extent the use does not violate the rights of others.

Supreme Court Justice Harry Blackmun:

The most comprehensive of rights and the right most valued by civilized men is the right to be let alone, and the concept of privacy embodies the moral fact that a person belongs to himself and not others nor to society as a whole...For it is a simple and undeniable fact that forcing Americans to give up what they have worked for is indeed telling them how to live their lives and is indeed trampling on "personal rights."

### 3. Process

This plan does not provide the quantitative evidence to establish need or want. Of the 24,000 people that live in this city, only nine expressed an interest in water front trails or river access. Many stated they are satisfied with the existing trails and focus should be on them. There were numerous comments about not impacting private property adversely. I am sorry but I fail to understand how the city can come to the conclusions we need to spend \$60,000,000.00 on a trails system we do not need or want.

We were promised a report that reflected the community's interests and that is not what we are dealing with here. These conclusions are not shared by the people who participated in the work shops or committees. Evidence of this is contained in the many community comments.

### 4. West Linn River Owners Association(WLRA)

For years and numerous testimony the WLRA has gone on record with these concerns. Liability, environment, safety, costs, property values, Goal 15 and maintenance. You have heard from many about those issues.

#### A. Property Values .

How do you compensate someone for the loss of security, sense of safety, privacy or use of their property? If the city is interested in developing this plan, tell them to purchase property from willing sellers.

In addition, simple logic dictates by designating river front trails, that in itself devalues the property. By law a seller has to disclose that to potential buyers. As a real estate investor I can unequivocally tell you it would be a disconnect for many potential buyers. Get enough negative activity causing the property to extend the days on the market and the price drops in order to sell. How do we explain this away?

So unless we are absolutely certain there is a need for a trail on private property, the city has no right putting a line through some ones property down grading the value.

B. Metro's and State's Goal to create waterfront trails. We met with Mel Sui, Metro's Trails Supervisor. Mr. Sui made it clear Metro is not mandating the trails be along the waterfront. They suggest the trails be in close proximity and parallel to the rivers. In other words, existing sidewalks, paths, streets are to be used to satisfy this goal. Not every trail needs to be right next to the river.

The West Linn Parks Plan scribed by MIG and worked on by the Parks Board and staff was adopted in 2007 by the City Council includes verbiage that trails can include roads as links for waterfront trail system.

This plan before you does not determine exactly where the trails would exist. I am very familiar with the trails in this city and know it is not rocket science to determine where good trails could exist and where existing

right of ways are adequate. For this plan to fail to identify where trails are needed is negligent.

We would also point out there are many areas along the river the public has access to. There are two boat ramps, Cedar Island, Mary S Young Park, Maddox Woods, Burnside, and proposals for public to access the PGE area by Willamette area. This is all in addition to the public right of way mandated by the State's green way for public use. Just how much more is necessary and at what price to satisfy nine people?

#### Conclusion

This plan severely lacks definition. That is unacceptable.

There is a very big difference between wants and needs. This is a principle most parents teach their children at an early age. The City has demonstrated their own want but not the public's need.

Cities across the nation are bankrupt because of frivolous commitments. We have far greater needs in this city.

No one is against trails but this plan is far from complete.

My primary concerns are :

1. Address issues of those impacted.
2. Identify specifically where a new trail is needed and where existing right of ways are adequate to serve the goal.
3. Be exact in how the city would obtain private property and it should not be by condemnation but only from willing sellers.
4. Establish priorities based on environmental impact.
5. Create a plan to protect adjacent property owners from liability, crime and safety issues.
6. In these difficult economic times, lets focus on what we have and do what we can to improve that.
7. Honor the public. We know what we want and are willing to pay for.

Until these issues are reconciled, I would ask you not to allow this plan to move forward.

#### Community Comments from Survey

I reviewed all of the community comments and note many issues raised are not answered in this Master Trails Plan.

Trails through private property are unwanted.

Maintain existing trails

Operation and finance key elements

Existing not maintained.

How can we afford it?

Sensitive to property owners

Safety major priority

Willamette River Green way, it doesn't always have to be on the river

Consider river levels when locating trails

No need for new stuff, improve what we have

Please do not consider putting trails in people's back yards

Lower impact for wildlife and riparian



**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Thursday, June 16, 2011 4:16 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: In Favor of Savannah Oaks Trail!

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Greg A. [<mailto:shutup086@yahoo.com>]  
**Sent:** Thursday, June 16, 2011 3:19 PM  
**To:** Sonnen, John  
**Subject:** In Favor of Savannah Oaks Trail!

Dear John:

I've been a long time resident of Barrington Heights (past BHHA president and current ARC chairman) and I understand that you are getting some opposition to the proposed trail system. Let me tell you - not ALL of us here in BH are opposed to the trail! Most families here on Imperial DR cannot WAIT for the trail to be built! Currently Barrington Heights has NO parks and is the largest neighborhood in West Linn without one. Children have no place to recreate outdoors here! Considering how much of our tax money has gone towards the Parks and Rec bond for trails and parks this is LONG overdue! The opposing arguments are coming from fear-based conjecture and NOT reality! There are many trails connecting the Sunset neighborhood to Wilderness Park that I frequent nearly every day and I have NEVER seen vandalism, hooliganism, fire issues or any of the concerns that the opposition has brought up. We're not all a bunch of old fogies here in Barrington Heights; there are plenty of young families here that need better recreational opportunities. The majority of West Linn residents want this! Please see that it happens and let me know what I can do to make it happen!

Sincerely Yours,

Gregory Ankofski

744

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Friday, June 17, 2011 11:40 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Fwd: Master Trails Plan

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** Dave Froode [<mailto:dfroode@comcast.net>]  
**Sent:** Friday, June 17, 2011 11:27 AM  
**To:** Sonnen, John  
**Subject:** Fwd: Fwd: Fwd: Master Trails Plan

West Linn Planning Commission

My name is Dianne Froode, I live at 19340 Nixon Ave West Linn

I live on Nixon Ave, directly across the canal from Cedar Island. I have witnessed first hand the management of the city park on Cedar Island and Mary S. Young Park and I have to say that it has been extremely poor. The police are not able to respond to calls reporting disturbances on the island or the waterfront because it is not easy to access. The dead end street on Mapleton Drive that stops at the lower entrance to Mary S. Young is frequently blocked by cars at all hours of the day and night. There appears to be people from outside our area that use this beach and island and sadly do not have any regard for the neighborhood, simple cleanliness, debris removal, fishing licenses or observances of signs that say "no camping and no fires". The neighbors are the ones that pick up huge amounts of trash especially on the weekends. There is one porta potty available on Mapleton St., but it is far from the beach area and obviously not used by evidence of feces and diapers left behind.

The wildlife is disturbed by this activity which includes threatening of that wildlife by bb guns. Last summer there was a Canada goose with an arrow sticking out of it's backside. Illegal fish carcasses show up on the beach frequently, sturgeon that are too large or too small to keep are just gutted and left to rot. State patrol told us that they wrote 6 tickets in one hours time, but of course they do not have the time or manpower to frequently patrol this area.

The handicapped fishing platforms that were built a number of years ago on Cedar Island are in disrepair and a hazard as well as an eye sore. It appears that the city does not have time or resources to take care of what they now own, that suggests to me that an addition of miles of trails will only add to that burden and soon become damaged by vandalism and the high water we experience every year.

I am an avid hiker and have hiked with the Lake Oswego Park department every week for the past 25 years. My friends and I enjoy being in the wonderful wide open spaces that are so available in our area--BUT, we would absolutely never want or expect to walk through someone's back yard and invade their hard earned privacy just so we could take a hike! There are hundreds of trails and roads and sidewalks already available that meet our wants and desires without infringing upon our neighbors rights to safety and privacy.

I would ask that the city spend our tax dollars to maintain the infrastucture of our city as it is now, and not to seek out unnecessary and unneeded additional trails to satisfy the interests of a few.

Dianne Froode

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Monday, June 20, 2011 9:22 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Trail Master Plann Planning Commission meeting agenda & dissappearing Palomino Loop Trail map

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** Hidden Springs Nbrhd Associates [<mailto:WLHSNA@msn.com>]  
**Sent:** Sunday, June 19, 2011 3:23 PM  
**To:** Sonnen, John  
**Cc:** Martin, Robert  
**Subject:** Fw: Fw:Trail Master Plann Planning Commission meeting agenda & dissappearing Palomino Loop Trail map

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

**From:** Hidden Springs Nbrhd Associates  
**To:** [planningcommission@westlinnoregon.gov](mailto:planningcommission@westlinnoregon.gov)  
**Sent:** Sunday, June 19, 2011 1:41 PM  
**Subject:** Fw: Fw:Trail Master Plann Planning Commission meeting agenda & dissappearing Palomino Loop Trail map

Hello Friends & Neighbors,

First of all we would like to thank Park and Rec Director Ken Worcester for advising the Planning Commission and the public that is not really a trail plan but is in fact a transit or transportation plan. Does Director Worcester's recognition of this proposal as more than a trail plan, mean that this plan is really intended to accommodate and promote the transportation and transit aspirations of our neighboring communities in Lake Oswego, Milwaukie, Gladstone, Oregon City and as far away as Portland? If so, what are they? Are they supported by the taxpayers and citizens of those communities?

There are some concerns regarding proper notice on the agenda for the June 15, 2011 PC meeting.

1.)The agenda (which was not identified as an agenda) for the June 15, 2011 planning commission meeting, did not properly reference the proposed West Linn Trail Master Plan as PLN-11-01 but only referred to it under item number 4. Failure to properly identify a matter in the public record can create problems and is why there are State rules about public notice.

2.)The specific amendments to the Comprehensive Plan were not identified yet the Planning Commission is being asked to vote to approve these changes.

3.)The lack of proper notice on an agenda made it impossible to properly reference testimony and written submissions. Therefore, citizen participation will not be able to be accessed by public records requests in the future because of this failure to properly identify the proposal the Planning Commission is being asked to approve.

Perhaps even more disconcerting than the failure of city staff to properly notice this meeting, were the discrepancies in the maps they provided for review. The two maps that were shown on the wall behind the commissioners, one map showing the current trails and one showing the future trails, were inconsistent with the cardboard maps provided for public review off to the right side of the Commissioners.

**The Current Trail Map map shown on the wall during the June 15th meeting, clearly showed PALOMINO LOOP TRAIL—all of it. The proposed Future Trail Map clearly showed that half the Palomino Loop Trail did not exist on that map. The maps staff made available for close review did not include the future map shown on the wall. According to that map the best half of the Palomino Loop Trail, apparently the part that the Eagle Scouts have spent over 500 hours constructing, will be eliminated! WHY?**

**Please email [whsna@msn.com](mailto:whsna@msn.com) if you have any questions or information you would like to share. Apparently, some of the emails submitted for the last meeting did not make it into the record and may have gone astray. Please feel free to copy your emails to [whsna@msn.com](mailto:whsna@msn.com) and we will make sure your emails become part of the public record.**

We hope you have found this information helpful and can attend the Planning Commission meeting on June 22, 2011 at 7 PM in Council Chambers at City Hall. Please

let us know if you no longer wish to receive emails from West Linn Hidden Springs Neighborhood Associates and we will remove you from the email list. Thank you all for your emails letting us know your concerns or providing information about matters from the public record.

Your Friends and Neighbors in West Linn

## Shroyer, Shauna

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**From:** Sarah Brown [sarahb2003@comcast.net]  
**Sent:** Sunday, June 19, 2011 1:07 PM  
**To:** CWL Planning Commission; Sonnen, John  
**Cc:** CWL Planning Commission  
**Subject:** Public Meeting June 22, 2011

**Importance:** High

Dear West Linn Planning Commissioners and Planning Director,

We think the idea to request testimony from a West Linn Police officer was a good one. However, to be of real benefit the testimony should not include anecdotal accounts. Rather, the officer should come prepared to:

1. describe the jurisdiction of the West Linn Police Department and comment on how this relates to parks and trails,
2. provide the criminal statutes and county/city ordinances that are enforced within parks and on trails,
3. share past and current crime statistics for zip codes that include parks and trails and parallel the increase or decrease of crime with the Criminal Justice Commission statistics and/or FBI crime statistics,
4. detail procedures for patrolling parks and trails, and
5. describe how a citizen complaint regarding a park or trail is routinely handled by the West Linn Police Department.

Sincerely,

Sarah & Ron Brown

## Shroyer, Shauna

---

**From:** bvcena@comcast.net  
**Sent:** Sunday, June 19, 2011 8:58 PM  
**To:** CWL Planning Commission  
**Subject:** Walking Trail

Commisioners:

I am all in favor or a beautiful walking trail such as they have along River Road, down stream from Cedar Oak.. What I am totally against is having this walking trail on the river in the back yard of property owners. Today June 19th, you cannot access Cedar Oak Island because the bridge from MSY to the Island is isolated because of the high river. What are your plans to accomodate the Beaver dens, the Bald Eagle nests, the Asprey, Blue Herons, Beavers, Neutria, Gease and Ducks who nest and live along the river banks. What effect will this walking trail have on the fish who live and spon on the river. The river is a beautiful and prestine patch of nature and I cannot invision how a walking trail on the river will make it a better place.

How is this project along the river going to be funded? It just seems crazy that the city would go to all this expense and agitation to the river population over a plan that just doesn't make sense.

There just seems to be so many more alternatives that would be more cost effective, user friendly and be supported by the community than to run a trail along the river in property owners back yard. If I am missing something please enlighten me. The City of West Linn needs so many other facilities that I just cannot support this kind of expenditures. It seems we are trying to buy a Cadillac with a Smart Car budget. I would welcome your wisom.

Bob Cena



Testimony by: Stephen B. Garner, President, Barrington Heights, Hidden Creek Estates,  
Tanner Woods Neighborhood Association.

Date: June 15, 2011  
To: The Planning Commission, City of West Linn  
From: Stephen B. Garner  
3525 Riverknoll Way  
West Linn, OR 97068  
Subject: Statement in Opposition to the West Linn Master Trails Plan and the  
"Oaks Savannah Trail" component of the 2011 West Linn Master  
Trails Plan

As a private citizen, lover of trails, and as the President of the Barrington Heights, Hidden Creek Estates & Tanner Woods Neighborhood Association (BHTNA) representing over 1000 WL residents, I request the Planning Commission to take whatever action is in its power to challenge and stop the approval of the West Linn Master Trails Plan until its process of development is more inclusive of WL residents, and, the Oaks Savannah Trail (i.e. the trail options that are located between I-205 on the South and the streets Barrington Drive, Riverknoll Way and Imperial Drive on the North, which connects Salamo Road to Sunset) is completely removed from the plan.

I submit two over-arching reasons for this request:

- 1) The development of the Master Trails Plan was deficient and non-inclusive.
- 2) The cost of both the MTP-planned developments and the Oaks Savannah Trail, specifically, are prohibitive.

**Overall MTP Deficient:**

- 1) Too little citizen input:
  - a. What percent of citizens must contribute to be deemed "significant" input?
  - b. There were 100 "attendees" in person in 3 meetings at Willamette, Cedaroak and Bolton schools. Is there really "strong support from residents"? [See PC Meeting 2011-06-15 pg 22—even Parks and Rec. has removed this concept in one instance.] [Online comments, many negative, were only 42 in number over 11 months, Appendix C pg 175.]
  - c. According to the American Community Survey in 2009, 74% of West Linn's residents are 18 or older. They estimated WL had 25,000 residents. Thus, 18,500 residents are old enough to vote and participate in this MTP decision. If we assume the 100 attendees are all voting age residents of WL, ½ of one percent of WL is being characterized as strong support. State Land Use and Planning Goal 8 obligates the city to inventory recreation needs based upon "adequate research and public desires". Does 0.5% meet this criteria?
  - d. Pg 45 states, "... the City of West Linn gathered feedback from as many residents and stakeholders as possible." ½ of one percent? My NA was never

- sought out for input on the longest new, off-street trail directly impacting over 90 homes in my NA and another contiguous neighborhood.
- e. Also on pg 45, "The planning team used a variety of activities to ensure participation from all of West Linn's neighborhoods, including various age groups and diverse interests". No one came to my NA to solicit input. We had to get it all by requesting meetings with Parks and Rec. and these nearly always provided us with insufficient information—it's always "in process".
  - f. Discussions with roughly 3 dozen Imperial Drive (Sunset NA) residents found less than 6% were even aware of the proposed Oaks Savannah Trail.
  - g. These 3 school-based meetings provided no notice or venue to the people on the hills of West Linn, i.e., those who live west of Hwy 43 and north of I-205.
  - h. Only 1 citizen, same person, came to 2 of 3 Tech Working Group meetings.
  - i. Pg 6 of the MTP claims "broad community ... input" – 0.5% is mendacious.
  - j. The process seems to rely heavily on prior studies, goals and plans as justification. Prior reports, votes, plans, goals, etc. some so old it seems "*the dead are demanding we spend ...*". Let current citizens vote on the MTP; don't jam it through the system with so little citizen awareness, education, and input. So many "valuable" cash outflows, already too much money will be taxed from our kids!!!!

2) No cost estimates of the whole plan:

- a. Whole plan estimate is 62 miles. 17.3 miles are identified as off-street trails, at \$110/linear foot (2011 dollars) to build just these off-street trails = 17.3 mi x 5280 ft x \$110/LFt = ~\$10,000,000. PLUS, one must add the cost of land acquisition, trail heads, bridges, parking, staff time, maintenance, etc. This pushes off-street trails to close to \$1,000,000/mile in 2011 dollars. No cost estimates for "route publications, directional markers, other promotional messages" (MTP pg 99 and Staff Report's Executive Summary pg 7) (Individual trails can range in costs from \$50 to \$140/linear foot. MTP pg 99) Is this even rational?
- b. According to Inflationdata.com the cumulative inflation of the 50 years between January of 1961 and January of 2011 is 639%, i.e., something costing \$100 in 1960 dollars now costs \$739 in 2011 dollars. The MTP states that the most difficult/expensive trails will be constructed later. If one assumes half the trails will be built 25 years from now, 1986 to 2011 inflation history is 101%, thus, if history is a trend line the costs just to build trails will double in that time: \$2,000,000 per mile!!
- c. Trails, like sidewalks, undoubtedly increase the quality of life of many residents; they may even slightly reduce automobile-generated pollutants. However, they do not, in any material sense, increase commerce and, thus, do not provide any supporting revenues to off-set their taxpayer-funded costs to build and maintain—they are a net negative cash flow for the city. While desirable, they are not basic requirements to good livability, like a financially sound city is.

Testimony by: Stephen B. Garner, President, Barrington Heights, Hidden Creek Estates,  
Tanner Woods Neighborhood Association.

- d. Specific funding sources, excepting SDCs, and funding amounts are not identified anywhere in the MTP. This puts the city in the position of encouraging development in order to help fund trails with SDCs. Will this be at the expense of more important transportation needs in WL, potholes?
- e. Reliability of these sources is not assessed. If about 80+% of WL is currently built out what can the city expect in SDCs, etc. from the remaining developable land? This is a calculation that can be made. Why wasn't it?
- f. Online comments were only 42 in number over 11 months, Appendix C pg 175. We don't know the repeat commenters or the correlation between online posters and meeting attendees. Many were not in favor of new trails of any type.
- g. Based on my neighborhood association's feedback, from over 100 residents: this whole MTP process seems to treat citizens as stupid and/or uninterested; many feel it appears to insult those of us with concerns.
- h. Community comments clearly show a concern for property rights. Why can't the city properly maintain the trails we have now? Many seem satisfied with the existing system of trails. NONE were asked if they wanted trails at ~\$110 per linear foot.
- i. I checked all 11 (not 8 as in the MTP Executive Summary mailed to me) Neighborhood Associations' Neighborhood Plans. Only 3 NA's: Bolton, Willamette and Parker Crest, mention wanting new trails; none specify off-street trails. Of the other 8 NA's, most specifically mention just using (and better maintaining) the existing trail system if they mention trails at all. None of the NA plans mention the costs involved or if costs have even been considered.

*These economic times don't afford the luxury of building new trails while other more useful transportation needs seem to go unattended.*

#### **Trails in ODOT ROW: Oaks Savannah Trail**

##### **1) Costly**

- a. \$210,000 to design an 8,870-foot trail is \$24/linear foot just to design something that may not be implemented or used as designed. This money was NOT free (ARRA funds) it came from us taxpayers and included money from people in Texas, Maine, etc. to design our trail; this seems unconscionable. This is an expenditure that prevents higher priority and more beneficial uses of federal taxpayer funds in a down economy.
- b. This money was obtained by ODOT, not the city; thus, it may not be available again for the build. Even if it is available it seems a poor use of others' taxes.
- c. How much might this trail cost?  
\$210,000 to design, already spent  
\$1,242,000 = 8,870 ft x \$140; it is 1.68 miles long, pg 40; \$140/linear foot to build because it is in difficult terrain, crossing wetlands, pg 62  
\$366,000 trail heads, 2 likely needed at \$183,000 each, pg 63

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Testimony by: Stephen B. Garner, President, Barrington Heights, Hidden Creek Estates,  
Tanner Woods Neighborhood Association.

\$??? Cost to get, from ODOT, approval to use their land via an easement, lease and/or maintenance inter-governmental agreement, and dependent on funding type as well

\$??? Cost of WL city staff time

**\$1,818,000 – or over \$1million/mile!!**

- d. This trail will require extensive permitting and approvals due to threatened species living on the land and 2 or 3 wetlands already identified. Plus, parts of ODOT's ROW are already zoned R10 meaning they must go through land use.
- e. Engineering will be even more extensive and expensive if the path is not contiguous to I-205. See 3 of 4 of the trail paths shown on the online map at
- f. Potential for lawsuits over many issues: increases costs to us taxpayers.
- g. Fire hazard protections needed: increases costs to us taxpayers.
- h. Ground stability is major issue this will necessarily raise engineering costs. See map "Landslide Inventory Map of the Northeast Quarter of the Canby Quadrangle, Clackamas County Oregon" created in 2009 by the Oregon State Department of Geology and Minerals Industries.
- i. Although MTP has a prioritization plan, Primary vs. Secondary trails, real implementable prioritization of building sequence, costs, etc. has NOT been applied to any trails.
- j. Fencing to protect neighbors: increases costs.
- k. Fire prevention and, likely, a water system and hydrants: increases costs.
- l. This trail will create a *non-defensible space* (a legal term of art) behind roughly 90 homes along five streets: Alder Court, Imperial Drive, Beacon Hill Drive, Riverknoll Way and Barrington Drive. This could raise homeowners' insurance rates and will likely raise the city's insurance rates. How much??

#### **Others will speak to the problems with trails in ODOT ROW: Oaks Savannah Trail**

2) Fire Hazard

3) Personal Safety-- Recent crime in BHTNA – 2 break-ins in April 2011 on the trailside of Riverknoll Way; it's dangerous to put a trail here.

4) Hillside stability

5) Species threatened by the Oaks Savannah Trail

Date: June 15, 2011  
To: The Planning Commission, City of West Linn  
From: Brad Arms  
1873 Radcliffe Ct.  
West Linn, OR 97068  
Subject: Statement in Opposition to the "Oak Savannah Trail" component of the 2011 West Linn Trails Plan

I request the Planning Commission to take whatever action is in its power to challenge and stop the approval of the West Linn Trails Plan until the Oak Savannah Trail (i.e. the trail located between I-205 on the South and the streets Barrington Drive, Riverknoll Way and Imperial Drive on the North, which connects Salamo Road to Sunset) is removed from the plan.

The primary reasons for my request is that building this trail segment will do more harm than good, and it will be quite costly to build and maintain.

Note that I believe that much excellent work has gone into the Trail Plan and these comments are not meant to disparage the overall Plan in any way.

#### **Oaks Savannah Trail Does More Harm than Good**

- 1) The Oak Savannah Trail will be dangerous due to environmental risks.
  - a) Many homes along the trail are in a wildfire hazard zone (see map on TVF&R website). There have already been fires in this area. Adding pedestrian traffic will increase the chance of fire and there is no adjacent roadway from which to fight fires.
  - b) The trail goes through a landslide hazard zone which adds danger to pedestrians and neighboring homes.
  - c) These dangers are supported by the Trail Plan Appendix Map 6 "Trail Screening – Environment" which shows this trail ranks a "1" on a scale of "0 to 6" in terms of environmental attractiveness ("6" being the most environmentally favorable.)
- 2) This trail segment increases personal safety risk or cost since it cannot be patrolled by police cruiser. Unless new police patrols are added (by foot or bicycle), it will become a "police free" corridor that provides hidden access to residential areas.
- 3) This trail is not needed for any of the three "planning objectives" of the Trail Plan.
  - a) Map 5 "Trail Screening – Concurrency" shows that this trail does not meet any of the three planning objectives.
  - b) It connects areas already connected by a "secondary" trail along city sidewalks.
  - c) Map 7 "Trail Screening – Connectivity" shows this trail does not contribute to connectivity.
- 4) The Oak Savannah Trail is not consistent with being "based upon adequate research and public desires" per State Land Use Planning Goal 8 – Parks and Recreation as stated on p. 5 of Supplemental Findings in today's Planning Commission meeting package posted on the website.
  - a) Map 5 "Trail Screening – Concurrency" shows this trail is there due to "public interest alignment" rather than meeting Comprehensive Plan Goals. Map 3 "Public Input – Intensity of Interest" shows this alignment is based only on "moderate" interest by the public. The public input is apparently the 100 or so people who participated in the public workshops in February 2010 ... none of which were held near the trail in question. Since the interest is "moderate" only

a subset of these 100 people expressed interest. Clearly, the "public alignment" was based on the opinion of a small number of people.

- b) As a seven year resident in the area near the proposed Oak Savannah Trail and as a Board Member for a homeowners association with more than 1000 residents in the area, I have heard from at least 50 neighbors about this trail. In fact, while the homeowners association does not engage directly in political issues, groups of members have attended our meetings several times to express their disagreement with this trail. Personally, I have had contact with at least 50 residents on this issue, and 100% of them oppose the trail. Please be assured that this portion of the Trail Plan is, at minimum, highly controversial.

### **Oaks Savannah Trail is Too Expensive**

- 1) The development cost of this trail segment is high.
  - a) The trail is listed as a primary trail, which is the most costly to construct, according to cost figures in the Plan (p. 62) since it will be a wide trail in a new area.
  - b) Further, significant cost is involved in planning the trail because it is in an inaccessible area on a slope. Due to the difficult terrain, there may be additional costs in underlayment and fencing to achieve safety.
  - c) The Trail Plan does not contain cost projections. The minimum cost of this trail would be \$1.4 million (1.68 miles at \$112/linear foot "average cost" from p. 62, \$183,000 for facilities on p. 63 plus \$200,000 for planning study already underway). Due to slope, environmental issues and limited street access, the actual cost could be a multiple of this figure.
- 2) There will be ongoing costs to maintain this trail segment that will be borne by the City and its taxpayers.
  - a) There is a cost to maintain each foot of a trail.
  - b) Since this area is inaccessible from the street, there will be a cost of police patrol. Will that be by bicycle or by motorcycle? Our police department is already stretched financially.
- 3) I suggest that staff be asked to estimate the total cost of planning, developing and maintaining this trail segment, which I believe will show that it is substantially greater than \$1.4 million. This information cannot be gleaned from the Trail Plan as it stands.
- 4) Citizens have not been willing to increase taxes (local, state or federal) for higher priority projects than trails and certainly would not be willing to pay for a segment that does more harm than good.

### **Conclusion**

- 1) Clearly, adding the right set of trails can enhance the quality of life in West Linn.
- 2) This particular trail segment, however, would harm West Linn and has strong opposition from the residents nearby. It is believed to have significant fire, environmental and public safety risks.
- 3) Further, it will be costly to build and maintain, relative to many other proposed trails that offer more benefits.
- 4) This trail segment does not contribute to the goals of the Comprehensive Plan in any meaningful way.
- 5) From a prioritization point of view, this trail segment should be removed from the Trail Plan, which will make the cost/benefit of the revised Plan much better.

Thank you for considering these comments.

# **Comments on Proposed Comprehensive Trails System Master Plan**

## **City of West Linn**

### **Planning Commission Public Hearing**

#### **PLN11-01**

#### **Comments by Ray Kindley**

The comments below concern the City of West Linn's Proposed Comprehensive Trails System Master Plan. I am the current Chairman of the City of West Linn Utilities Advisory Board. I am also a participant on the City of West Linn Trail Plan work group.

In general, I support the City developing a long-term plan for the development of a comprehensive trails plan. The benefits to the West Linn Community would be significant and numerous if it had a trail network for recreational and commuting purposes. As an aspirational goal, I fully support the proposed plan.

My concerns with the proposed plan, however, arise out of how the City of West Linn may use the plan in the future land use decisions. From my participation on the work group, I learned the City staff will use the plan and give it legal significance in planning decisions. For example, if the Plan calls for the development of a future trail through a parcel of private property, any future planning decisions concerning that parcel must consider and account for the proposed trail. A current land-owner's plans to construct a new structure on his or her property could be prohibited if the structure would interfere with the proposed trail. Additionally, restrictive conditions may be placed on a parcel that would attach upon transfer of the parcel from one land owner to another. In short, the potential use of the plan could significantly affect land owner rights in future land use decisions.

It was also my understanding from work on the work group that the City has no intention of using its rights of condemnation to acquire land ownership or easement rights for the proposed trails. I believe the City is taking this course to avoid conflicts with land-owners. I agree with that policy. I'm concerned, however, that if the Trail Plan is used by City staff as mention above during planning decisions, the land-owners' use of their property may still be impacted, with potential impacts to real estate value, even without the City exercising its condemnation authority. The City should not impact land owners' rights indirectly in this manner. If the City intends to obtain rights on private property, it should adequately compensate land owners for those rights.

Another issue arises from the potential collection of funds from developers for costs associated with the construction of the trails. While I'm not very familiar with the method that the City collect CDC funds, it is my understanding that the City will collect funds from developers for trail develop. If the City does not develop its trails pursuant to the plan, the City may be in a situation where the City must repay those collected funds. That creates significant administrative and legal issues for the City.

The City needs to consider the potential cost of the proposed trails. During work group discussions, the City staff indicated that the cost of developing the proposed trails could exceed \$60 million. The Plan proposes the development of over 60 miles of paved trails. The width of the trails would be 10' to 12' feet in some cases. City staff suggested construction costs for one mile of paved trails would cost about \$1 million dollars.

Given the current economic condition of our nation and community, I believe the City Council and Planning Commission need to closely look at the potential costs of the proposed trail plan and balance that against the proposed benefits. Currently, I believe the costs far outweigh the benefits. The City has several projects that require more immediate attention, such as the construction of a new police station and the maintenance of its water system. The City should not adopt a Trail Plan that would far exceed the cost of more urgent programs that need funding. A proposal that does not call for as many paved trails may be a way to scale back the potential costs.

Finally, the proposed locations of certain segments of the trail network are questionable from a legal and engineering perspective. The Trail Plan proposes a trail along the Willamette River, such as the river front just north of the I-205 Bridge. The City would need to construct the proposed trail for that segment of trail very close to the houses located along the river. The contours of the river bank and annual fluctuation of the river level along that portion of the river bank would not permit the City to construct close to the river on the flood plain. In other words, the City would have to construct the trail right in the back yards of most of the homes in this area. This appears unreasonable and a taking of property rights from those property owners. This is especially unreasonable given that public comments gave a very low priority for this segment of the trail system.

I believe the City needs to revise the proposed Plan to better reflect the comments of the owners of property that will be directly impacted by the proposed location of trails. Based on my participation on the work group, one of the most vocal groups opposing the proposed trails were the land owners located along the river. Given that the Plan proposed to put trails on their property between them and the river, it is understandable that these land owners had significant concerns with the proposal. I believe the City needs to reach out and contact these land owners and encourage them to be more engaged in this decision process before the City makes a final decision on this Plan.

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## Sonnen, John

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From: Mike Massey [mikemasemail@comcast.net]  
Sent: Tuesday, June 14, 2011 5:57 PM  
To: Sonnen, John  
Cc: 'Mike Massey'  
Subject: Proposed Trail System

I was told to send any comments regarding the proposed trail system to you to be included in the public hearing June 15.

There are three points I would like to make:

1. I *would* be very supportive of a trail system *IF* West Linn were not going about it the way you are. It comes across to me and many of the people I talk with that West Linn has decided to do a trail system, and it **WILL** happen, regardless of public opinion. To date, what information I have seen presented on the topic is sorely lacking a balanced view of pros and cons and timing. Shortly after noticing West Linn had started assessing fees for parks on utility bills a few years ago, I spoke with the mayor regarding a bond issue to fund additional police that had failed. He told me that "we" (referring to West Linn government) know that the people want to support their police department, so we just moved funding of parks to utility bill fees, and moved the park funds over to pay for police services. I doubt that is even constitutional. That attitude that 'you know what is best for us' is *not* how elected government is intended to operate. I feel West Linn government taking on the same attitude with this path project.
2. You put on a show of taking public input, but you do not honestly and accurately inform West Linn residents about the issues. Only a few homeowners are aware of the issues, because they live in the affected areas. Do you even know all the diversity of wildlife that makes the banks of the Tualatin River their home? Eagles for example. If so, you have not informed the public. Do you know that some homeowners along your path actually OWN the land to the center of the river? You gloss over these things as if they do not exist. This approach just reinforces the perception (reality?) that you have already decided what is best for us and are going to do it, regardless of what the impact is. This path project is the type of project that has issues which the majority of residents are not qualified to pass judgment on. You **MUST** present an honest, complete, concise and readable discussion of why this path project is worth spending today's scarce funds on (compared to other projects that you have promised or that may be more critical), AND what all the significant issues are that need to be considered.
3. A few years ago, West Linn put on a big deal about a program to improve roads. You told us it would cost more not to maintain the roads. You showed pictures of roads in different stages of decay, and said that they would be addressed in priority order. I was impressed with the thoroughness of the plan. I live in the Willamette area, and like to walk to town. However 10<sup>th</sup> St between 5<sup>th</sup> and Willamette Falls Dr is virtually impassable. The street is so torn up from decay that cars steer around to avoid the worst spots. The sidewalk is broken and sticking up and deep in water in the winter (and even missing in places). I saw a young mother pushing a baby in a carriage in the street, because the carriage would not roll on the sidewalk. I see grade school children walking home from school, because West Linn chooses not to afford buses, and sometimes they are walking in the street because West Linn chooses not to afford to fix the sidewalks. **BEFORE YOU SPEND ONE PENNY ON A RECREATIONAL PATH ALONG THE RIVER, FIX THE STREETS AND SIDEWALKS YOU PROMISED TO FIX!**

It is time to do the job you (West Linn government) were elected to do, in the honest manner you were intended to do it.

Respectfully,

Mike M  
503-722-9977

Sonnen, John

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**From:** Kathy Hinrichs [kathy-hinrichs@comcast.net]  
**Sent:** Wednesday, June 15, 2011 4:29 PM  
**To:** Sonnen, John; Pelz, Zach  
**Subject:** West Linn Proposed Trails Master Plan

Please consider this letter my written comment on the proposed West Linn Master Trails Plan. First I want to thank you and your project teams for developing such a comprehensive long range plan and process for implementation. And I appreciate the priority you have placed on citizen involvement.

I have spent much time on or near the Tualatin River and I believe the development of a continuous, off-street Primary classified trail from Willamette Park to Fields Bridge Park as proposed would irreparably harm the wildlife and habitat along the river. My family and I have rafted the Tualatin several times a year from spring to fall for the past 25+ years, as well as, enjoyed the Swiftshore and Fields Bridge open spaces. My kids saw their first ever Eagle, blue heron, beaver, river otter, fox, and fawn in the wild along the river. Even a protected western painted turtle was spotted in the area. This stretch of the Tualatin is a beautiful, scenic habitat and a treasure that we need to protect.

With the increased use of the Swiftshore opens space over the past 10 years and the development of Fields Bridge Park, we have seen impact on the wildlife and habitat. That is not unexpected or surprising. We see fewer blue heron and deer in those areas. It has been several years since we've seen beaver or otter. The wild geese still return but their nesting grounds are often disturbed. We need to insure that development of trails and access points to the river do not destroy the very treasure that we hope to preserve and enjoy. I believe the trail as proposed along the Tualatin would, in fact, harm and in some cases totally destroy the wildlife and habitat.

I would, therefore, respectfully request that other alternatives be looked at to achieve the goal of having connected routes between the two parks. Possibly a combination of lower impact paths, existing streets/sidewalks, and intermittent river access points would achieve this goal. We should not unnecessarily harm the Tualatin River habitat and wildlife when other options exist and are feasible.

Sincerely,

Kathy and Mark Hinrichs  
25445 Swiftshore Dr.  
503-655-5060

## Sonnen, John

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**From:** Robin Satryb [robpaulsatryb@msn.com]  
**Sent:** Wednesday, June 15, 2011 4:42 PM  
**To:** Sonnen, John  
**Subject:** Trails Master Plan Adoption

Good Afternoon,

My husband Paul and I would appreciate our views being considered when the West Linn Planning Commission decides the fate of the Comprehensive Trails System Master Plan. We are in favor of such a plan. We would request that you educate the public at the meeting tonight, in terms of the history and overall objectives of this project. The hope would be that through education, the residents would be positively influenced to be less short sighted in their personal agenda and objections to the plan. Education can help to diminish fears and hopefully broaden perspectives beyond personal self serving attitudes. The additional hopeful outcome would be to consider the long term greater good of all citizens and the environmental impact alike. This would include the concepts of connecting residential areas to commercial, transportation alternatives, recreational benefits and access to the Willamette River. Future generations would benefit from the decisions we make today for the rights of all people to enjoy such objectives. Hopefully the sense of entitlement of some of those who live along the river will give way to sharing what really does not personally belong to any one of us. No doubt, it was accessed and shared by so many who came before us and our established homes. Truly, we are here for such a short time, compared to the millions of years it took for the geography to form around us that we enjoy today. It would be a far better legacy to implement the Comprehensive Trails Master Plan, than to individually declare "I prevented others from enjoying the Willamette River and the natural beauty surrounding it". In other words, not passing along the "Not in my backyard" culture, so that future generations will think of the greater good as a way of life.

My husband and I have tried to educate ourselves on the initial Willamette River Greenway, established in 1967, which was long before we arrived here in West Linn. We suggest that everyone educate and learn about this before irrationally objecting to the Comprehensive Trails Master Plan. We agree with goals and objectives (Tier1 and Partnership) of that plan. In reviewing the Comprehensive Trails Master Plan, presented by the West Linn Planning Commission, it is obvious that much thought and consideration has been brought forth in the efforts of this plan. Most importantly is that we feel strongly that the Willamette River, being a free flowing body of water should be available for all to access and enjoy, with regards to the plan.

We would also like to offer up our personal perspectives, on this subject in terms of our observations of our first hand experience about river access along Calaroga Drive and Calaroga Court, since we have been residents in West Linn as of August, 2000. We purchased a home on Calaroga Court, four houses from the 50-60 foot right-of-way (to our understanding), to the Willamette River. We do not live on the river side. During our search for a home to live, we took into consideration the unique location and opportunity to enjoy the amenities that the Willamette River provides to all of us as residents and citizens. We searched for a home in Lake Oswego as well, but did not prefer the exclusivity of access to a lake by homeowners and their guests only. It has been our personal experience during our time here that at least one original easement to the river has been overtaken by the homeowner. The location is on Calaroga Drive, just off of Calaroga Court. It is well known to those that live in the area, that the homeowner has planted a tree, parked a boat and basically taken over the easement in hopes that nobody will use it as a public access. The other nearest access to the Willamette River is at the end of Calaroga Court, which is designated as West Linn public property right-of-way. I have spoken with Sam Foxworthy, the previous supervisor in the Parks and Recreation Division for many years about this. Our conversations were in the context of a request to keep the right-of-way mowed for those of us who wish to enjoy the Willamette and the small beach type area. Paul and I were personally yelled and screamed at one year by a previous homeowner on one side of the right-of-way location when we were trying to clear a path on a Memorial Day. Paul and I thought it would be nice to clear the right-of-way for all to enjoy. We had previous permission from Sam to do so. We have noticed that many children, as well as elderly folks try to use that access to get to the river. We were not on the homeowners property but he objected to us improving the pathway for all to use. We were only clearing about a four foot wide path. Sam Foxworthy also had told me that over the years, he has dealt with the current owner of the two properties at the end of Calaroga Court on either side of the right-of-way. Sam and his crew were also yelled at, according to Sam, when they were trying to mow about a ten foot wide strip for people to use. The homeowner has allowed blackberry bushes and some other plantings to encroach upon the right-of-way. Any fear on the part of the homeowner of cars driving down the path was alleviated by a large steel post that Sam had installed at street level. The

point of mentioning these circumstances is to enlighten attitudes as to their personal entitlements and rights, particularly on a public piece of property owned by the city of West Linn. Sam and I had also discussed the future possibility of an improved access. Paul and I have wondered of there is any possibility of handicapped access, as we have people in our neighborhood who are wheelchair bound.

We understand as well, that river easements may possibly be implemented adjacent to newly constructed homes along the Willamette River in West Linn. There was a 5000 square foot home that was demolished on Calaroga Court and replaced by a larger home this past year. Currently, that home is still under construction.

This brings me full circle to the point at hand, which is the proposal of the Comprehensive Trails System Master Plan. We understand that you will likely hear many more objections, particularly from those who have homes along the river. However, we ask that you do not omit the perspectives and values of those of us who do wish to see the plan adopted and implemented for the greater good.

Thank you for your time and efforts in this matter.

Robin Satryb

## Sonnen, John

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**From:** Dan Dunstan [dan@theseecgroup.com]  
**Sent:** Wednesday, June 15, 2011 6:13 PM  
**To:** Sonnen, John  
**Subject:** Comments Regarding Adoption of the West Linn Trails Plan

Dear Mr. Sonnen,

I am writing today in regards to the adoption of the West Linn Trails Plan, specifically as it relates to the portion of the plan that describes the trail from Fields Bridge Park to the mouth of the Tualatin River. I hope to be able to attend the planning commission meeting this evening to express my views in person, but due to a potential conflict, I may be unable to do so, and wanted to make you aware of my opinions as a West Linn resident, and a homeowner on the Tualatin river who will be directly impacted by the construction of this section of trail as proposed.

While I understand and appreciate the value of trail system to a community and the region, I don't feel the current plan indicating a 'primary route' trail (a paved trail 10' to 12' wide as I understand it) on the North side of the river takes into account all of the negative impacts. I could possibly support a smaller trail that would provide nearly all the same benefits, but I think the best solution would be to construct a high-bank trail on the south side of the river. My reasons are as follows, some of which I acknowledge fall into the 'NIMBY' scenario, but are no less valid because of that.

From my research, a paved trail would diminish the value of my property. I would expect the city to compensate me and my neighbors for any loss of property value if the trail were to be constructed as currently proposed.

A paved trail would expose my family and property to greater risk of theft, vandalism and other potential criminal activity. The trail would be difficult to patrol without additional cost to the police force, and would put me and my neighbors in a position where we need to significantly increase our vigilance in order to mitigate these risks.

The Tualatin corridor between the Fields Bridge Park and the mouth of the Tualatin is home to a wide variety of wildlife species that thrive because of the minimal human disruption as they forage and raise their young. We frequently see heron, geese, several duck species, osprey, bald eagles, deer, small river mammals, etc. along this section of the river. Most of these are species I rarely if ever see along the highly trafficked trails in Fields Bridge Park. The addition of frequent human disruption would cause most of these species to move elsewhere, of which there is already little enough suitable habitat in our urban environment.

I do not support condemning privately owned property in order to construct this trail. I don't believe this is the best use of limited city funds and resources, and don't believe the benefit outweighs the rights of and costs to the effected families who have been West Linn residents and tax payers for several generations.

On the topic of use of city resources, the Willamette Neighborhood association has requested for years continuous sidewalks along Willamette Falls Drive just so we can walk safely into Willamette. I believe developing that route for safe use by pedestrians and bikers alike is a much higher priority, would provide an equivalent route to a river trail, and would add much greater value to the overall community than developing a paved trail along the river.

Lastly, I don't believe the route lends itself well to such a wide trail given the geography and the homes. A wide trail close to the river is subject to winter erosion and damage to the riparian zone. A wide trail away from the river bank puts the trail literally right outside the front window of several homes along the proposed route. As I mentioned earlier, I believe a much better solution is to construct a trail on the south side of the river, higher up on the bank which would mitigate nearly all the concerns I note above.

I appreciate your time and serious consideration of these impacts. Please let me know if I can provide any additional information.

Regards,

***Dan Dunstan***

960 Rancho Lobo Lane

West Linn

## City says good bye to bad site

### Infamous rest area on I-205 shut down

By RAY PITZ  
Staff Reporter

With an armload of orange traffic cones, the Oregon Department of Transportation officially closed what had become the proverbial thorn in the side of West Linn.

Shortly after 9:30 a.m. Monday, work crews shut down the only rest area on Interstate 205.

City officials and police came out to bid a fond farewell to what had become a magnet for crime during its 12-year existence.

"I'm tickled," said West Linn developer Neil Nedelisky, who will pick up the more than \$200,000 tab to shut down the facility. "I am absolutely ecstatic about it."

Nedelisky said he expects ODOT to take about 30 days to remove

anything of value before he moves in with a bulldozer.

He'll remove the restrooms, a kiosk, telephones, light posts and everything else attached to the ground. Finally, Nedelisky will tear up the asphalt and put fill dirt where the parking lot once was.

As soon as everything is returned to its natural state, Nedelisky plans on breaking ground on Phase 9 of his Barrington Heights subdivision, which will butt up to the back of the rest area.

Last June, the city passed a resolution to permanently close the rest area because of noise and crime problems that have mounted over the years.

Arrests for possession of a controlled substance — especially methamphetamine, often loaded in hypodermic syringes — have

See REST AREA, page A3



dominated police contacts at the rest area for years.

Other problems have included public indecency, recovery of stolen vehicles and location of wanted fugitives.

Police have estimated that closure of the facility could mean a \$60,000 savings in police and equipment costs.

City Manager Scott Burgess said police will be able to reallocate their time away from I-205. "We hope that the time and effort we've spent on the rest area can (be) redirected to the city."

While it may prove to be an inconvenience to some, Burgess said a future gas station and restaurant at 10th Street will give travelers a chance to pull off the road and take a break.

Nedelisky said he has spent five years trying to shut the place down.

Talking from his cellular phone as he drove by the rest area Monday, Nedelisky said he was happy to finally see barricades blocking the entrance.

"I can't help but smile."



**CITY MANAGER Scott Burgess, West Linn police officer Renee McClintock, Mayor Jill Thorn and developer Neil Nedelisky pose for a shot just minutes before the Interstate 205 Rest Area closed Monday. The city and Nedelisky had fought for years to get the facility shut down due to constant crime problems. (Submitted photo by John Atkins)**

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*keep for record*

**Written and Oral Presentation  
West Linn Trails Plan  
(Planning Commission Meeting)  
June 15, 2011**

**Intro:** The plan is nearly 200 pages so it is not possible for me to cover everything about the plan that concerns me. I have participated in prior meetings regarding the trail plan and provided input. There is much about the plan that is positive but in light of the limited time for comment I will focus on those parts of the plan that I find disturbing:

**In General:**

- ◆ This plan calls for nearly a 250% increase in trails for West Linn (25.6 miles currently and over 85 miles under the full plan). I do not believe an increase of this magnitude is warranted where the city population is only estimated to increase from 24,000 to 32,000 by 2017 (33% increase).
- ◆ Other plan goals are also oversized in trying to provide interconnection of all parts of West Linn together. Neighborhoods are unique and each has its own draw, but there is little call to connect them as the distance and topography challenges are well in excess of the physical capabilities of the majority of expected users to manage.
- ◆ I have yet to see any evidence that the scope of this plan is supported by any significant number of West Linn residents. There has been lots of input as the plan has been pushed through but I do not see a groundswell of citizens requesting this level of expansion.
- ◆ Cost is a serious consideration. As a West Linn property owner I am already paying over \$120 per year in park fees. A 250% increase in trails will require a much higher assessment. Are the citizens of West Linn aware of the build out cost and maintenance cost and that they will be the ones asked to raise their taxes/fees to pay for it? I do not see the city or parks department being able to maintain what they have. Many park facilities require large commitment of volunteer groups to maintain at their current level.

**Specific:**

- ◆ As a resident of West Linn and property owner on Nixon Avenue, I am concerned that the most recent map of proposed trails again shows a trail traversing private property ownership between Cedar Oak boat ramp and Mary S. Young Park (Draft Map dated May 26, 2011 page 39). I thought this route had been removed as unworkable from past plans.
- ◆ **Environment** is a listed concern for the plan yet this waterfront route presents the greatest danger to the environment. Room for the trail is very limited and will therefore cause it to be directly adjacent to the Willamette River on a part of the river containing beaver, geese, ducks, eagle, fish and other wildlife. Because of the limited navigability of this segment between Mary S. Young and Cedar Oak these animals use this area as a safe haven from the various and more intense uses of the river. There is not enough room for the trail and these animals to coexist. The trail also presents issues of erosion, noise, water and general pollution due to increased human usage in this area.
- ◆ **Connectivity** is another listed concern in the plan. Connecting Mary S. Young and Cedar Oak appears to be one of the goals of the plan even though usage of the two areas is by significantly different populations. Cedar Oak is generally a fishing, boating, personal watercraft use while Mary S. Young is a much quieter and less intense use by walkers and bicyclists. The two groups do not necessarily mix that well. Besides, there is already a connection between Mary S. Young and Cedar Oak which is known as Nixon Ave.
- ◆ **Maintenance/Cost.** Putting aside the issue of how to obtain the necessary private land in order to place up to a 26' wide path in this stretch, the area is still not an economical choice. River levels vary greatly between seasons with tidal influences also contributing to 5-10 swings in the high water mark. A ground level trail in this area will be subject flooding during a large portion of the year. An elevated path would be subject to damage from the significant amount of large debris that moves through the area each winter. The increased cost of acquiring the property, building a trail that can stand up to

the water and debris and cost of maintenance make this section of the river unsuitable for any trail let alone a primary trail location.

- ◆ **Community.** People pick their home locations for various reasons including the neighborhood ambiance. Placing a public trail in someone's back yard is unfair and neighborly. I urge those people who are charged with implementing this plan to recognize the rights of current residents to be free from unnecessary intrusions upon their homes and to avoid reducing the livability of our neighborhood.

Submitted by C. Craig Heath 19220 Nixon Avenue, West Linn, OR 97068

4961 Mapleton Drive  
West Linn, Oregon 97068

June 15, 2011

West Linn City Hall  
Planning Commission  
Trails Plan

Dear Planner,

I live on property that is bordered by the Willamette River slough. Heron Creek also runs through my property joins the slough. I have learned a lot about the Willamette by observing it. I am writing to you because you plan to place a ten to twenty foot wide public path on the riverbank and I would like to share some of my concerns about that.

First, I would like to say that my windows look out on five transportation options that are already heavily used by humans. Furthest away from me is the main channel of the Willamette, which enjoys boat traffic of all sorts and sizes. One step closer is the eastern arm of Cedar Island, which is open to human traffic all year long, with people and dogs arriving by boat or on foot. Next closest is the lagoon in Cedar Island, which is a popular destination for boats camping overnight, swimmers, fishermen and dogs. Another step closer brings you to the other arm of Cedar Island. Traffic there increases in the summer, into the night. Berry picking, camping, picnicking, etc. are popular there. Next comes the slough, which sees lots of boat traffic, swimmers, etc. Then you get to the riverbank I live near. I have some of the only trees on the slough.

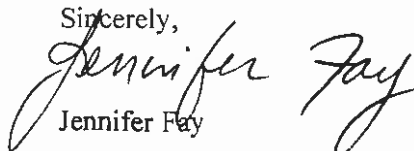
With this much traffic on the Willamette already, I don't see the need for another trail. A path on the West Linn side of the slough means that the last places remaining for the salmon, ducks, beaver, trees, raccoons, snakes, eagles, osprey, deer and a host more will be turned over to dogs and people. Foot traffic causes damage to riparian areas. A trail could easily be made along the street.

Heron Creek runs into the slough, and from what I see the water is always polluted. The slough has fish killing algae levels already. The salmon that run in the summer need shade. Humans have removed all the shade that salmon need. To bridge Heron Creek, you will remove the last trees on the slough. A beaver lives near the tree. Ducks, kingfishers, herons and other birds need areas where dogs and humans don't scare them away. The river needs riparian areas to stay natural to filter runoff.

I see putting a path for more traffic on the west side of the Willamette as a threat to the health of the river and its riparian ecosystem. Not just vegetation and habitat loss, but also other issues that degrade the water quality of the river, for example soil compaction, trash left behind, and improper disposal of human waste.

Please consider the health of the river in your planning. There is nothing GREEN about damaging riparian life.

Sincerely,

  
Jennifer Fay

Hello All,

The Willinn Parks Plan scribled by MIG and worked on by Parks Board and staff was adopted in 2007 by city council includes verbage that trails can include roads as llnks for waterfront trail systems. I was on Parks Board at that time and tried where possible to ensure the language was open for existing roadways near trails. This document could be included in your Process page 2 on the Power Point as a premise for your arguments. -Parks Board

— Forwarded Message —

From: troybuz@comcast.net  
 To: "cwl planningcommission" <cwl\_planningcommission@westlinnoregon.gov>  
 Cc: troybuz@comcast.net  
 Sent: Tuesday, June 14, 2011 4:49:23 PM  
 Subject: June 15th Meeting Information

Dear Planning Commission,

Unfortunately, I will not be able to attend the meeting on Feb 15, so I figured I'd Email you a few items of input. The topic in question is the subject trail system in West Linn, and my input is directed to the trail that is proposed that would serve from Willamette Park to Fields Park. My home is located at 1228 14th Street, and to pinpoint my location, I am the first home that would be/ is impacted by the trail system when walking from Willamette Park. Last summer an Eagle Scout student placed a staircase, doggy bag center, and a gravel path that emerges in my back yard. The Scout, named John, was a nice young lad and did a good job communicating his project. He knew I did not favor his project, and was very courteous to my needs, which included pushing back his trail project until after I hosted a wedding for our nephew in our backyard. As the trail system enters my backyard he even posted a No Trespassing sign, and fiberglass delineators, encouraging users to stay off our yard. Our backyard is very obvious, unlike some properties that will be impacted by the trail. Since the simple initial trail head installation I would like to share with you the impact our family has noticed. In the past we always have had some riverfront users, but since the creation of the trail head our number of daily visitors has increased by 400%, the nice the weather the more often the use. In addition, the trail has now brought in a new group of users, including dog walkers and even bicycles. Some of these visitors have their dogs on leashes, but most do not, and our grassy backyard becomes their playground, and occasional rest room stop. I have pets and young children, the last thing I want or need in my backyard is other peoples pets, friendly or not. Another issue that has evolved is the access to under the bridge. Again, with the increases access, the bridge has become a place for the youth to "Hang out", tag the under-bridge (graffiti), and present a unsettling feeling if my 11 year-old daughter wants to play in her backyard. Finally, as I walk the trail occasionally I can not help by notice the increase in litter, as well as the maintenance requirements the trail needs after a very short time-frame. If further developed, the City of West Linn must clearly understand that with this trail system comes a huge maintenance commitment, from daily litter patrol to frequent trail maintenance. In closing, when we purchased this property in 1998 I personally met with Mr. Ken Worcester because there were rumors back then to a potential trail system. Ken's exact quote to me was "Troy, We have always had a trail system plan, but it will never happen in my lifetime, let alone yours". It is my strong belief that the trail system is Mr. Worcester's legacy project. As a final nugget I have spoke to Ken since and he said that when we asked the Citizens of West Linn, they said they wanted riverfront trails. My reply, why didn't you ask them if they wanted a new car, a membership to a country club, or even a Rolex. Why would we survey a community about options if they are not readily available? We purchased our riverfront property so we could enjoy it, not so the City could see how they could manipulate the system and improve so-called livability for a select group of folks (some residents, some not). Finally, I would strongly recommend the planning commission engage the affected property owners more on these topics. It's weird that I get in the mail alerts anytime someone within 500' wants to build something that is under community review, yet it takes a whisper in the ear from a neighbor to let me know there is an important meeting which will affect my livability on June 15th. Please do not hesitate to call me, Email me, or even stop by to discuss the matter.

Respectfully,  
 Troy A Buzalsky  
 1228 14th Street  
 West Linn, Or. 97068  
 503.572.5504

725

## SmartZone Communications Center

kmckay4@comcast.net

± Font size ±

### Proposed River Trail

**From :** Lynne Bridges <bridges.post@gmail.com>

Tue Jun 14 2011 10:42:41 PM

**Subject :** Proposed River Trail

**To :** kmckay4@comcast.net

After receiving neighborhood concerns, I am outraged at the notion of the planning commission negligently using tax payer funds for a river trail through private property in West Linn. This would be proceeding with willful ignorance concerning neighborhood security, trespassing issues, annual flooding and the fact that property owners have rights. It would be fair to say that no property owner would support the theft of their private property. I am completely opposed to this audacious proposal and wish to make this statement public record at the 6-15-11 Planning Commission Meeting.

L. Bridges  
19363 Willamette Dr. #301  
West Linn, OR 97068  
503-450-9918

T24

**SmartZone Communications Center**

kmckay4@comcast.net

± Font size -

**Riverside pathway**

**From :** Jay Haladay <jay@coaxls.net>

Wed Jun 15 2011 2:49:56 PM

**Subject :** Riverside pathway

**To :** kmckay4@comcast.net

We are out of town so cannot come to the meeting of June 15th in person.

We have lived at 18420 Old River Landing since 1993. In that time we have watched many families of geese, beaver, pheasant, and other riverside wildlife call our backyard their home. Many kayakers and those in canoes enjoy this from the river. Beavers have recently taken several of the native trees on our property to build dams in the area.

Building a pathway along the river would destroy exactly what the city wants to preserve. This wildlife would not tolerate the constant traffic. We believe there is ample access to the river at existing public properties. Launching a human-powered watercraft from these access points and enjoying the riparian wildlife from the river provides the best method to both preserve and use this treasure. Everyone that wants to take this in can from a canoe or kayak.

We have many issues concerning West Linn's dialog about a riverside path. They include, but are not limited to construction techniques, maintenance, upkeep after high water and floods and safety. However, damage to the natural state of the riparian habitat is unquestionably our biggest issue. We are firmly against such a path!

Jay & Renee Haladay  
18420 Old River Landing

123-



ANDY ROECHIA

PHONE - 503-657-5666





Deepport Pass State Park spans two islands in the Puget Sound. Starting July 1, Washington state parks will charge admission.

# In State Parks, the Sharpest Ax Is the Budget's

From Page A1

There is set to approve a bill that would allow declines for all and not just the state's budget some state parks. Lawmakers say parks will directly benefit from the cuts. The number of full-time state park employees has declined by nearly 40 percent over the last decade, and the state's parks are \$1 billion in debt.

"I don't want to see the parks become a victim of budget cuts," said the state's parks director, Dave George. "The parks are a part of the state's heritage and we need to make sure they are protected."

With a 2001-02 budget deficit of \$1.5 billion, the state's parks are a high priority. The state's parks are a high priority. The state's parks are a high priority. The state's parks are a high priority.

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The Cedar tree in the state's parks is a high priority.



Bowman Beach in Deepport Pass, where volunteers handle many tasks.

George says the state's parks are a high priority. The state's parks are a high priority. The state's parks are a high priority. The state's parks are a high priority.

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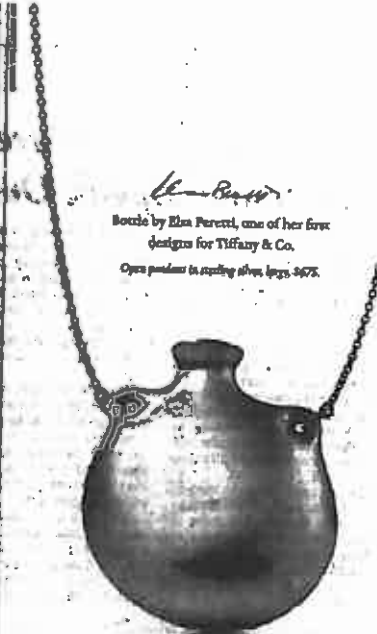
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Bottle by Elsa Peretti, one of her first designs for Tiffany & Co. Open pendant is called Silver Legs 1975.

TIFFANY & CO.

Father's Day is June 19



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T32

TDM and an- company have nuary 2008, a total in construction ner companies work in a poor lered: How had r such big jobs so

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L.O.P., resonates

WAST EARLY EXIT shed back against a large withdrawal. Page A12

ndrawing Ameri- n Afghanistan, a s made him, of all hero. lmk about war, po- lon't matter," he flew. s may no longer he was six years month, an amend- to accelerate the American troops an sponsored by



Representative Anthony D. Weiner admitted on Monday that he had had inappropriate online exchanges with six women, but he insisted he had broken no laws and had no plans to resign.

## In State Parks, the Sharpest Ax Is the Budget's

By WILLIAM YARDLEY

**DECEPTION PASS STATE PARK, Wash.** — As the summer season gets under way, budget-strapped state parks across the country are pursuing creative and sometimes controversial solutions simply to stay open. Many are imposing steep new fees, leaning ever more heavily on volunteers and, in one ominous effort to raise money, even pushing to drill for oil and gas beneath hiking trails and picnic pavilions.

The vast majority of states have cut park financing, often significantly, since the economic downturn took full hold in 2008, and some were cutting long be-

fore that. Some parks are closing altogether; Gov. Jerry Brown of California in recent days announced plans to permanently close 70 of the state's 278 parks this fall. Even where parks remain open, the compromises they make to do so are often uncomfortable.

"There have been times that have been crossed that were unthinkable a couple of years ago," said Richard Dolesh, chief of public policy for the National Recreation and Park Association.

Here in Washington, one of only a handful of states that has not charged entrance fees to state parks, the revenue stream is about to change. Beginning July 1, the parks will no longer re-

ceive state money for their operating budgets. Instead, they will rely directly on new entrance fees — \$30 for an annual pass, \$10 for one day. It is far from clear that the new plan will compensate for the \$70 million in state money that parks are losing each year.

"We're totally free of the tax system," said Jack Hart, the manager here at Deception Pass State Park. "If you support the park system, you'll buy a pass. If not, you won't."

"Customers," Mr. Hart said, "is the new buzzword."

One of the most inventive efforts is in Ohio, where the Legis-

Continued on Page A3



**Tainted or Not, Scrapped in an E. Coli Outbreak**  
Discarded cucumbers piled up near Bucharest as Europe searched for a bacteria source. Page A5.

Weiner, a rising star in Democratic politics who has long aspired to be mayor of New York City, admitted on Monday to having inappropriate online exchanges with at least six women, and repeatedly lying about his role in sending a sexually suggestive photograph to a young woman over Twitter last month.

After a week of sometimes indignant public denials and insistence that he was the victim of an Internet hacker, a weeping and stammering Mr. Weiner, 46, acknowledged at a news conference that he had sent the photo of himself in his underwear to the woman in Seattle.

The six-term congressman from Brooklyn insisted that he had broken no laws and vowed to remain in office, calling the matter an "aberration from which I've learned."

During an extraordinary 27-minute appearance, the congressman went on to describe a side of his life that he had kept secret from his closest confidants and family members, in which he befriended young female admirers over the Internet and engaged in intimate sexual banter with them.

"Over the past few years, I have engaged in several inappropriate conversations conducted over Twitter, Facebook, e-mail and occasionally on the phone with women I had met online," Mr. Weiner said.

Mr. Weiner said he had never met the women with whom he corresponded in person and added: "I don't know what I was thinking. This was a destructive thing to do. I'm apologetic for doing it."

But Mr. Weiner's political standing appeared in grave danger after his news conference. There was a striking absence of any public expressions of support from his colleagues, and the House Democratic leader, Representative Nancy Pelosi, called for an ethics investigation into Mr. Weiner's conduct. "I am deeply disappointed and saddened about this situation," she said.

House ethics rules state that members should conduct themselves "at all times in a manner that shall reflect creditably on the House."

Mr. Weiner's public confession was prompted on Monday when Andrew Breitbart, a conservative blogger and prominent critic of the left, followed through on a vow to publish photographs of Mr. Weiner that the congressman had sent to a woman online.

As Mr. Breitbart began to unveil the photos one by one, from mid-morning until early afternoon, Mr. Weiner's staff seemed puzzled, failing to answer ques-

Continued on Page A24



In Today's Arenas, Noise Roars Even When the Cheering Stops

June 22, 2011

To: West Linn Planning Commission  
Special Meeting

From: Bob Miller, Environmental Consultant  
1500 Ostman Rd, West Linn, OR

Re: Testimony Against Adoption of 50-yr Parks Plan

Objections to the Proposed Plan include:

- **A 50-yr time horizon is grossly excessive.** Parks Director, Ken Woster noted a new plan is produced about every 10 years. He stated he can't project costs beyond that period. No one knows future City size, population, density, annexations or citizen needs in 20 years let alone 50 years. The 50-yr plan is just an overdone excuse to allow City the opportunity to implement massive amounts of new projects at will without proper citizen review and due process. No City Park Master Plan should exceed 5 to 10 years.
- Plan should be **coordinated with other City departments** for their review and comment. This includes the Police Dept, Public Works, and the Fire Dept for assessment of taxpayer impacts due to increased workloads and infrastructure. There is the potential for increased robberies, burglaries, rowdy youth, increased fire danger, increased traffic congestion, etc.
- Plan should be **assessed for social impact** – We do not want to attract the rowdy crowd that populates the McIvar Park to High Rocks areas of the Clackamas River. Virtually all homes along that reach of the Clackamas River are for sale at cheap prices. Youth parties all night long, yelling, drugs, trash, etc. A primary pathway along the Tualatin equals no wildlife and constant police calls.
- Plan should **include Safety Issues as highest priority.** This includes an assessment of existing streets for pedestrian and bicyclist's hazards. Examples are shown in attached photos. Daily traffic backs up on Willamette Falls Drive from Oregon City through the Willamette Area, during summertime traffic rush hour. Why add more parks along the Tualatin River to attract more people into the area? Fields Park has been a huge success and already has overflow of autos parked on Willamette Falls Drive without any bike lanes. The Park is at maximum capacity. Do we want to encourage even higher usage, more traffic and more access problems by converting the river front to a Linear Park?
- Plan should **include Unfinished Projects as second highest priority.** This includes finishing the sidewalk from Fields Park into the Willamette Business District, and (perhaps) adding bike lanes from Oregon City to Wanker's Corner on Willamette Falls Drive or Dollar Street. Get the bicyclists out of the lanes of traffic on primary vehicle routes.
- I **oppose** the concept of "**linear parks**" for this City, especially along the Tualatin River – Linear parks increase human usage and drive away wildlife. The Linear Park concept is in **direct opposition to Goal 13** – preserving wildlife. The

**lower Tualatin River is a nesting place for animals, fish and birds.** This includes: deer with their fawns, geese, osprey and ducks with their chicks. All of these creatures will leave areas where dogs and humans frequent. Nesting areas have disastrous consequences with dogs off leash, intended or not. This special environmental quality should be preserved, not destroyed. Access should remain undeveloped. The Commission needs to decide whether or not a wildlife nesting area is something to be preserved or destroyed for the sake of urban development.

- **Fire hazards are real for the homeowners along the lower Tualatin River.** For example, Swift Shore CC&Rs require cedar shake roofs. Unfortunately, cedar roofs are such a fire hazard that Los Angeles banned them. With the east wind blowing during a dry summer and lots of fuel source via brush and trees, I suggest that a fire along the River would be unstoppable and many homes would be lost. I am opposed to attracting more people into this area. Keep the parks we have, but attracting more human use will only increase the fire hazard.

Thank you,



Bob Miller





Photo 1 –Safety issue @ 1780 Ostman Rd –Hill crest, Tri-met route, 8' wide lane.



Photo 2 – 1780 Ostman Road Safety issue – no sidewalk and no bike path.

180



Photo 3 – Safety Issue at Dollar & Ostman – Sidewalk into utility pedestal & rocks.



Photo 4- Safety Issue at Fields Park – Parking lot overflow onto Will Falls Dr, no bike path. There is summer weekly/monthly heavy park use during rush hour traffic.

T&O





Photo 5 – Incomplete Projects - No sidewalks or bike paths on Will Falls Dr at 16<sup>th</sup> St



Photo 6 – Incomplete Projects - No sidewalks or bike paths on Will Falls Dr at 16<sup>th</sup> St

T50



Photo 7 – Tualatin R at Ostman Rd – Rapids from Fields Br to rocks at Willamette R



Photo 8 – Goal 13 - Chick rearing, which you don't see in parks and other open areas

780





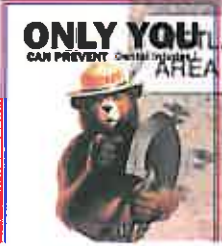
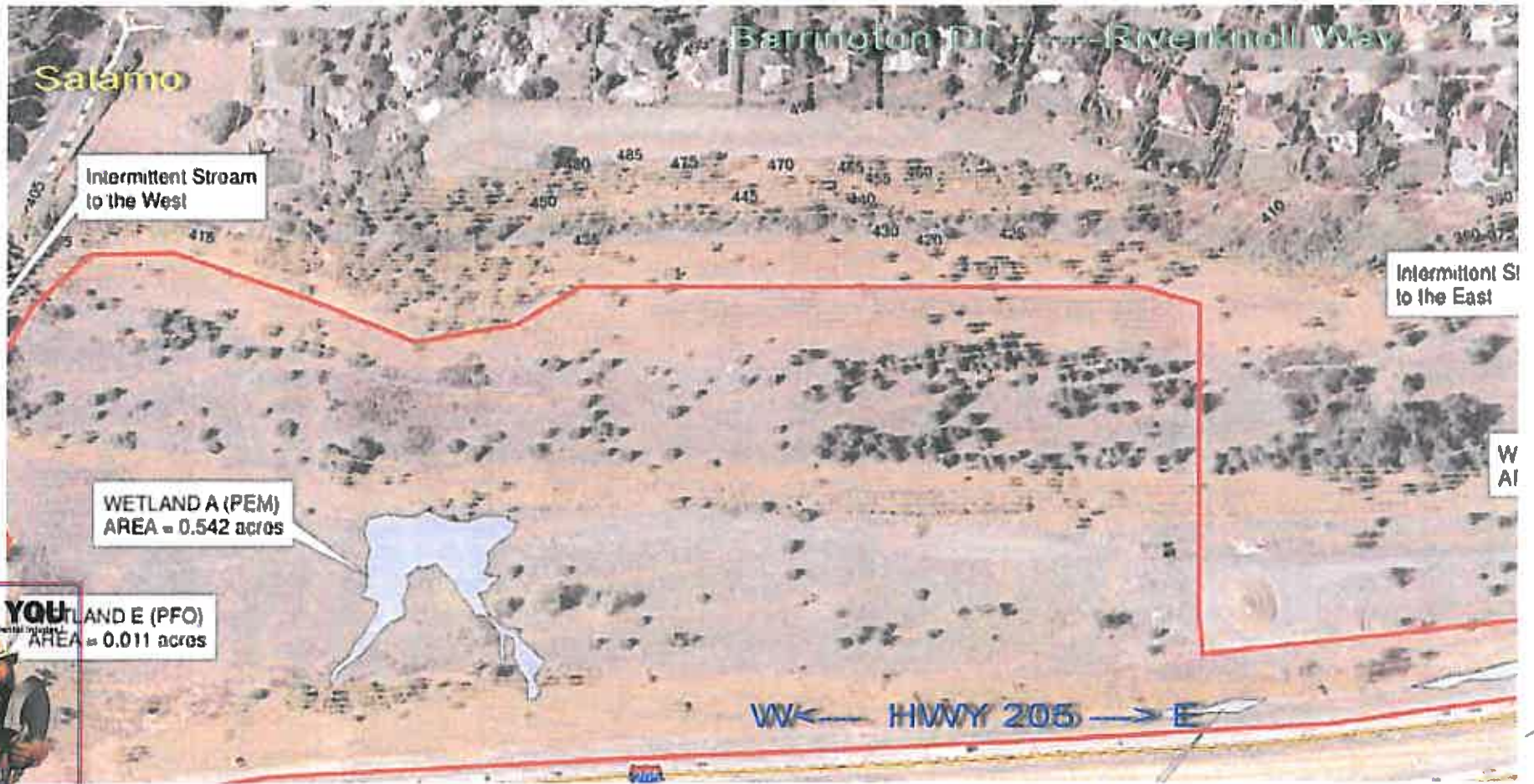
Photo 9 – Goal 13 - Deer with spotted fawn on lower Tualatin River June 16, 2011



Photo 10 – Fire Haz - River front homes with cedar roofs in Swift Shore development.

780





WETLAND E (PFO)  
AREA = 0.011 acres

175

June 22, 2011

West Linn Planning Commission  
West Linn City Hall  
22500 Salamo Road  
West Linn, Oregon 97068

RE: PLN-11-01

Dear Planning Planning Commissioners & City Staff,

Attached please find a photograph of the Palomino Loop Trail where it was intended to provide offstreet access to Palomino Loop Park. Please note that there is a stake provided by the city showing the general location of the trail.

Title reports for the adjacent private properties have been provided to show the specific size and location of the publicly owned trail in relation to the adjacent private property. The photograph clearly illustrates that public property is being used for the benefit of private individuals and the public is being denied access to their property.

It is my understanding that this trail was provided as public benefit to allow developers to build more properties on smaller lots as part of the PUD process. The attached photo shows the existence of private structures and fences blocking the trail on public property. We can find no documents filed with the county or state that reflect a change of ownership of the public trail for these specific properties. We can find no evidence that the public has been reimbursed for the loss of public use or for the property itself. The city staff has advised me that there are no documents transferring ownership or allowing private use of the public trail.

How was public trail property converted to private use without notice to the public or without reimbursement for their loss?

Would it be prudent to request an audit of current trail management and inclusion of a process to prevent losses of publicly owned trail property like that noted above, before we proceed to expand the trail program?

Possible mismanagement of our current trails and many questions regarding costs, violation of private property rights & fire and police safety issues should be considered before this plan is approved. There has been insufficient public participation

Page -2  
Lynn Fox  
June 22, 2011

in this process and I respectfully request that you not approve the plan in its current form. Please ask the Park & Rec director to continue to work on the plan and correct the above noted deficits or recommend that the Master Trail Plan process be stopped before any more tax dollars are wasted in these difficult economic times.

Cordially,

Lynn Fox  
PO Box 236  
Marylhurst, Oregon 97036

Attachments: Photo of Palomino Loop Trail between 2360 Pimlico and 6497 Palomino  
Copies of title reports for 2360 Pimlico and 6497 Palomino Way showing trail





2360 PIMLICO

CITY PROPERTY: PALOMINO TRAIL

6497 PALOMINO WAY

*Trail*



**METROSCAN  
 PROPERTY PROFILE  
 Clackamas County**

*Compliments Of Customer Service*  
 9020 SW Washington Square Road, Suite 220  
 Tigard, Oregon 97223  
 Phone: 503.671.0525 Fax: 503.671.0535  
 Email: customerservice@pnwtor.com  
 Website: www.pnwtor.com

**OWNERSHIP INFORMATION**

Owner	: Heuschkel Frank L & Melinda S	Parcel Number	: 00370333
CoOwner	:	Ref Parcel #	: 21E23DD07202
Site Address	: 2360 Pimlico Dr West Linn 97068	T: 02S R: 01E S: 23 Q: SE QQ: SE	
Mail Address	: 2360 Pimlico Dr West Linn Or 97068		
Telephone	:		

**SALES AND LOAN INFORMATION**

Transferred	:	Loan Amount	:
Document #	: 81-37863	Lender	:
Sale Price	:	Loan Type	:
Deed Type	:	Interest Rate	:
% Owned	:	Vesting Type	:

**PROPERTY DESCRIPTION**

Map Page Grid : 686 H5  
 Census Tract : 205.02 Block: 2  
 Neighborhood : West Linn Newer  
 Subdivision/Plat : Tel Kadash  
 Improvement : 141 Sgl Family,R1-4,1-Story  
 Land Use : 101 Res,Residential Land,Improved  
 Legal : 2445 TEL KADESH LT 1  
 :  
 :

**ASSESSMENT AND TAX INFORMATION**

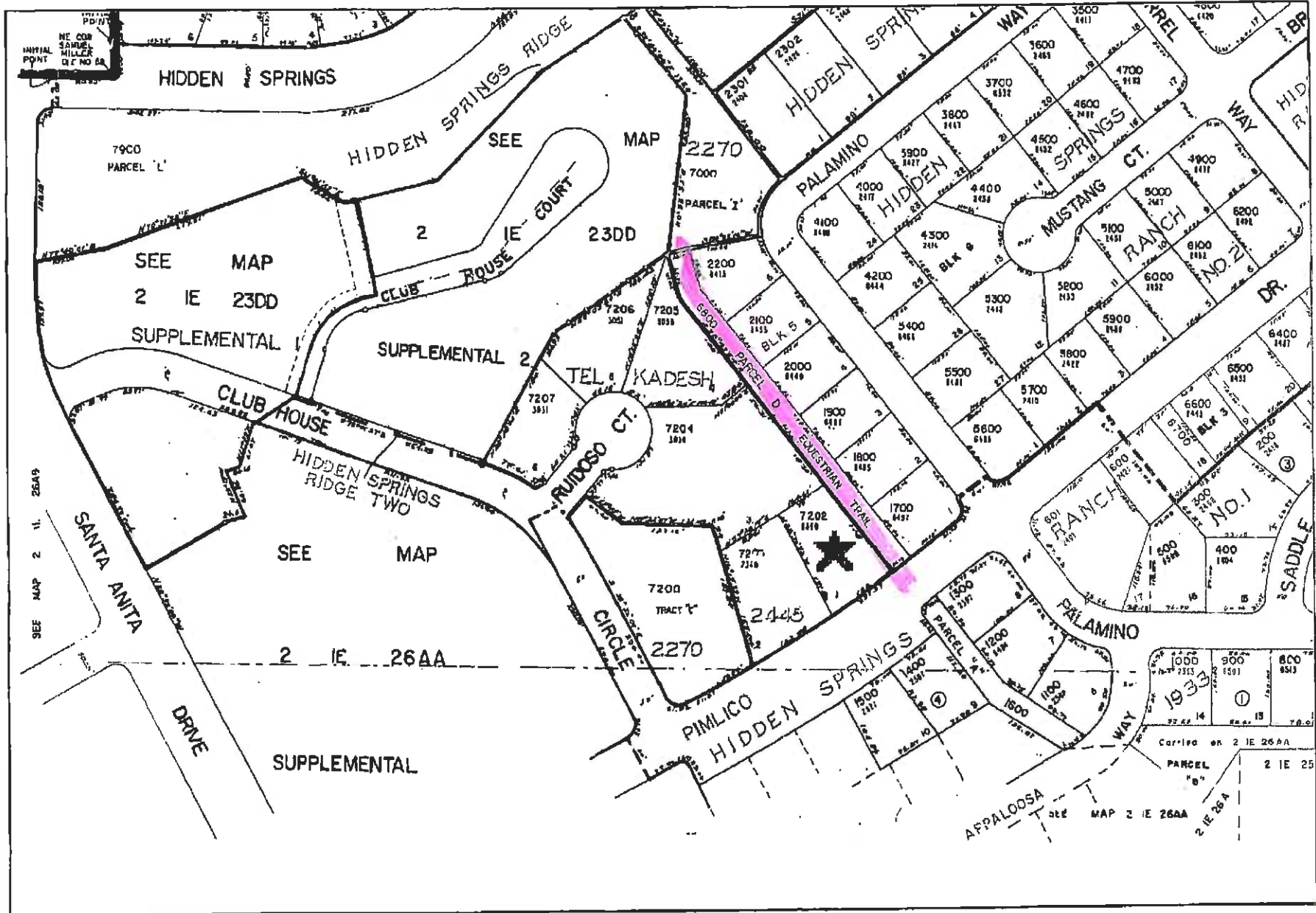
Mkt Land : \$135,260  
 Mkt Structure : \$166,010  
 Mkt Total : \$301,270  
 %Improved : 55  
 AssdTotal : \$245,564  
 Mill Rate : 18.6208  
 Levy Code : 003002  
 10-11 Taxes : \$4,292.41

**PROPERTY CHARACTERISTICS**

Bedrooms	: 3	BldgLivingSqFt	: 2,329	BldgSqFt	: 1,801
Bathrooms	: 2.00	1st Floor SqFt	: 2,329	Lot Acres	: .30
Full Baths	: 2	UpperFinSqFt	:	Lot SqFt	: 13,245
Half Baths	:	Finished SqFt	: 1,801	Year Built	: 1980
Fireplace	: Single Fireplce	AbvGrdSqFt	: 1,801	Foundation	: Concrete
Heat Type	: Forced Air-Gas	UpperTotSqFt	:	Roof Type	: Wood Shake Med
Floor	: Carpet	UnFinUpStySqFt	:	Roof Shape	: Gable
Stories	: 1	Bsmt Fin SqFt	:	Exterior Fin	: Bevel Siding
Garage SF	:	Bsmt Unfin SqFt	: 528		
		Bsmt Total SqFt	: 528		

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed.

7104

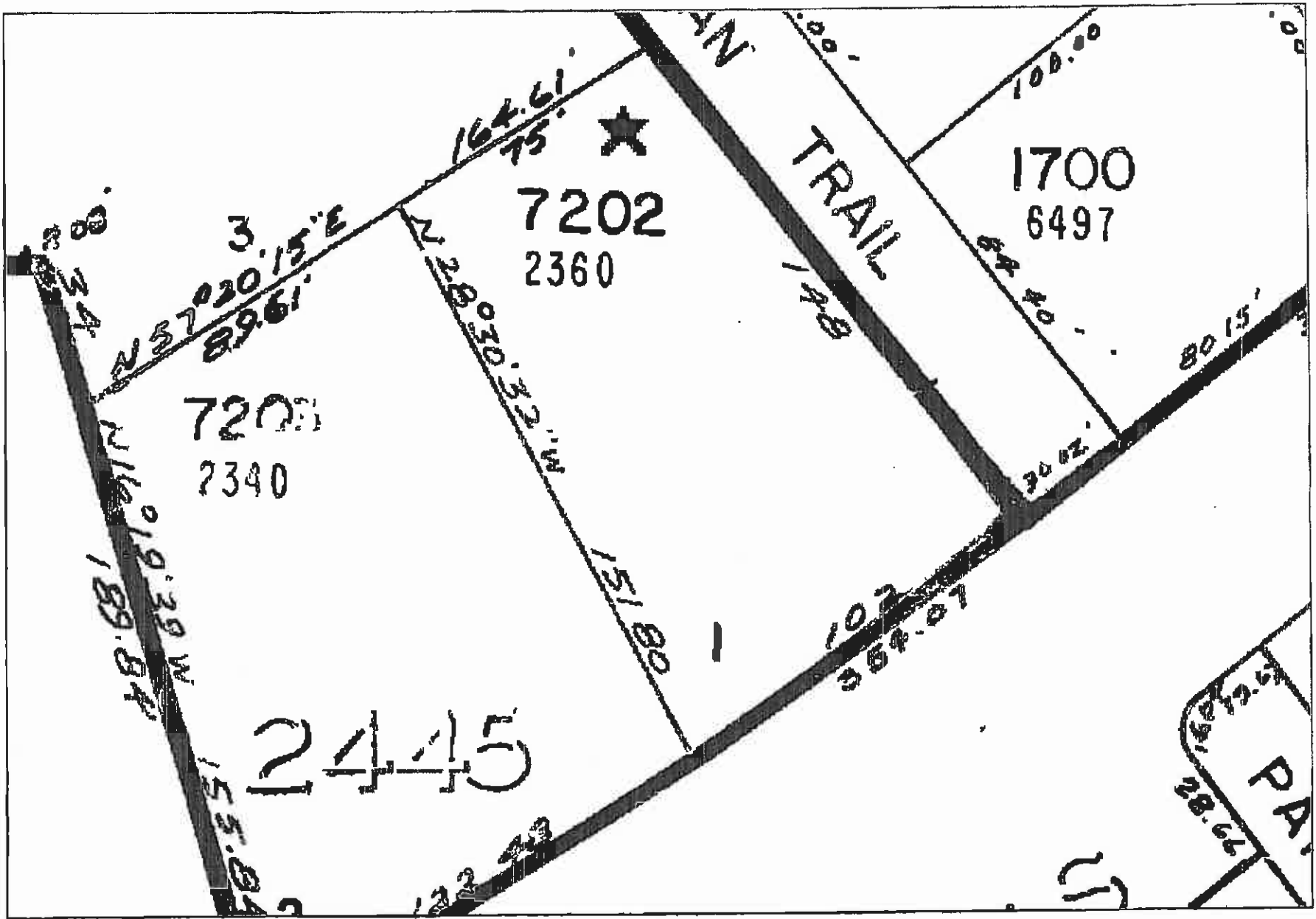


**THIS MAP IS FURNISHED AS A CONVENIENCE BY PACIFIC NORTHWEST TITLE**

This map is not a survey and does not show the location of any improvements.  
The company assumes no liability for errors therein.

**MAP # 21E23DD07202**

2011



**THIS MAP IS FURNISHED AS A CONVENIENCE BY PACIFIC NORTHWEST TITLE**  
This map is not a survey and does not show the location of any improvements.  
The company assumes no liability for errors therein.

MAP # 21E23DD07202

T106



7011

WARRANTY DEED -- STATUTORY FORM (Individual or Corporation)

MAINLANDER SERVICES CORPORATION, an Oregon corporation, which acquired title as MAINLANDERS SERVICES, INC., an Oregon corporation Grantor, conveys and warrants to FRANK L. HEUSCHKE and MELINDA S. HEUSCHKE, husband and wife, Grantee, the following described real property free of encumbrances except as specifically set forth herein: Lot 1, TEL KADESH, in Clackamas County, Oregon

Encumbrances: regulations, rights of way, easements of Tri City Sewer District, annexation agreement fee No. 75-26735; easements on plat

The true consideration for this conveyance is \$ 119,800.00 (Here comply with the requirements of ORS 93.030\*)

Dated this 30th day of October 19 81, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Mainlander Services Corporation John Meyer, president

STATE OF OREGON, County of Clackamas Personally appeared the above named and acknowledged the foregoing instrument to be voluntary act and deed

STATE OF OREGON, County of Clackamas, October 30 19 81 Personally appeared John Meyer who, being duly sworn, did say that the former is president of Mainlander Services Corporation and that the deed was signed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be voluntary act and deed.

Notary Public for Oregon My commission expires: Julia Yocum, Notary Public for Oregon, My commission expires: Jan 26, 1984

\* If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)".

Grantor's Name and Address

Grantee's Name and Address

After recording return to: Mr. & Mrs. Frank L. Heuschke, 2360 Pimlico, West Linn, Oregon 97068

Use a change if requested all the statements shall be sent to following address: same as above

Name, Address, Zip ORL-303 (Rev. 8-80)

STATE OF OREGON, County of Clackamas, 81 NOV 2 P 3 48, RECORDS OF CONVEYANCES - OREGON, CLACKAMAS COUNTY, 81 37863



**METROSCAN  
 PROPERTY PROFILE  
 Clackamas County**

*Compliments Of Customer Service*  
 9020 SW Washington Square Road, Suite 220  
 Tigard, Oregon 97223  
 Phone: 503.671.0525 Fax: 503.671.0535  
 Email: customerservice@pnwtor.com  
 Website: www.pnwtor.com

**OWNERSHIP INFORMATION**

Owner	: Hjorth Jimmy J Trustee	Parcel Number	: 00369808
CoOwner	:	Ref Parcel #	: 21E23DD01700
Site Address	: 6497 Palomino Way West Linn 97068	T: 02S R: 01E S: 23 Q: SE QQ: SE	
Mail Address	: 6497 Palomino Way West Linn Or 97068		
Telephone	:		

**SALES AND LOAN INFORMATION**

Transferred	: 12/01/1995	Loan Amount	:
Document #	: 95-80246	Lender	:
Sale Price	:	Loan Type	:
Deed Type	: Quit Claim	Interest Rate	:
% Owned	: 100	Vesting Type	:

**PROPERTY DESCRIPTION**

Map Page Grid : 686 H5  
 Census Tract : 205.02 Block: 2  
 Neighborhood : West Linn Newer  
 Subdivision/Plat : Hidden Spgs Ranch 02  
 Improvement : 141 Sgl Family,R1-4,1-Story  
 Land Use : 101 Res,Residential Land,Improved  
 Legal : 2108 HIDDEN SPRGS RANCH #2 LT 1 BLK  
 : 5  
 :

**ASSESSMENT AND TAX INFORMATION**

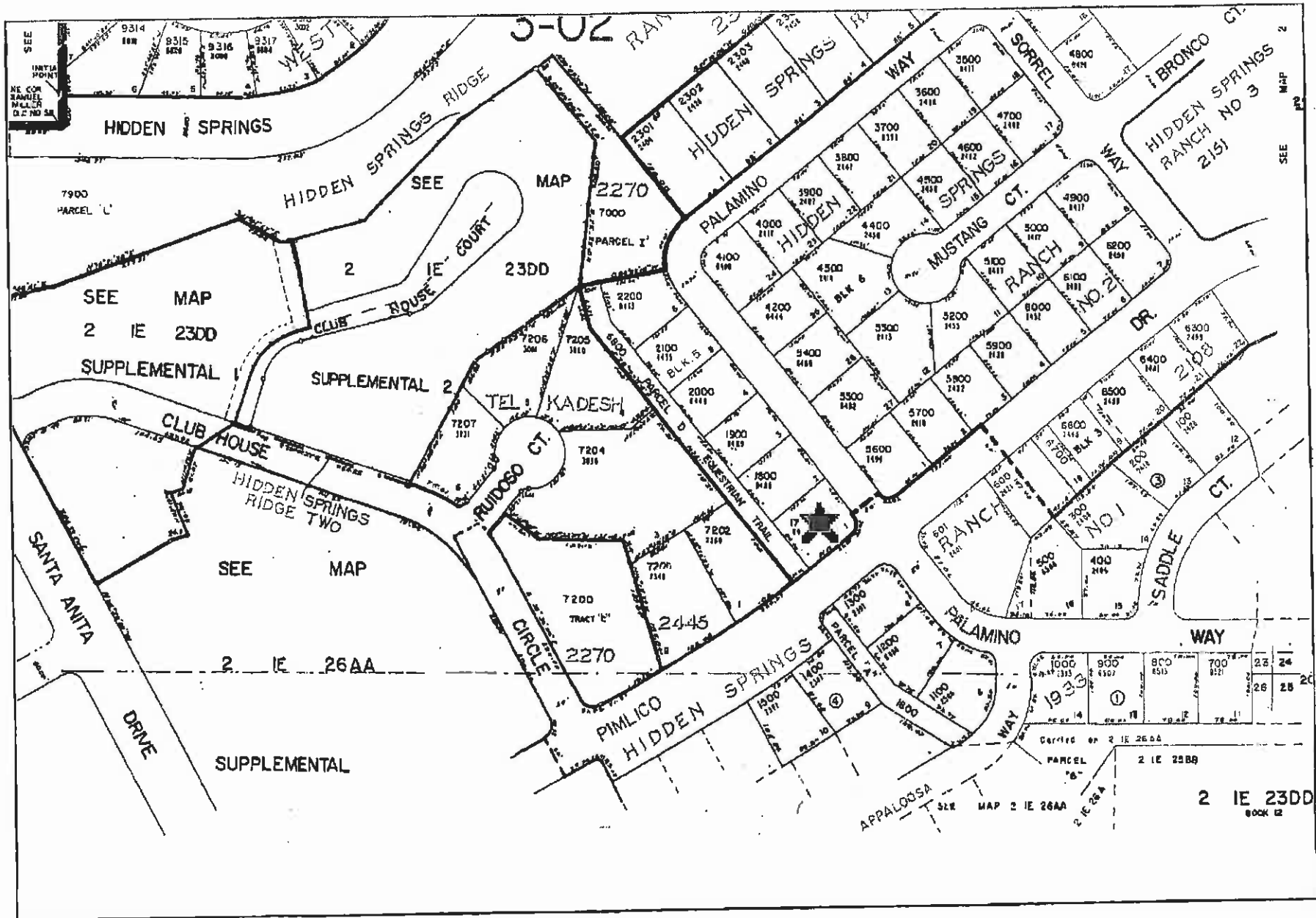
Mkt Land : \$135,260  
 Mkt Structure : \$187,700  
 Mkt Total : \$322,960  
 %Improved : 58  
 AssdTotal : \$239,971  
 Mill Rate : 18.6208  
 Levy Code : 003002  
 10-11 Taxes : \$4,337.41

**PROPERTY CHARACTERISTICS**

Bedrooms	: 4	BldgLivingSqFt	: 2,565	BldgSqFt	: 2,565
Bathrooms	: 3.00	1st Floor SqFt	: 1,547	Lot Acres	: .19
Full Baths	: 3	UpperFinSqFt	: 1,018	Lot SqFt	: 8,404
Half Baths	:	Finished SqFt	: 2,565	Year Built	: 1976
Fireplace	: Single Fireplce	AbvGrdSqFt	: 2,565	Foundation	: Concrete
Heat Type	: Comno Htgcool	UpperTotSqFt	: 1,018	Roof Type	: Wood Shake Hv
Floor	: Carpet	UnFinUpStySqFt	:	Roof Shape	: Gable
Stories	: 1	Bsmt Fin SqFt	:	Exterior Fin	: Board&batten
Garage SF	: 483	Bsmt Unfin SqFt	:		
		Bsmt Total SqFt	:		

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed.

7104

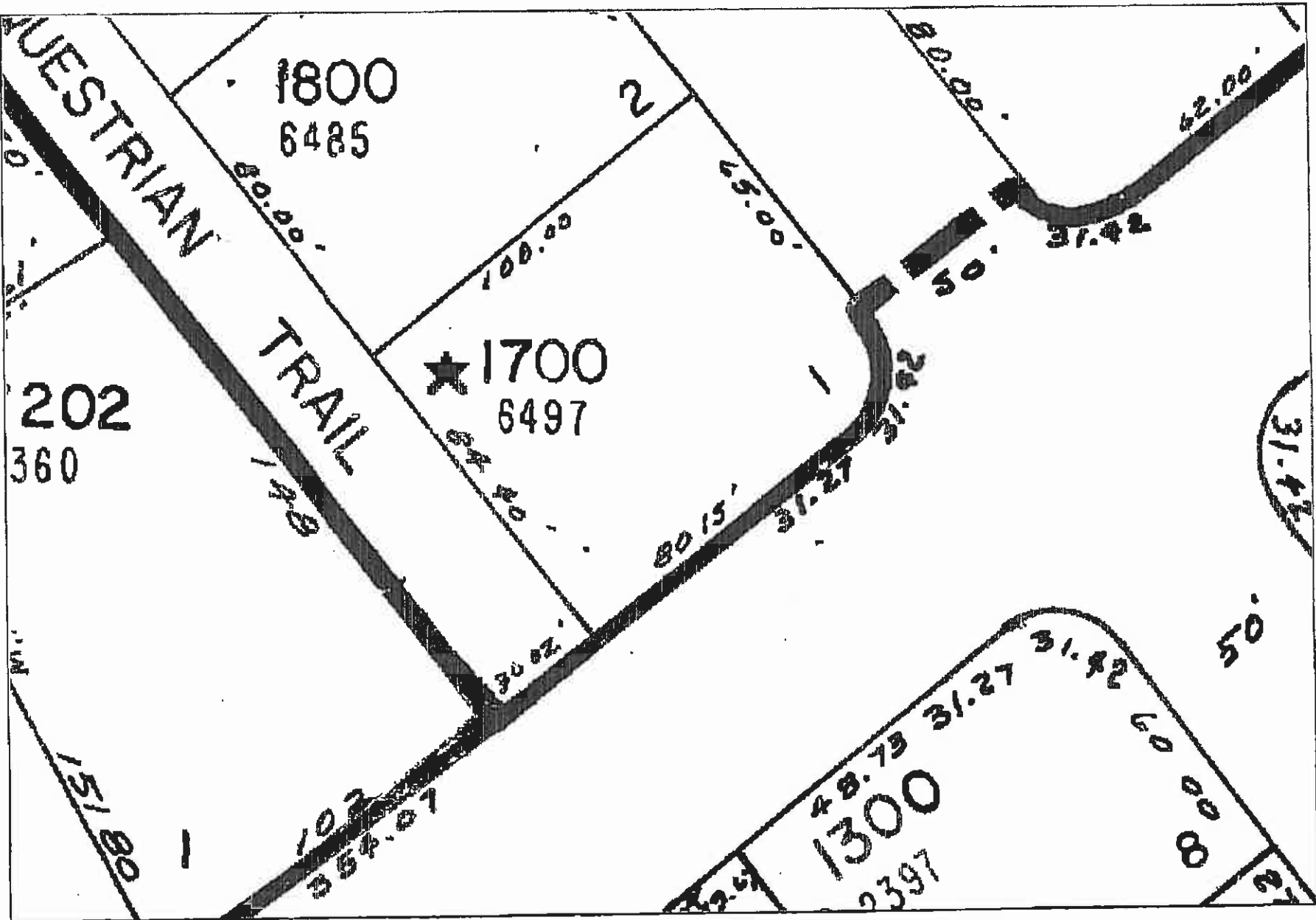


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The company assumes no liability for errors therein.

**MAP # 21E23DD01700**

71010



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This map is not a survey and does not show the location of any improvements.  
The company assumes no liability for errors therein.  
MAP # 21E23DD01700

Attachment 3 pg 160

T106

SCANNED

Jimmy J. & Elizabeth A. Hjorth, Trustees  
6497 Palomino Way  
West Linn, Oregon 97068

Grantor's Name and Address

Jimmy J. & Elizabeth A. Hjorth, Trustees  
6497 Palomino Way  
West Linn, Oregon 97068

Grantee's Name and Address

After recording, return to:

Jimmy J. and Elizabeth A. Hjorth  
6497 Palomino Way  
West Linn, Oregon 97068

Until requested otherwise, send all tax statements to:

Jimmy J. and Elizabeth A. Hjorth  
6497 Palomino Way  
West Linn, Oregon 97068

RECORDED IN CLACKAMAS COUNTY  
JOHN KRAUFFRAN, COUNTY CLERK

2000-073555



\$26.00

0000010020000073555001

11/14/2000 08:32:55 AM

DD - 1 - 3 BEVERLY  
08.00 \$11.00 \$10.00

**BARGAIN AND SALE DEED - STATUTORY FORM**

JIMMY J. HIORTH and ELIZABETH A. HIORTH, Trustees, or their successors in trust, under the Hjorth Living Trust dated August 23, 1994 Grantor,  
conveys to JIMMY J. HIORTH and ELIZABETH A. HIORTH, Trustees, or their successors in trust, under the HIORTH LIVING TRUST, dated October 10, 2000, and any amendments thereto Grantee,  
the following real property situated in Clackamas County, Oregon, to-wit:

Lot 1, Block 5, HIDDEN SPRINGS RANCH NO. 2, in the City of West Linn, County of Clackamas and State of Oregon.

The true consideration for this conveyance is \$ NONE (Here, comply with the requirements of ORS 93.030.)

DATED NOVEMBER - 8 2000

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Jimmy J. Hjorth, Trustee  
JIMMY J. HIORTH, Trustee

Elizabeth A. Hjorth, Trustee  
ELIZABETH A. HIORTH, Trustee

STATE OF OREGON, County of Multnomah) ss.

This instrument was acknowledged before me on November 8, 2000, by JIMMY J. HIORTH and ELIZABETH A. HIORTH as Trustees under the Hjorth Living Trust dated August 23, 1994.



[Signature]  
Notary Public for Oregon  
My commission expires November 20, 2002

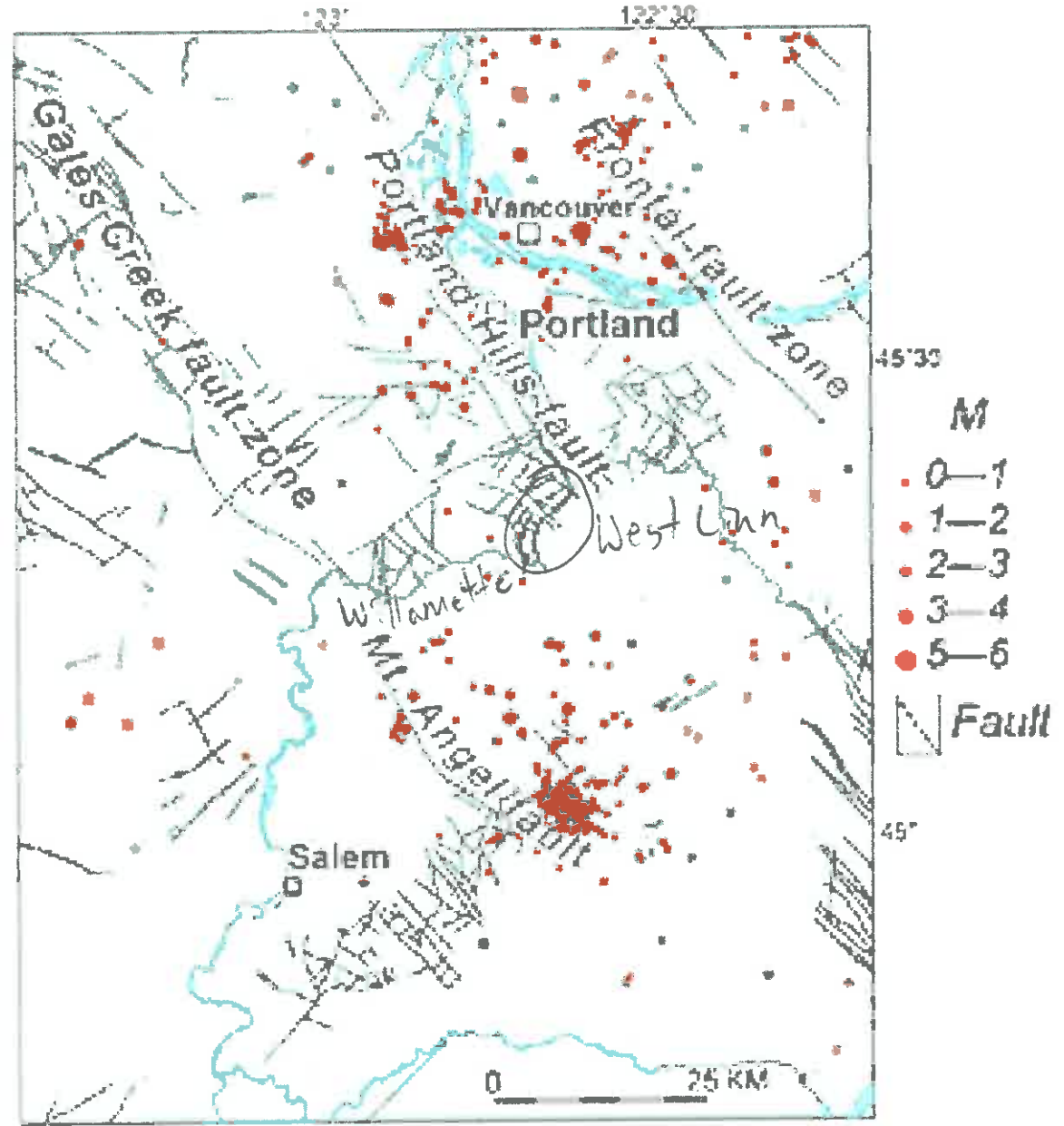
11060





Prescott Gardner  
6/22/11

Attachment 3 pg 163



7/1/11

Strike slip faults in the North Willamette Valley. USGS Pacific Northwest Geologic Mapping and Urban Hazards

## FW: Trails Master Plan Adoption

From: **Robin Satryb** (robpaulsatryb@msn.com)

Sent: Wed 6/29/11 12:00 AM

To: West Linn Planning Commission (jsonnen@westlinnoregon.gov); Zach Pelz (zpelz@westlinnoregon.gov)

To The West Linn Planning Commission

Re; West Linn Comprehensive Trails System Master Plan

My husband Paul and I attended the June 15th hearing to listen to the viewpoints of the community of West Linn, regarding the Comprehensive Trails System Master Plan. We were intending to become up to speed on the relevant issues at hand. We have additionally reviewed a DVD copy of the June 22<sup>nd</sup> hearing.

We have considered the points of argument against the plan. We wish to be heard as well, through our written testimony and will address a number of those points of argument. We will do so as individuals in our own written testimony. The following testimony is mine. Although Paul and I may not agree on every detail of the proposed trail, at the end of the day, we are still friends, able to respect each other's perspectives.

After reviewing the "For" and remaining "Against" testimonies in person and on DVD, I still do not object to the concept of the Comprehensive Trails System Master Plan long range goals. I particularly do not think it is logical to omit the entire proposal, or "shelve it" for five years, as one homeowner suggested. That to me sounds like a personal agenda timeframe. However, it is reasonable to think that each proposed trail would and should be discussed and possibly modified as deemed necessary. I understand the legitimate concerns of costs and property rights to be worked out. It is additionally logical to consider that as the process occurs, several professionals should weigh in their perspectives in terms of environmental impact, financial, public safety, etc. However, my perception of both hearings was that of a hostile and rather intimidating nature towards the Planning Commission and the West Linn Parks and Recreation presenters of the plan. Some individuals came up with viable concerns that I agree should be researched. Any relevant concerns have a right to be addressed. However, the overall themes seemed short sighted, self serving and displayed an interesting sense of entitlement rights among homeowners. I request that the planning commission and parks and recreation staff scrutinize all of our testimonies and sift out what is truly credible with merit. That is a daunting task; however I ask that you spend time to research as to the validity and relevance of each testimony both verbal and written. Please do not take any of our testimonies as fact, until you yourselves, have validated them as such and substantiated our arguments. Thank you for your willingness to take on this project.

First and foremost, I will address what is familiar to us, as was witnessed throughout the testimonies.

### **PRIVATE PROPERTY RIGHTS VERSES PUBLIC ACCESS RIGHTS/ "NOT FAIR OR NEIGHBORLY" COMMENT**

In terms of public rights, I first see an immediate need to address the public trails, easements and right of ways that supposedly already have been established throughout the city of West Linn. We believe the city of West Linn should ensure that these current designated areas will no longer be allowed to be closed off for use

THL



by private property owners only. In the Robinwood Neighborhood specific public access has either been taken over or have been attempted to be taken over or closed permanently by homeowners. There have been many comments as to private property rights verses public access rights with regard to the proposed trails plan. Thusly, I wish to address the trails (easements) and right of way access to the Willamette River which to our understanding, have already been established in the Robinwood Neighborhood in which we live. Since my neighbor gave testimony regarding the right of way on the end of Calaroga Court, I would like to add to some information that I believe should be taken into consideration. We have lived at 4124 Calaroga Court since August of 2000. The realtor who marketed the home to us had advertised two public easements and a right of way to the Willamette River as public amenities. We verified this through public mapping systems. It has been our observation that there is one of those easements on Calaroga Drive that is supposed to be designated as a public access to the Willamette River. The easement is not marked by the city of West Linn as such. That particular easement has also been made to look as though it is private property by the homeowner, with a boat parked on the easement area close to the river and a tree planted in the vicinity where the public is suppose to have access. It is our understanding that the city of West Linn is aware of such "take overs" of public property by private homeowners. Another example of this scenario is sited in the West Linn Tidings article entitled "Battle Lines Drawn on City Trail" dated November 13, 2008. This specific article refers to the Palomino Loop Trail.

There is another easement or trail in the Robinwood Neighborhood that is suppose to run behind the

4220 Calaroga Court address, which is intended to connect to Nixon Street, which in turn leads to Mary S. Young Park. Thus, this appears to be an example of the goal of connectivity of trails, to parks throughout and within neighborhoods. This easement (trail) is also not publically designated as such. The right of way at the end of Calaroga Court does have City of West Linn signs posted. To our understanding, it is at least a 50 foot wide public access. Over the years, even prior to the current landowners on either side, we have requested that the right of way be groomed (mowed) enough for reasonable access to the river. I personally have spoken with Sam Foxworthy, the previous parks and recreation supervisor each year about this matter, more than once, in a given year. Although Sam explained that it ranked as a lower priority, they always have managed to mow it. Paul and I were also given permission by Sam that we could clear the right of way ourselves. One Memorial Day, we did just that for all to enjoy and have access to. The homeowner, who no longer lives next to that right of way, literally came out yelling at us and sent his dog after us. We explained that we were obviously on the public right of way and had been given permission to clear access to the river. At that time, the right of way was barely accessible due to the blackberry bushes that have overgrown onto the right of way from the private property on either side. The overgrowth even extends down to the small beach area where people could enjoy spending time and have a right to do so. There are many elderly people in our neighborhood who should have decent access to the right of way and easement to the river. There are also people who are wheel chair bound who have come down Calaroga Court to the end of the road, to enjoy what view of the river they possibly can. I currently do not know the Americans With Disabilities Act laws and rights of our citizens to have access to the rivers in West Linn.

The comment about the Calaroga Court right of way being completely under water should be scrutinized. We have taken recent photos. It is worth duly noting, that this 2011 calendar year in particular is unusual, in that there was an excessive amount of rain and snowmelt. There are equally many seasons where this particular right of way lends access to the island, in terms of walking to it, due to the river level being so low.

The current homeowner at 4220 Calaroga Court stated in the June 22<sup>nd</sup> testimony that the right of way is "currently" public access and that everyone is "welcome". That seems irrelevant, and rather a presumptuous statement, given the fact that it is public property and was deemed as such prior to the purchase of the homes on either side of that right of way. It is also contrary to the conversations I have had with Sam

7114

Foxworthy, and the previous Robinwood neighborhood president. In addition, I have spoken with the new supervisor Jeff, about this issue. I had been told on more than one occasion by Sam, that the current homeowner at the end of Calaroga Court had literally yelled at Sam's crew with regard to mowing the right of way. He also said the homeowner was giving the crew a hard time as to how wide they groomed the trail and was trying to have control over that. We do not agree with the justification of giving city work crews nor private citizens an uncomfortable time about doing what they have a right to do. Any claims of concerns of vehicles driven down to the river had been previously addressed before the current homeowner bought the properties on both sides of the right of way. Sam's crew installed a metal post to discourage such activity. If the current homeowner intends to pursue the acquisition (purchase), of the right of way property, at the end of Calaroga Court, we suggest that an open public hearing be allowed to discuss and give input by residents as to this matter, since it is currently established as public access and the homeowner was well aware of this fact upon purchasing both properties on either side of this public right of way.

I do not perceive the testimony about what occurred with the teenagers seven years ago on the right of way as relevant. There are typical ongoing disturbances with teenagers throughout the city at various locations and times of the day and night. I see that as a parenting issue, not necessarily a policing issue for the long haul. In addition, I will address the comment about several neighbors placing large boulders along the street so it limits parking space. At the time the incident with the teenagers occurred, there were no large boulders in front of certain homes, including ours. Nobody has ever attempted to park in front of our house even without boulders, in order to access the right of way to the Willamette River. I have indicated to the city more than once that the boulders are in front of our house due to the project across the street. We have even worked with PGE and NW Natural regarding this, as it is a utility corridor. The utility companies have been good to work with, as they simply move the boulders as needed. This remains a temporary arrangement. It is obvious as to the reasons why, with the demolition of a 5000 square foot house and the new construction of a larger house which has continued for a year and two months across the street from our house. The construction continues today. If there are separate irrelevant issues regarding the trails proposal, such as public and private property rights for parking, I suggest a complete survey be conducted in the Robinwood Neighborhood. There are several homes with rocks, boulders, bushes, grass, flowers, and all sorts of other landscaping that run not only adjacent to the road but also encroach right up to the road. There is also fencing, including one that runs along Calaroga Court towards the dead end that appears as if it could be in public access city property. Perhaps we at 4124 Calaroga Court, should look into a sign that states "No Parking. Utility Corridor Access". We have noticed several other "No Parking" signs purchased and displayed by residents as well.

It is well known in this neighborhood that the resident at 4130 Calaroga Court has used his two dogs to intimidate the public from going to the right of way to enjoy access to the river. I have a petition with 27 signatures to back up that statement, including those from the address of 4220 Calaroga Court. The homeowner at 4130 Calaroga Court, has also made the remark that "F\*\*k them. Nobody has any business coming down here". Yet, he himself walks his dogs, down to the river and allows them to enter public and the private property at large. The homeowner at 4220 has dealt with this first hand. My perception is that both homeowners have discouraged and or tried to prevent the public from enjoying their rights to access the Willamette River at the end of Calaroga Court. One instance or scenario is no more wrong or right, than the other. Again, as stated in my initial testimony dated June 15<sup>th</sup>, I strongly believe it is a perception problem, given the sense of entitlement on the part of any homeowners, anywhere, in an effort to prevent people from not only having newly developed access to the river and or trails, but also to prevent current access open to the public. Please explain, what is "Nice or neighborly" about that.

#### **ENVIRONMENTAL CONCERNS SPECIFIC TO THE WILLAMETTE RIVER**

Walk the talk. If this is truly your concern, demonstrate leadership. Be stewards of your property, trees, wetlands and riverbanks. Please provide documentation of the potential damage of proposed trails verses residential impact along the river. Perhaps there is reasonable data to backup concerns from already developed portions of the Willamette Greenway Trail that may be available to the public. As well, if you are concerned for the environmental effects on wetlands, riparian wildlife and the Willamette River, please be open to consider these potential impacts; What may create more damage along the river (than trails) could possibly be the tree service chemical sprays, the lawn service and chemicals applied, asphalt driveways, and anything else that may seep into the ground water, motor boats, jet skis, pontoon planes, the removal of large trees for better river views, tree houses, or larger homes ( affecting riparian wildlife), new construction or remodeling of homes. Address the laws in which contractors are supposed to adhere to environmental laws, particularly along the river. The choices you make in building materials, driveway and landscape materials, vehicles driven, washing those vehicles or boats in driveways at home (depending on the washing solutions used), non native species of plants, including gardens ("come and get me code"...), you know who you are, hiding behind the guarded blog internet address), perhaps bon fires (who knows for certain), docks installed in the river, water trampolines, swimming platforms and even (hearsay) huge boulders dumped in the river to change the flow of it. You can also Google map the properties. I have viewed some questionable aerial photos along the river. I personally believe that the public has a right to access, enjoy and learn from and about the Willamette River. Trails may help to integrate a new culture of learning and respect for the river and environment that does not currently exist. Trails may also add value with interpretive information kiosks or interpretive centers along the routes, and provide a valuable educational tool for future generations to become stewards of the lands and waterways. This is not to suggest nor justify that there should necessarily be trails all along the Willamette, adjacent to private properties. As mentioned, each proposed trail should be analyzed individually and fairly. I sent an email on June 27th to Travis Williams, the Willamette Riverkeeper executive director. I requested him to offer his insights (unbiased), to the West Linn Trails System Master Plan, particularly along the Willamette River. He hopefully has submitted such writings to the planning committee. I forwarded a copy of this email to Zach Pelz yesterday.

#### **PROPERTY OWNER'S RIGHTS TO SELL TO THE CITY OF WEST LINN**

Please consider that it may be now, or in the future, that there are some that may wish or need to sell their properties in part or in their entirety, due to financial reasons. Perhaps some would like or find the need to sell in part, in order to remain in their homes. As much as people believe they have a right not have their properties condemned or taken away at will by the city...it is also true that those who wish to sell or perhaps even donate property to the city of West Linn for whatever their vision, has that right to do so, without being intimidated by their neighbors.

#### **SAFETY**

There were several points brought out that seemed to us to be scare tactics, so we would appreciate seeing credible documentation that will establish substantiated concerns as to the arguments against the Comprehensive Trails System Master Plan. Some of the testimony issues are:

7/1/10

**FIRES**

Truly sorry for the traumatic experience you endured. It seems that area should and would be addressed by the TVFD, both in cooperation with and serving to advise regarding the trails proposal. Perhaps they can provide insight as to the statistics on trail fires verses all other applications. Trails may serve the public in case of fire in a way that we need to understand.

**RAPE**

If the particular rape you are referring to is the one in the June 9th, West Tidings police log, to our knowledge it was unsubstantiated: "LIFE IN WEST LINN 5/26, 1:33 a.m.; A rape was reported at Mary S. Young Park, although police are now investigating the case as suspicious circumstances and do not believe park goers are in any danger."

Even so, there are rapes committed in all settings.

**SQUATTERS**

We have heard of "squatters" or transient people in a home on Mapleton Dr. This is not an uncommon occurrence, throughout the nation, given the high rate of foreclosed upon and abandoned homes. If there are squatters or loiterers in a park, the West Linn police should be advised. The police log reflects that, whether the people are "outsiders" or residents of West Linn causing trouble.

**PERVERTS**

Perhaps the "gentleman", living on Riverknoll Way should not be parading nude. How does that "right of passage" justify no trails? There are many people with binoculars and high powered telescopes that may view that behavior as perverse. Do you display this behavior to your children? It is also worth noting that perhaps you should be concerned as to all of the registered sex offenders in West Linn. They continue to register in our community.

7/1/11

**"Damn Good Money"** By the way, we all pay damn good money for our homes and should be equally considered.

## **SENIORS**

Thanks. With regard the same "gentleman" on Riverknoll Way; I appreciate the "throw a dog a bone" (no pun intended), to the seniors. I qualify as a senior citizen and I am in favor of the Comprehensive Trails System Master Plan.

## **COSTS**

It is agreed that costs have been and should continue to be addressed. We are discussing a 50 year plan, so funding dispersed over time would not likely directly affect many current West Linn residents.

## **THE DEAD VERSES THE LIVING**

Not sure how to substantiate this one. Are you certain that all those involved in the initial process of the Willamette Greenway Trail (1967), for instance are dead? Many legislative bills take years to pass. Even if some individuals have passed on, that does not make this proposal irrelevant. One could reason that your opinion today is fundamentally irrelevant because you will pass on before the 50 year plan is completed. Does this theory give way to the constitution as well? Requesting amendments is one thing. Saying that those who came before us is irrelevant is quite another.

## **JOHNSON HOUSE FIRE**

The only online information we could obtain on this subject was from April of 2010. At that time, the circumstances were under investigation. In addition, it appears as though that property is currently or at least was recently for sale for the price of \$2,500,000. Please offer relevancy as to the opposition of the trails plan in West Linn.

## **CONDOMS**

Honestly, what is point?

**BEER CANS**

They are littered throughout the city, along with typical trash. We have seen alcohol containers along Highway 43 and well into the various streets of the West Linn neighborhoods. Is the concern "outsiders" or West Linn teenagers? Have you ever been a teenager yourself?

Consider crimes committed in parks that have been closed off from the public altogether due to lack of funding. Such is the case recently in California. There is not only no police or park authority presence; there are drugs being grown and transients living in the parks.

**ASPHALT**

I am uncertain as to where asphalt would be used. As well, some homeowners have asphalt driveways. The city of West Linn could work to develop laws prohibiting residents and the parks system to use certain environmental unfriendly products. There are good alternatives that my work in some applications, such as they put in at the Willamette Park parking lot area.

**"THIS IS YOUR AGENDA "**

We believe this is an unfair and an untrue accusation and does not represent our own personal views of the parks and recreation staff. The Comprehensive Trails System Master Plan is very complex project. It has been an ongoing project with the involvement of many individuals, including Mr. Robert Martin. Some of these trail concepts were already in place, such as the Willamette Greenway Trail. An accusation such as "This is Your Agenda", should not be submitted as public record. It seems indeed, insulting and berating to one's profession. No doubt, the same could be said for some of you, and the careers you work in.

**THE WOMAN RUNNER WHO LIVES ON IMPERIAL**

T114

Although she personally would not use the trail for running due to dodging "bicyclist and trash"...others would use the trail (route), as do many now do along I205. Some people would use these routes to commute, as alternative transportation to automobiles.

### **GERT BOYLE REFERENCE**

We are not able to correlate the validity of name dropping to the connectivity of Gert Boyle. It seem irrelevant to the opposition of a trails plan. This was an isolated incident, as the police pointed out. Many news reports stated that she was specifically targeted for an abduction attempt. The criminals did not take advantage of a trail system, much less, the mass transit alternative.

### **CRIMES ON FOOT OR BICYCLE**

Not finding documentation to back up that statement.

### **PROSTITUTES**

Are you referring to the sting operation? Prostitutes are everywhere. They came here in cars, not trails. They were apparently lured to Fields Bridge Park by the police:

"Tigard authorities arrested at least a dozen people last year in a prostitution sting after receiving tips from local hotel and motel operators, according to past newspaper reports.

West Linn planned to end its sting operation when it became tough to lure the Craigslist advertisers to their location, a vacant building at Fields Bridge Park.

"The goal of this operation was to dissuade prostitution in West Linn. Arrested prostitutes told the West Linn Police Department they will not come back to West Linn. Once a sting operation has been successfully conducted, prostitutes will avoid communities where there is a known chance the respondent to an online solicitation might be a police officer. It becomes well known that response to a solicitation in West Linn could lead to arrest."

"Craigslist gave posters the ability to solicit illegal services," said West Linn Police Department Chief Terry Timeus. "Prostitution is illegal – it promulgates violence against women and drug use, and

West Linn does not tolerate these crimes. This sting operation gave us the chance to stop these criminal activities and discourage future activities. It is our responsibility to ensure illegal activities are discouraged in West Linn."

#### **TEN YEAR OLDS OR ELDERLY MOTHER NOT USING A TRAIL**

We personally do not know people who allow their ten year olds on trails alone, or in any isolated area. It may be advised that kids should be accompanied by an adult for a family outing. Part of the objection of these trails is for health, exercise, family activities, getting away from the deluge of technology and a sense of well being that nature offers all of us. We all have a right to access that. Children often get abducted out in the open broad daylight, including in front of the homes where they live.

As to the gentleman's elderly mother who would not use a 16% grade trail. Other people may. The trail system is designed with all levels of abilities and recreational interests. There are some people who are very athletic and in excellent condition. Some people train for running marathons on a variety of grades. We personally know of such people.

#### **"WE DON'T WASN'T THIS ", BLANKET STATEMENT**

The attendees at the June 15<sup>th</sup> and the June 22<sup>nd</sup> hearings seemed primarily to have been residents that live along the Willamette River, Tualatin River and in the Barrington Heights neighborhoods. I said primarily. It is not uncommon that people will show up for a cause that they are vehemently against. It is my understanding that there are some supporters of this trails plan who did not want to testify due to their neighbor's anger and opposition. This however, is not an overall representation populous of the community.

#### **ADDRESSING THE SAME MAN CONCERNED ABOUT PERVERTS" JACKING OFF", YOU MENTIONED YOU ARE WILLING TO "THROW A BONE" (NO PUN INTENDED), AT i.e.: SENIORS**

Thanks. I am considered to qualify as a senior. I am in favor of the Comprehensive Trails System Master Plan, as it is sure to need revision along the process. I support valid concerns with merit.

TIP



By the way, we too paid "Damn good money" for our house.

### **MURDEROUS SCREAMS IN MARY S. YOUNG PARK**

Please be specific. Was it murder?

### **"OUTSIDERS"**

Anybody has a right to come to West Linn. Mary S. Young Park is a state park. Do you mean to say that you do not go outside of the boundaries of West Linn? Are there any West Linn residents opposed to this trails plan that have enjoyed any parks, trails, rivers and river access, recreational activities in Portland or perhaps Tryon State Park, other areas of Clackamas county, much less in the state of Oregon or the nation. Are you saying you do not enjoy Silver Falls State Park, Detroit Lake or the Oregon Pacific coast? What is your true definition of an "Outsider" and the agenda that goes along with that?

### **POLICE CANNOT ADDRESS WHAT THEY CANNOT SEE**

That sounds like a problem that is relevant to many circumstances and not specific to trails and parks alone. This sounds as though it is an internal issue with the department. I agree, it would have been helpful if the police chief would have shown up to the June 22<sup>nd</sup> hearing. I do not know the circumstances surrounding the decline. It may be more appropriate in a different setting and forum. I read the police log regularly. I see many instances of domestic disputes, much more often than problems in parks. I also observe that it seems the police get many calls by residents that are inappropriate. See for yourself in the "Life in West Linn" section of the police log. Please provide statistics that reflect more crime in parks and trails than at homes and businesses. AS well, consider it is our responsibility as residents and adults not to tie up their time for issues that really don't merit a police call. We should be responsible to manage our own personal lives and allow the police to be more available and effective for the concerns you have raised. To address trespassers, lock the doors to your home. We experienced a potential trespasser, who tried to "force entry" into our home. My husband had a loaded shotgun pointed on the trespasser and soon realized; it was our "out of sorts" neighbor. Traumatic experience, none the less.

We have seen these types of entitlement struggles for many years up in the San Juan Islands, Washington as well. We have frequented them since 1986 and have had family that lives there. The pattern is the similar.

Tourists visit the island. They purchase their piece of "paradise". Then they no longer want tourists ("outsiders") to go to the islands, much less buy or build there. It seems people want what they want. When they have it, they do not want others to have the same opportunities. Quite simply, an analogy.

The fact that neighbors will not voice their opinions (in favor) for fears of their vehemently opposed neighbors, says we have much more serious issues than trails. It does not speak well of this "wonderful place to live", with all of the problems residents have voiced in the hearings.

Our community is seriously disjoined by much more than the mere lacking of connectivity of trail systems. For the first time, since I have lived here, I am seriously beginning to understand the snickers from "outsiders" and referring to us as "West Berlin".

Sincerely,

Robin Satryb

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From: robpaulsatryb@msn.com  
To: jsonnen@westlinnoregon.gov  
Subject: Trails Master Plan Adoption  
Date: Wed, 15 Jun 2011 16:42:16 -0700

Good Afternoon,

My husband Paul and I would appreciate our views being considered when the West Linn Planning Commission decides the fate of the Comprehensive Trails System Master Plan. We are in favor of such a plan. We would request that you educate the public at the meeting tonight, in terms of the history and overall objectives of this project. The hope would be that through education, the residents would be positively influenced to be less short sighted in their personal agenda and objections to the plan. Education can help to diminish fears and hopefully broaden perspectives beyond personal self serving attitudes. The additional hopeful outcome would be to consider the long term greater good of all citizens and the environmental impact alike. This would include the concepts of connecting residential areas to commercial, transportation alternatives, recreational benefits and access to the Willamette River. Future generations would benefit from the decisions we make today for the rights of all people to enjoy such objectives. Hopefully the sense of entitlement of some of those who live along the river will give way to sharing what really does not personally belong to any one of us. No doubt, it was accessed and shared by so many who came before us and our established homes. Truly, we are here for such a short time, compared to the millions of years it took for the geography to form around us that we enjoy today. It would be a far better legacy to implement the Comprehensive Trails Master Plan, than to individually declare "I prevented others from enjoying the Willamette River and the natural beauty surrounding it". In other words, not passing along the "Not in my backyard" culture, so that future generations will think of the greater good as a way of life.

TMLC

My husband and I have tried to educate ourselves on the initial Willamette River Greenway, established in 1967, which was long before we arrived here in West Linn. We suggest that everyone educate and learn about this before irrationally objecting to the Comprehensive Trails Master Plan. We agree with goals and objectives (Tier 1 and Partnership) of that plan. In reviewing the Comprehensive Trails Master Plan, presented by the West Linn Planning Commission, it is obvious that much thought and consideration has been brought forth in the efforts of this plan. Most importantly is that we feel strongly that the Willamette River, being a free flowing body of water should be available for all to access and enjoy, with regards to the plan.

We would also like to offer up our personal perspectives, on this subject in terms of our observations of our first hand experience about river access along Calaroga Drive and Calaroga Court, since we have been residents in West Linn as of August, 2000. We purchased a home on Calaroga Court, four houses from the 50-60 foot right-of-way (to our understanding), to the Willamette River. We do not live on the river side. During our search for a home to live, we took into consideration the unique location and opportunity to enjoy the amenities that the Willamette River provides to all of us as residents and citizens. We searched for a home in Lake Oswego as well, but did not prefer the exclusivity of access to a lake by homeowners and their guests only. It has been our personal experience during our time here that at least one original easement to the river has been overtaken by the homeowner. The location is on Calaroga Drive, just off of Calaroga Court. It is well known to those that live in the area, that the homeowner has planted a tree, parked a boat and basically taken over the easement in hopes that nobody will use it as a public access. The other nearest access to the Willamette River is at the end of Calaroga Court, which is designated as West Linn public property right-of-way. I have spoken with Sam Foxworthy, the previous supervisor in the Parks and Recreation Division for many years about this. Our conversations were in the context of a request to keep the right-of-way mowed for those of us who wish to enjoy the Willamette and the small beach type area. Paul and I were personally yelled and screamed at one year by a previous homeowner on one side of the right-of-way location when we were trying to clear a path on a Memorial Day. Paul and I thought it would be nice to clear the right-of-way for all to enjoy. We had previous permission from Sam to do so. We have noticed that many children, as well as elderly folks try to use that access to get to the river. We were not on the homeowners property but he objected to us improving the pathway for all to use. We were only clearing about a four foot wide path. Sam Foxworthy also had told me that over the years, he has dealt with the current owner of the two properties at the end of Calaroga Court on either side of the right-of-way. Sam and his crew were also yelled at, according to Sam, when they were trying to mow about a ten foot wide strip for people to use. The homeowner has allowed blackberry bushes and some other plantings to encroach upon the right-of-way. Any fear on the part of the homeowner of cars driving down the path was alleviated by a large steel post that Sam had installed at street level. The point of mentioning these circumstances is to enlighten attitudes as to their personal entitlements and rights, particularly on a public piece of property owned by the city of West Linn. Sam and I had also discussed the future possibility of an improved access. Paul and I have wondered of there is any possibility of handicapped access, as we have people in our neighborhood who are wheelchair bound.

We understand as well, that river easements may possibly be implemented adjacent to newly constructed homes along the Willamette River in West Linn. There was a 5000 square foot home that was demolished on Calaroga Court and replaced by a larger home this past year. Currently, that home is still under construction.

This brings me full circle to the point at hand, which is the proposal of the Comprehensive Trails System Master Plan. We understand that you will likely hear many more objections, particularly from those who have homes along the river. However, we ask that you do not omit the perspectives and values of those of us who do wish to see the plan adopted and implemented for the greater good.

Thank you for your time and efforts in this matter.

[http://www.westlinntidings.com/news/story.php?story\\_id=122651764695928100](http://www.westlinntidings.com/news/story.php?story_id=122651764695928100)

THU

<http://blog.tvfr.com/2010/04/05/modular-home-in-west-linn-lost-to-fire/>

<http://www.willamette-riverkeeper.org/WRK/about.html>

[http://www.westlinntidings.com/news/story.php?story\\_id=130755640654563400](http://www.westlinntidings.com/news/story.php?story_id=130755640654563400)

[http://www.westlinntidings.com/news/print\\_story.php?story\\_id=124397003396547200](http://www.westlinntidings.com/news/print_story.php?story_id=124397003396547200)

Robin Satryb

T114

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Wednesday, June 29, 2011 8:18 AM  
**To:** Worcester, Ken; Pelz, Zach  
**Subject:** FW: Trails Survey  
**Attachments:** Trails Survey 2009.ppt; ATT00001.txt

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** Dean Wood - CII [REDACTED]  
**Sent:** Sunday, June 26, 2011 9:04 PM  
**To:** Horsey, Laura; Michael Babbitt; Miller, Holly; Holly Miller; Babbitt, Michael; Martin, Robert; Steel, Christine; Holmes, Gail; Sonnen, John  
**Subject:** Trails Survey

All,

For those of you that don't know Todd Jones, he is a teacher at West Linn highschool and is also on the West Linn Parks & Rec Board.

Todd wanted me to pass on the info that for a class project in 2009, he had 4 students do a trails survey..... please see attached. Have a great week.

Dean Wood

# West Linn Trails Survey

T115

# Purpose

- This survey was conducted to see what West Linn residents think about having parks and/or trails near their homes.
- There were a total of 104 surveys done across West Linn in 10 different locations.

# Neighborhoods We Surveyed

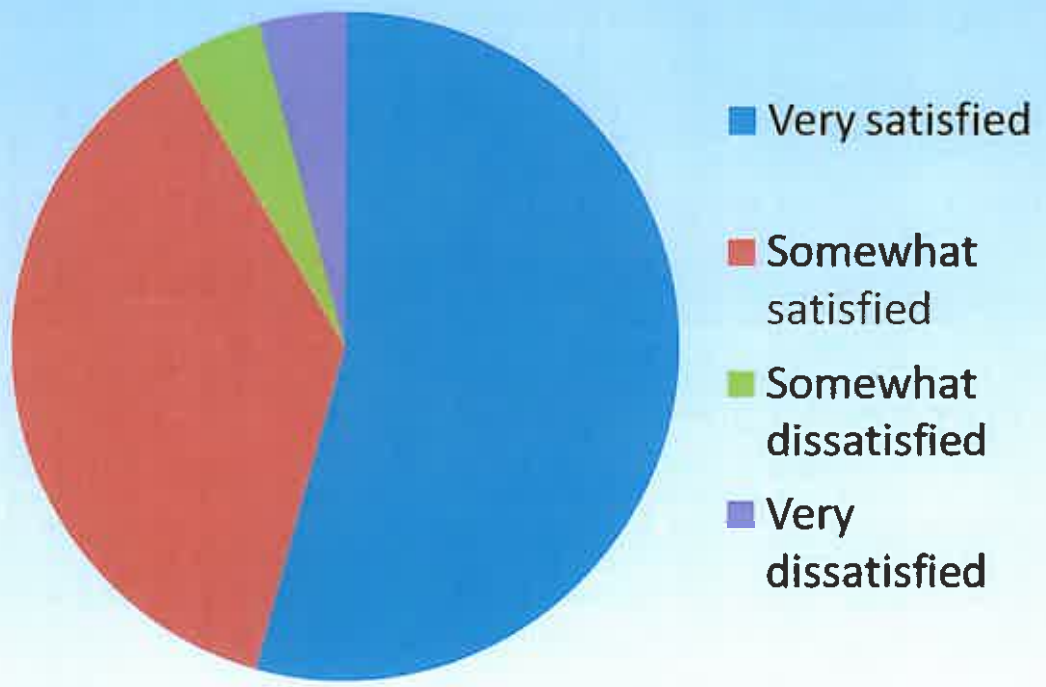
- Southwest corner of Wilderness Park (Oregon City St.): 8 homes
- Palomino Loop: 16
- South end of Mary S Young State Park (Mark Ln.): 6
- East of Tualatin Nursery and Fields Bridge: 10
- Vicinity of Robinwood Park: 10
- Tanner Creek area, east end: 13
- Tanner Creek area, west end: 12
- Willamette neighborhood near Willamette Park: 7
- River Street near McLean House and Maddox Woods: 15
- Vicinity of Sahallie Illahee Park: 7



# How satisfied are you with the public parks and trails in West Linn?

Satisfaction

- a.) Very satisfied-51
- b.) Somewhat satisfied-35
- c.) Somewhat dissatisfied-4
- d.) Very dissatisfied-4

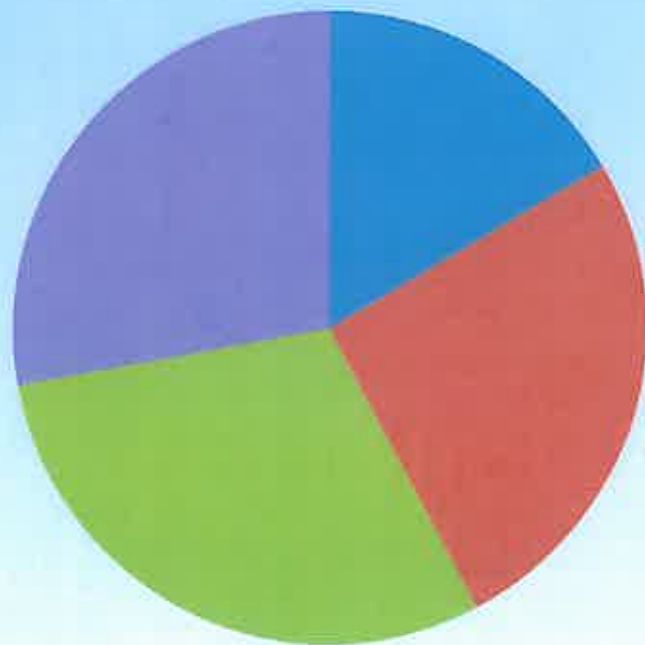


# How often do you use the trails near your house?

115

Usage

- a.) Nearly every day-16
- b.) Once a week-25
- c.) Once a month-29
- d.) Several times a year-27

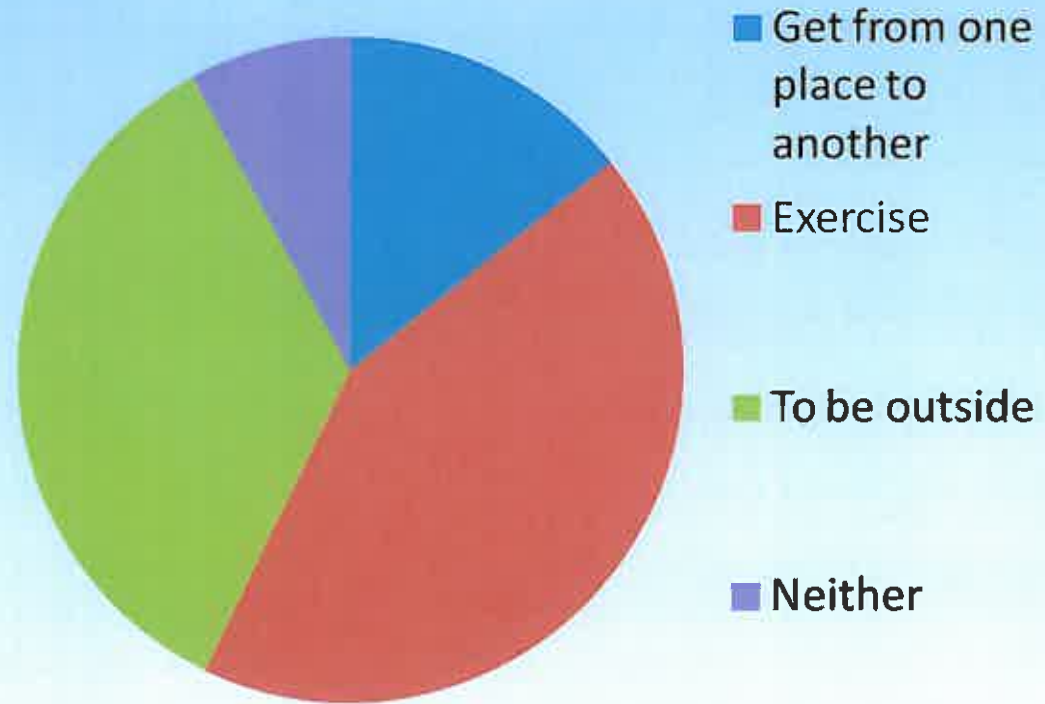


- Nearly everyday
- Once a week
- Once a month
- Several times a year

# For what do you use your local trail?

Reasons for use

- a.) Get from one place to another-18
- b.) Exercise-54
- c.) To be outside-44
- d.) Neither-10

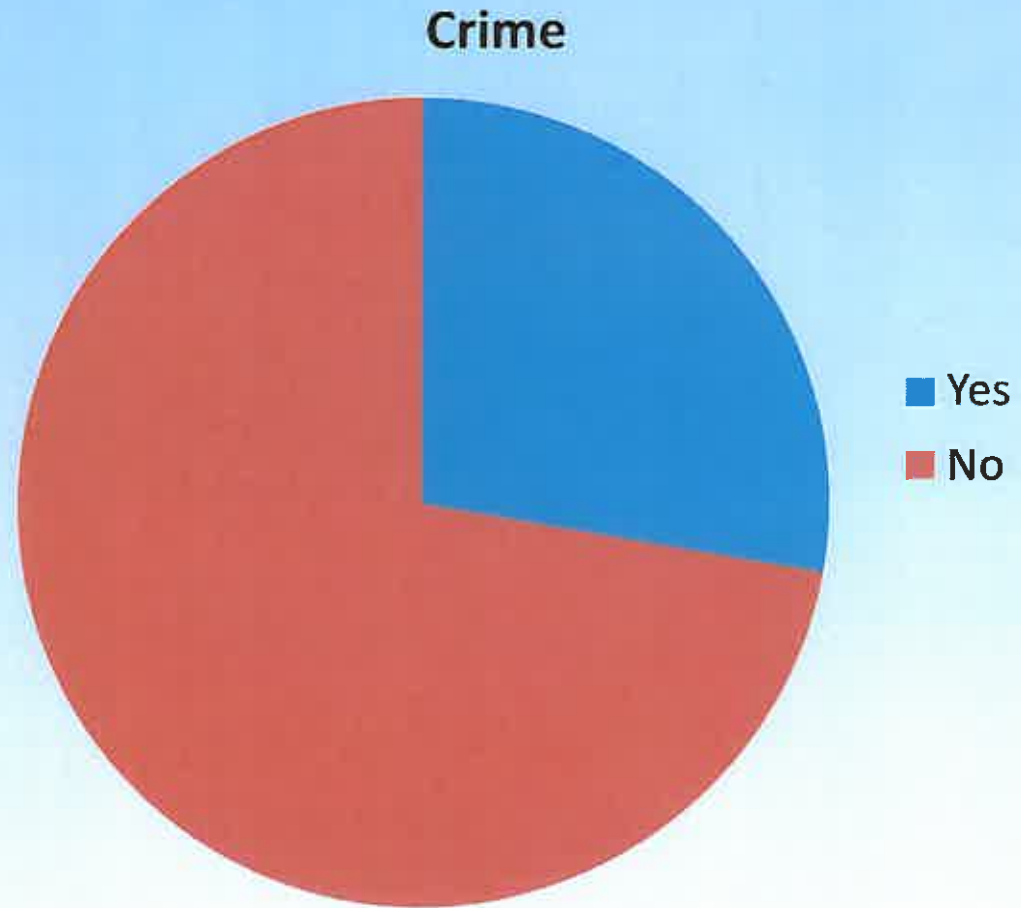


T115

# Do you associate crime with the trail near your house?

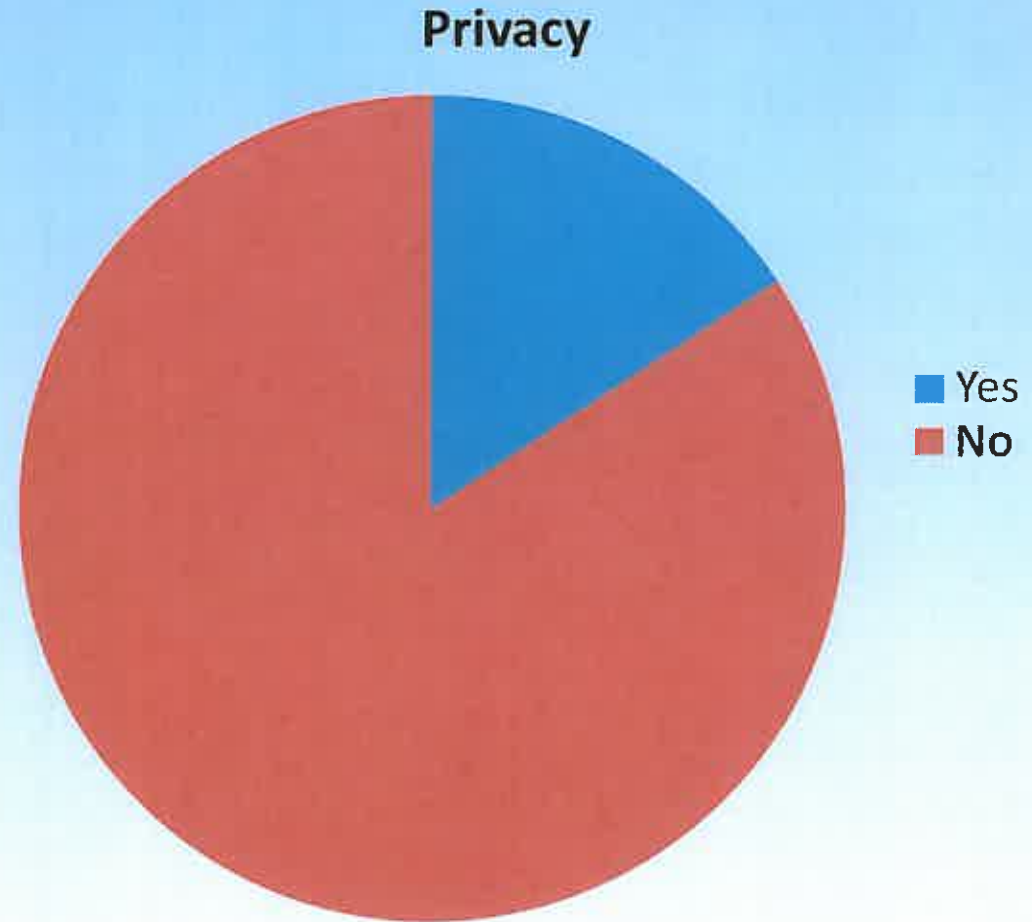
Yes- 28

No- 73



# Do you associate interruption of privacy with the trail near your home?

Yes- 16  
No-86



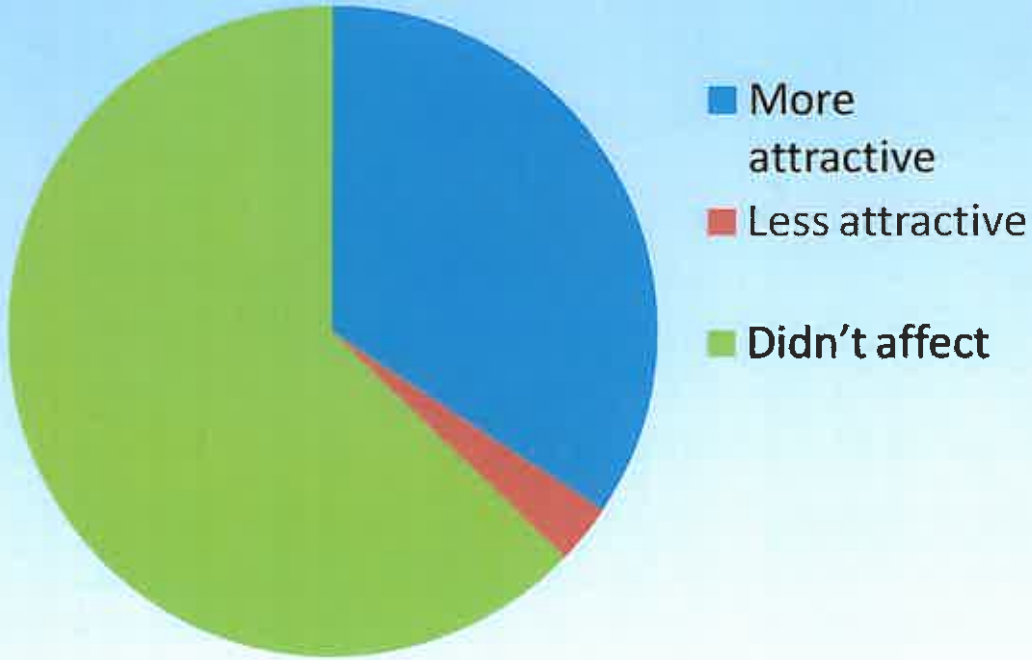
5/11/15



# What role would you say having a trail near your home played in your decision to buy your home?

Role in buying home

- a.) Made purchase (or rental) more attractive- 35
- b.) Made purchase (or rental) less attractive- 3
- c.) Did not affect decision- 64

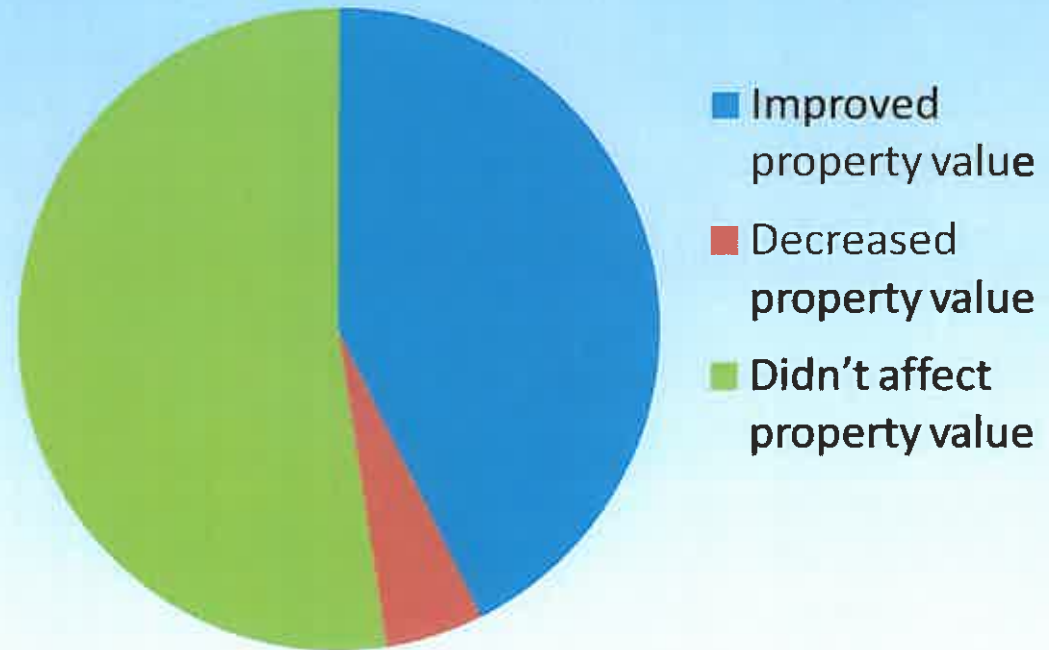


SIR

# Would you say having a trail near your home has...

- a.) Improved property value- 43
- b.) Decreased property value- 5
- c.) Didn't affect property value- 53

Value

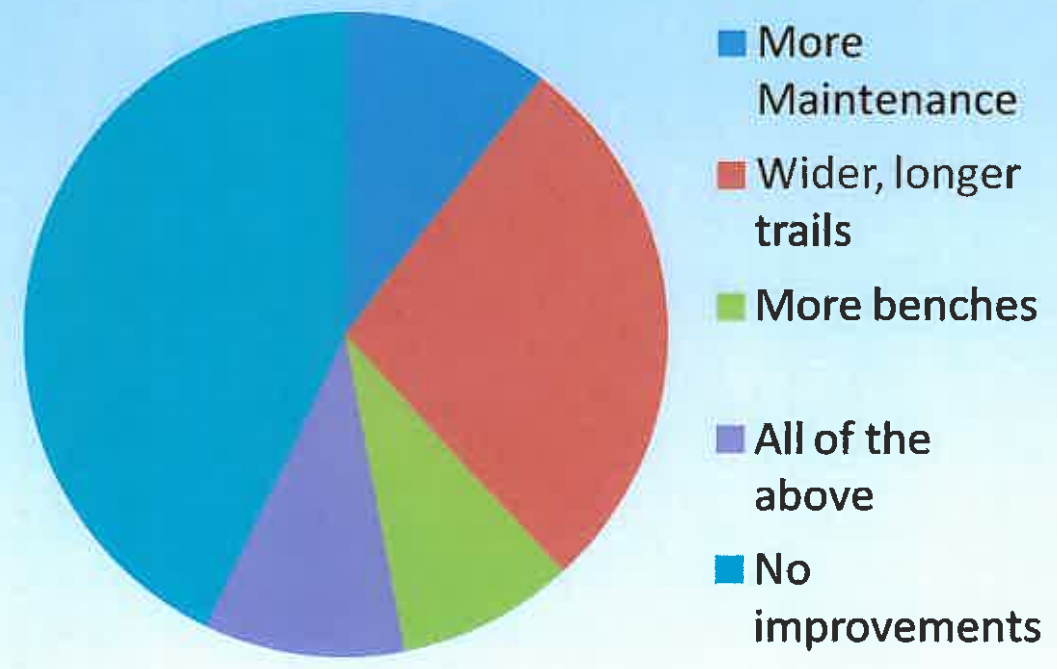


T115

# If the city could improve your local trail, what specifically would you want done?

- a.) More frequent maintenance- 14
- b.) Wider longer trail- 22
- c.) Add benches- 7
- d.) All of the above- 8
- e.) No improvements- 34

Improvements

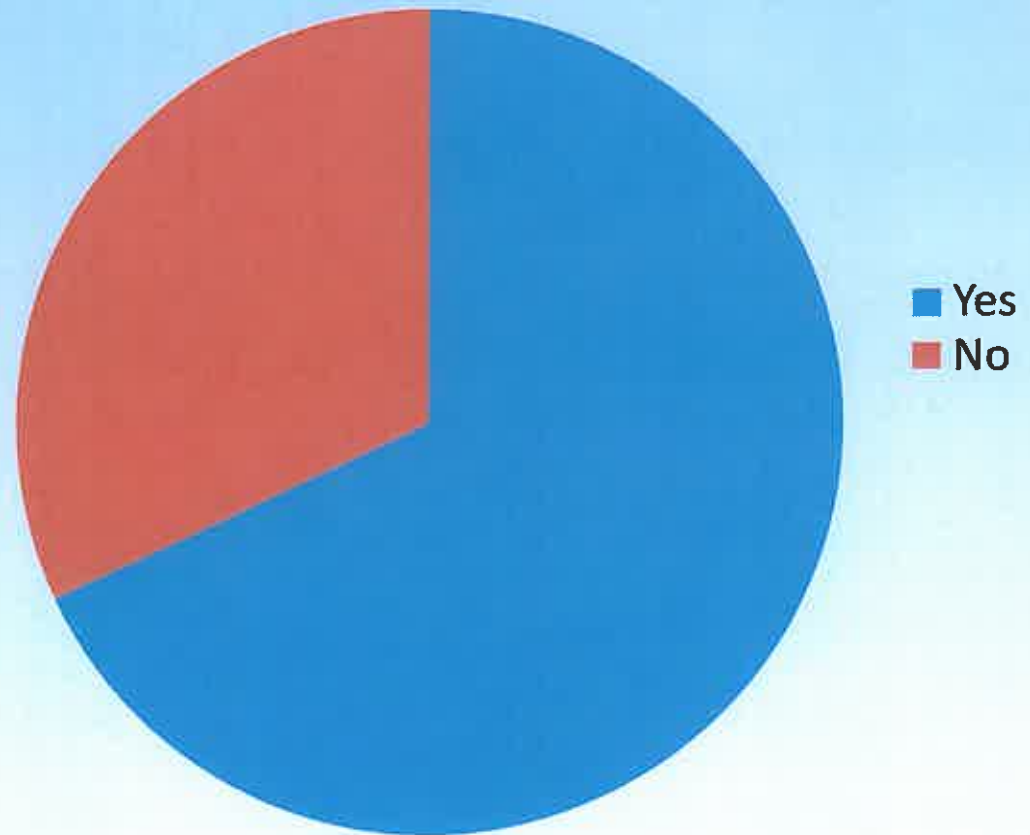




# Would you like current trails to connect with other trails?

Connect with other trails

- a.) Yes- 68
- b.) No- 32



## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Wednesday, June 29, 2011 8:17 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: West Linn Trails Plan - Planning Commission Meeting of June 22nd

John Sonnen, Planning Director  
Planning and Building, #1524

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**From:** JERRY ANDERSEN [<mailto:jerryandrea@msn.com>]  
**Sent:** Saturday, June 25, 2011 10:13 AM  
**To:** CWL Planning Commission  
**Subject:** West Linn Trails Plan - Planning Commission Meeting of June 22nd

I watched the entire Planning Commission meeting on June 22nd. I felt the behavior of many presenting testimony was appalling showing little civility. The city staff should not be subjected to insults and should not have to endure having their motives questioned. They are attempting to do a good job for all the residents of West Linn. I think they should be shown more respect. I certainly would not want to be an employee of our city if being treated in such an offensive manner was part of the job.

I would like to thank Commissioner Horsey for voicing support for the staff toward the end of the meeting.

I think the trails plan should be passed on to the City Council for approval with few changes. The plan you adopt should be in the best interest of all our citizens.

**Pelz, Zach**

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**From:** Sonnen, John  
**Sent:** Wednesday, June 29, 2011 8:16 AM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Corrected testimony of Jun 22, 2011  
**Attachments:** PC.June 22.doc

John Sonnen, Planning Director  
*Planning and Building, #1524*

*West Linn Sustainability* Please consider the impact on the environment before printing a paper copy of this email.

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

**From:** Lois Streimer [<mailto:lois@streimer.com>]  
**Sent:** Friday, June 24, 2011 6:04 PM  
**To:** CWL Planning Commission  
**Subject:** Corrected testimony of Jun 22, 2011

Dear Commission Members,

Please replace my testimony sheet presented to you at the June 22 PC meeting. The number of miles requiring acquisition of private property is to read 17.3

Thank you,

Lois Streimer  
[lois@streimer.com](mailto:lois@streimer.com)

June 22, 2011

To: West Linn Planning Commission  
22500 Salamo Road #600  
West Linn, OR 97068

Subject: Proposed adoption of "West Linn Trails Plan: A 50-year Vision..."  
File No. PLN-11-01

Commission Members,

Good Evening. My name is Lois Streimer. My husband, Fred, and I live at 2019 Maple Terrace in West Linn.

Upon review of the Staff recommendation to adopt the 2011 West Linn Trails Plan and its associated Comprehensive Plan amendments, I encourage you to please:

**Re-Assess** the need and desire to add 17.3 miles of public trails that would necessitate the acquisition of private property. Public comment collected during plan development reveals:

- o A majority preference for connection to existing trails via publicly owned streets, and
- o A priorities focus on neighborhood and business connections because the improvement of current well-traveled routes will benefit all.

**Revisit** the need to preserve and protect natural resources, as well as to nurture sensitive wildlife in riparian zones. The specific desire to establish a primary trail along the Willamette River is contrary to this goal as it maximizes public access to wildlife habitat.

**Re-Evaluate** the *perceived* need for additional public-owned trails. As stated in the summary of the first meeting of the Technical Working Group held on January 10, 2010: the most effective way to assist in plan implementation is to prepare "recommendations that are realistic, that have support from the community, and that are fiscally constrained.." (p. 221)

I encourage you to review the aforementioned criteria in your deliberations on this proposed trail plan and to answer the following: Does the proposed plan accurately address the need to limit environmental impacts and preservation of wildlife habitats? Is the staff recommendation realistic, and overwhelmingly supported by the entire community?

Thank you for the opportunity to share my thoughts with you on this very important topic.

Lois Streimer

## Pelz, Zach

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**From:** Robin Satryb [robpaulsatryb@msn.com]  
**Sent:** Tuesday, June 28, 2011 8:52 PM  
**To:** Sonnen, John; Pelz, Zach  
**Subject:** A Vote in Support of The West Linn Comprehensive Trails System Master Plan

To The West Linn Planning Commission  
Re; West Linn Comprehensive Trails System Master Plan

June 28, 2011

The purpose of this letter is to share my views of the proposed West Linn Comprehensive Trails System Master Plan. I have listened to the arguments presented in support for, and in opposition to, this plan. I support the plan but have some concerns that I would like the planning commission to consider. The following points acknowledge that there were a few valid concerns of the opposition that can be addressed without abandoning the Comprehensive Trails System Master Plan in its entirety.

Trail maintenance was one of the common concerns of the opposition, primarily due to the anticipated cost. This is a valid concern because the estimated cost of maintenance was not provided in the report. Further, if existing trails are not adequately maintained today, how are we to believe that this extensive trail system will be properly maintained in the future? Credible estimated costs to maintain the trails should be part of the discussion. Kevin Bryck brought up a workable solution to this concern. He stated that members of the Robinwood Neighborhood got together to clear an existing trail from Nixon to Mary S. Young Park. It could be proposed that trail maintenance be shared by the city and volunteers from the local neighborhood associations. It seems feasible that an "Adopt a Trail" program similar to the successful "Adopt a Road" programs could be a workable solution to this concern of the opposition.

Policing the trails is a concern, both financially and in terms of ensuring that we do not have an increase in criminal activity in and around the trail system. We need to know what the West Linn Police Department would propose as a requirement for policing these trails and what the projected costs would be. There are options to leaving safety issues solely with the West Linn Police Department. One option could be the implementation of neighborhood watch groups that monitor the activity on nearby trails. Another option would be to install surveillance cameras at strategic points throughout the trails as a deterrent to criminal mischief. We have heard that the West Linn Police cannot investigate what they cannot see. This is not an issue for the park and trail system directly but more like a policy issue that the West Linn Police Department should address. A plan to maintain safety in and along the trails should become an integral part of the trails plan, so that citizens may have a clear idea of how the city plans to address this potential problem in the future.

Finally, I would like to discuss the most contentious issue I have heard among the opposition. That is, the proposed trails that will require the acquisition of private property. There are two sides to this issue. One is the basic rights associated with property ownership. For a property owner, it is an established right that the property belongs entirely to the owner and the owner can do with it what they want as long as it does not cause harm to other residents or the environment. On that basis, we could say that some of these trails within the plan have the potential to violate this basic right of ownership. However, when a property owner purchases the property with knowledge that there is an existing or potential future trail on or along the property, that property owner is essentially accepting the fact that a trail system is or will be impacting their property. In other words, it is as illogical to complain about a trail or easement along one's property when it was known at the time of purchase, as it is to move near an airport and complain about the airplanes flying overhead. In my opinion, if a property owner has prior knowledge of a trail system before they purchase property, they cannot have a voice in opposition to the plan. Further, when a property owner purchases next to publically owned property, they likewise are accepting whatever future changes that may occur to the public property.

I do have a question that I was not able to ask earlier; can this issue be brought to a vote in the next election? I believe that since this plan will eventually affect all of West Linn, it would be fair to give an opportunity for all residents to make their opinions count.

In closing, I would like to reiterate my support for the plan even though I have my concerns of its implementation. Please do not shelf this plan. I encourage you to move forward and refine the plan so it may become

more appealing to the majority of the residents of West Linn. I appreciate all the work that the members of the Planning Commission and Parks and Recreation Department have completed thus far.

Thank you for your consideration of my thoughts and concerns in this matter.

Regards,

Paul Satryb

4124 Calaroga Court

West Linn, OR 97068

**Pelz, Zach**

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**From:** Travis Williams [travis@willametteriverkeeper.org]  
**Sent:** Tuesday, June 28, 2011 4:12 PM  
**To:** Sonnen, John  
**Cc:** Pelz, Zach  
**Subject:** Comments on Trails Plan  
**Attachments:** WestLinnTrailsPlanCommentJun2011.doc; ATT00001.txt

Hello -

I am providing the attached letter with comments about  
the West Linn Comprehensive Trails Plan.

Please let us know if you have any questions.

We support this plan.

Thanks,

Travis Williams

# Willamette RIVERKEEPER®

June 15, 2011

To: The West Linn Planning Commission

Re: West Linn Trails Comprehensive Master Plan

Dear West Linn Planning Commissioners:

On behalf of Willamette Riverkeeper (WR) and our many members throughout the Willamette Valley and in the Metro area, I am providing this letter expressing support for a vigorous local trail system in the City of West Linn. Such a system, as proposed in the Comprehensive Master Plan, will provide great benefits to the people of West Linn.

WR feels that there is no tangible drawback to approving and implementing the plan under consideration. There are many benefits from local trails in cities like West Linn, from allowing area residents to get close to the Willamette River, to providing connections between neighborhoods in the City.

Trail Plans like that proposed in West Linn are about the connection of people to each other, the physical wellbeing of area residents, and also provide a critical connection to the natural world.

In this case, this system would help to augment connections to the Willamette River, and preserve existing easements and rights of way to the River. This is important to the quality of life for West Linn residents. Protecting and upholding the original intent of the Willamette Greenway, a keystone program nationwide, is critical as well. The Greenway Program should be aggressively protected by West Linn.

I urge you to add to the ability of people to protect and enjoy the Willamette River, and to create a Trails System worthy of the citizens of West Linn. I appreciate your consideration of our comments.

Sincerely,



Travis Williams  
Willamette Riverkeeper

T/11



## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Thursday, June 23, 2011 10:53 AM  
**To:** Worcester, Ken; Pelz, Zach  
**Subject:** FW: Testimony and apology.  
**Attachments:** MTP financial analysis.ppt

John Sonnen, Planning Director  
Planning and Building, #1524

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

**From:** Stephen B. Garner [<mailto:stevegema@comcast.net>]  
**Sent:** Thursday, June 23, 2011 10:21 AM  
**To:** CWL Planning Commission; Sonnen, John  
**Cc:** Barrington Neighbors1  
**Subject:** Testimony and apology.

First, let me say I am sorry for the minor outburst when Mr. Worcester implied that he had reached out to our neighborhood association. In fact, we did not hear about the industrial scale solar power plant and its associated trails plan directly from the city. A neighbor that holds their house in a trust was inadvertently (we assume, as no other BHTNA resident received this notice) notified by mail that the city council approved of ODOT building a power plant on their ROW. When we dug into this and discovered the trails planned by Mr. Worcester and ODOT we began seeking and, to his credit, getting meetings to follow and contribute to the process. I have yet to experience a one-request turnaround from the Parks and Rec dept. It always takes two or more requests to get any documentation or meeting. (Yes, they are very busy.) Consequently, I felt it completely unfair and a bold prevarication that Mr. Worcester would imply that his organization had reached out to us. P&R has been consistently and frustratingly grudging in its reactions to our requests.

I might also note, ODOT is not enamored of the Oaks Savannah Trails options. They have told me they prefer no trail due to liability and vandalism worries, ergo, their planned razor wire, fencing, lights, etc. Funny, some of the same worries we have without the same protections. The current O-S trail layout as determined by OTAK for \$210,000 does appear to put the trail down near I-205 for much of the route. This was the least objectionable path to ODOT. In addition, Mr. Worcester told me that the Imperial Drive portion would be at least 70 feet from rear property lines. Our inspections of OTAK's trail center and limits markings does not appear to conform to this assertion.

Attached is the testimony I gave last night. It includes a short 3rd page that you did not receive in hardcopy.

Again, thank you for your time, objectivity, and resistance to a flawed process and over-reaching, insufficiently supported, thus, invalid Master Trails Plan.

**Best regards,**  
Steve Garner, President  
Barrington Heights, Hidden Creek Estates & Tanner Woods Neighborhood Association (BHTNA)

## Pelz, Zach

---

**From:** Sonnen, John  
**Sent:** Thursday, June 23, 2011 1:39 PM  
**To:** McCoy, Lewis  
**Cc:** Pelz, Zach; Worcester, Ken  
**Subject:** RE: trails meeting

Hi Lewis,  
Zach Pelz and Ken Worcester are the staff working on the trail plan. One of them will contact you.  
John

John Sonnen, Planning Director  
*Planning and Building, #1524*

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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

**From:** [lmic@aol.com](mailto:lmic@aol.com) [<mailto:lmic@aol.com>]  
**Sent:** Thursday, June 23, 2011 1:26 PM  
**To:** Sonnen, John  
**Subject:** trails meeting

Hi John,

This is Lewis McCoy, a former member of the planning commission. I hope this message finds you quite well!

I am aware of the trails plan and have serious concerns for my neighbors, myself, and the wildlife around. May I please set up a meeting with you to learn specifically how the proposed plan will affect my property? I cannot completely understand the proposal from the plans alone.

I will be available Mon-Thurs next week and would be happy to come visit with you at your convenience.

My thanks in advance!

Lewis

503-936-3366

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Thursday, June 23, 2011 3:38 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Trails Plan opposition

John Sonnen, Planning Director  
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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

**From:** [lmic@aol.com](mailto:lmic@aol.com) [<mailto:lmic@aol.com>]  
**Sent:** Thursday, June 23, 2011 3:01 PM  
**To:** CWL Planning Commission  
**Subject:** Trails Plan opposition

Chair Martin and Planning Commission members,

I hope this message finds you well. This message is from Lewis McCoy, at 18336 Nixon Ave.

I have been unable to attend some meetings as of late, but wanted to weigh in, opposing the trails plan as written. As a former (albeit brief) member of the planning commission, I know first hand that you have a lot of constituencies to hear and a lot of facts to consider. I hope that it is becoming clear the significant concern about the trails plan in its current form.

Since I haven't been to the most recent meetings, I'll not carry on regarding some of the arguments you've surely heard. These would include the extraordinary cost of these trails, the opposition from home owners, loss of home value, concern about existing parks, streets, and other area maintenance problems not being tended to currently, likelihood of additional criminal activity, loss of personal privacy, the fact much of these river trails would have been submerged this year and will in future years, additional liability from the city and from adjacent property owners, trash, among many other (now that I write the list, it's quite a significant reason to amend the plan).

But, I wanted to add one issue, one that may not have been addressed completely. This issue is how a proposed trail behind my property particularly would affect wildlife. I have lived at this address for two seasons now, and each season my children, my wife, and I have marveled at the wildlife that lives and breeds down by the water, specifically and exactly where the proposed path would be placed! Each season, ducklings, goslings, baby blue herons, beaver, and other fine animals have used the bank and my yard as their place to mate, nest, and raise their young. It's tragic to think about a strip of asphalt replacing an area where, right now as I write, there are ducklings and goslings learning to walk, fly, and grow.

Should there be a path in this area, the wildlife that has consistently used this area will most assuredly leave the area. There will no longer be a place for these animals to safely live. I would welcome any of you over, so you can see the space I'm referring to, so you will see that it will simply destroy their habitat. If I've read the plan correctly, it states that the potential damage to wildlife is low; this could absolutely and positively not be the case where I am located! There would simply be no place for these animals to live safely. They would forever be forced out.

Please add this letter to the record in opposition. I respect what you're doing and would appreciate your consideration that it is not fair, just, appropriate, neighborly, or respectful to simply take something because someone simply wants it. Beyond personal arguments against the true unfair nature of this proposal, there are a multitude of legitimate concerns, mine included, that should far outweigh the plan as written.

Again, my thanks for adding my comments for consideration. And thanks for your service as well. I know, it's a big commitment of your own personal time and energy and it's appreciated.

Lewis

503-936-3366

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Thursday, June 23, 2011 12:55 PM  
**To:** Pelz, Zach; Worcester, Ken  
**Subject:** FW: Master Trails Plan

John Sonnen, Planning Director  
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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

**From:** Steve Garner [mailto:sbgarner@e-m-a.com]  
**Sent:** Thursday, June 23, 2011 12:37 PM  
**To:** CWL Planning Commission  
**Subject:** FW: Master Trails Plan

From a BHTNA member to Mr. Pelz.

**Best regards,**  
Steve Garner, President  
Barrington Heights, Hidden Creek Estates & Tanner Woods Neighborhood Association (BHTNA)

----- Forwarded Message

**From:** Garry Powell <[tradjazzman@comcast.net](mailto:tradjazzman@comcast.net)>  
**Date:** Thu, 23 Jun 2011 12:04:36 -0700  
**To:** <[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)>  
**Cc:** Stephen Garner <[SBGarner@e-m-a.com](mailto:SBGarner@e-m-a.com)>  
**Subject:** Fw: Master Trails Plan

**Sent:** Thursday, June 23, 2011 10:08 AM  
**Subject:** Master Trails Plan

Hi Zach,

I enjoyed meeting you last night and it was good to see such a good turnout commenting on the Trails Plan.

My standing is against this project for the following reasons:

- 1). State and Municipal Governments are broke, most everywhere, and it seems an insane time to even be thinking of taking on a project of this nature.
- 2). As the economy continues to flounder, resulting in more home short sales and

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reduced incomes for many who have been adversely affected by the times we are living in (Barrington Heights is a prime example), revenue from taxes and new construction will decline. Our cities cannot continue looking for more revenue from the taxpayers to support building and maintaining projects like this trails system.

3). Just so much money can be "extracted" from homeowners. Oregon has the strangest Real Property Tax plan I have ever experienced, but that is for another discussion.

4). I felt the many testimonies given at last night's meeting concerning the real possibility of "undesirable elements" showing up if these trails are built, were extremely valid ones.

I happen to know the developer who built most, if not all, of the homes on Imperial Drive. He told me of the drug and prostitution activities that used to happen below some of the houses on the I-205 side of Imperial. And, on a non-related issue, he also mentioned that he tried hard to get the City of West Linn to end Imperial Drive in a cul de sac (at the end of Barrington Heights), instead of connecting it to the old section of Imperial. The City would have no part of that, and for all I know, there may have been valid reasons. However, had the city allowed that, we would not have the "race track" we now have due to people using it as a short cut from Sunset to Salamo.

I have mentioned this problem several times to WLPD, including the Public Information officer at a recent council meeting I attended. I have yet to see a radar unit on Imperial or Beacon Hill. Ours is the last house on Imperial that is still in Barrington Heights. We sit directly in front of the "treed island", and I have been very close to being rear ended (twice) by speeding cars as I attempted to back out of my driveway. This is compounded by ice that forms a good part of the winter, halfway across the brick pavers on our side of the island. This is caused by a curb storm water outlet that is located just east of our property line. Unfortunately, the catch basin is located on the other side of our property so a steady stream of water comes along the curb, across our driveway and into the catch basin. This is eroding (undercutting) the curb and our driveway apron. The city sent Michael Cardwell out to look at it and I was later told they would not do anything about it. As a Mechanical Engineer, I showed him the obvious fix but that idea went nowhere. I got the impression it was not important enough for the city to fool with. If a bad accident happens here, they will regret not fixing it, I can assure you.

This past winter there were two occasions when the resulting ice caused vehicles (going into the curve too fast) to slide up onto our driveway, taking out the trash cans and part of the lawn in the process. I am glad we don't leave our cars on the driveway, or that no one was walking their dog at the time. I feel this condition is an invitation to a lawsuit against the city if something isn't done. It is only a matter of time. The man who came out from the city was not sure where all that water comes from, but someone there must have a good idea. It is not coming from the rainwater leaders of adjacent homes on Imperial. It continues to flow for days after the rain stops. Something needs to be done about this. I am considering putting a "plumbers plug" in that 4 inch pipe this winter, if the city won't address the problem. That is a sure way to find out where all this water originates when it starts backing up!

We have only been West Linn residents for six years, having moved to Oregon from Honolulu. We have lived in some of the finest cities the West has to offer and I must tell you, the mentality here takes some getting used to. There seems to be a force at work

7108

here that wants to shove this trails idea down our throats, even though the people obviously don't want it. I find that very suspect. Let's spend that money on repairing the streets, etc. It appears to me the City of West Linn needs to rethink this issue and revisit their priorities. To be perfectly honest, the only thing that is keeping us in West Linn is our home, which we would have to practically give away to sell. In short, we are stuck here. Thank you for considering the things I have mentioned.

Regards,

Garry L. Powell  
4150 Imperial Drive  
West Linn, Oregon 97068  
503-656-3124

----- End of Forwarded Message

Carol Koshuta 6/22/11  
**Next meeting on TRAILS BEHIND YOUR HOME:  
WEDNESDAY, JUNE 22, 2011 AT 7:00PM, City Hall.**

**You have nearly stopped the Master Trails Plan that  
will put trails within 70 feet of your backyard.**

6/15 P.C. meeting: 46 signed up to speak: ONLY 1 in  
FAVOR of Master Trail Plan (MTP)!

~16 spoke, all negative, all ended with public applause!!!

Planning Commission Chairman said it was largest turnout  
ever for a P.C. meeting! DO IT AGAIN, TOMORROW NIGHT!

Come tomorrow night to City Hall and speak against the  
Master Trails Plan. Make the final STOP of this waste!

- **Cost Est.: \$65,000,000 for 62 miles of trails in WL**
  - West Linn's 2 year budget is \$75,000,000
  - Aquatic Center \$20,000,000+
  - New police station \$10,000,000

You can STOP these 62 miles of trails!

**Take an hour, speak for 1 minute, stop  
\$65,000,000 waste!!**

**Come: WEDNESDAY, JUNE 22, 7:00PM, City Hall**



June 22, 2011

West Linn Planning Commission  
West Linn City Hall  
22500 Salamo Road  
West Linn, Oregon 97068

Re: Procedural Questions

Dear Commissioners:

Please advise me regarding the following procedural issues.

1. I asked staff for information regarding the fact that the Palomino Loop Trail was not on the inventory of current in trails in the proposed Trails Master Plan. City Planner Zac Pelz advise me I would need to file a public records request at a minimum cost of \$9.00 to find out why. This seems to place an unfair burden on one person when the information would be of benefit to the entire community. The Oregon State Attorney General recently published his recommendation that fees should be waived for information that benefits the general population. Is it fair to the citizens or the members of the planning commission to proceed to approve plans while citizens are deprived of access to information?
2. When I requested assistance from the Planning Director to obtain access to this information, he agreed that my request was reasonable and promised to provide it but did not. Today when I asked to speak with the Planning Director I was told he was unavailable but I saw him leave city hall and go to sleep in his car. What are citizens to do when the Directors of departments mislead them and delay their participation in the public process?
3. When I inquired about the issue of "standing" for the people who had not testified at the first meeting but who had filed out a testimony form, Zac Pelz was terribly confused. I have a deep concern that staff who are paid with the tax payers money would provide information that would cause a citizen to believe that they had no standing in an important issue facing all our citizens. Why would Zac Pelz say someone does not have standing when they in fact, filled out a community comment form on the topic and thereby have followed the letter of the law in order to have standing?

Your direction and assistance is greatly appreciated.

Sincerely,

Lynn Fox  
PO Box 236  
Marylhurst, Oregon 97036

June 24, 2011

John Sonnen, Planning Director  
City of West Linn  
22500 Salamo Road  
West Linn, Oregon 97068

RE: West Linn Trail Master Plan

Dear Mr. Sonnen,

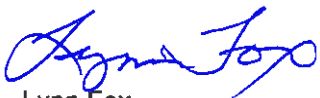
On June 24, 2011, I visited city hall to follow up on the email that I had sent requesting to review public records regarding changes to Palomino Loop Trail. Mr. Pelz advised me that he had not "bothered" to even look for the information I had requested on a previous visit when Mr. Pelz advised me the changes to Palomino Loop Trail were incorporated into the proposed Trail Master Plan. In addition to my two visits to City Hall to work with city staff to obtain the requested information, I sent an email at considerable inconvenience to myself as I do not own a computer or have an email account in my name.

On June 24<sup>th</sup> it was disappointing to be told that the planner responsible for providing information to the public could not be bothered to address my request despite submission of a written request, two visits and an email request for the information.

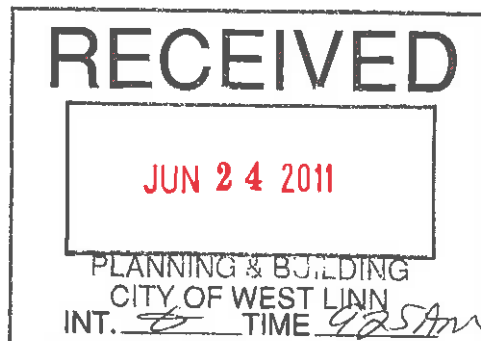
Shouldn't the documentation that verifies the removal of Palomino Loop Trail be included in the proposed Trail Master Plan?

Thank you for speaking with me on the phone regarding my request and your promise that I and the public would be provided this information. Can you tell me when this material will be available for review? Time is of the essence and your assistance would be greatly appreciated.

Sincerely,



Lynn Fox  
PO Box 236  
Marylhurst, Oregon 97036



7104

**STREET REPAIR PROJECTS GET THE MOST SUPPORT, FOLLOWED BY TRAILS/PATHS. THERE IS LITTLE SUPPORT FOR AN AQUATICS CENTER.**

Residents were read descriptions — including estimated costs — of several potential City projects, and asked to rate their level of support for each. A five-point scale was used, with a "1" meaning they are not supportive at all and a "5" meaning they are very supportive of the idea. The project descriptions, in order of overall support, include:

- ✓ *Street repair & maintenance. Total cost would be about \$6 million and the cost to the average property taxpayer would be about \$54 per year*
- ✓ *Trails, pathways, & sidewalks. Total cost would be around \$5 million and the cost to the average property taxpayer would be about \$45 per year*
- ✓ *Parks & open spaces outside the urban growth boundary. Total acquisition cost would be around \$10 million. The cost to the average property taxpayer for acquisition and maintenance would be about \$100 per year*
- ✓ *An aquatics center. Total cost of construction would be around \$25 million. The cost to the average property taxpayer for construction and operation would be about \$250 per year*

There is a very clear message from these results. West Linn residents are by far the most supportive of street maintenance, with an average rating of 3.8 and over one-third giving the highest possible rating. This is in keeping with the earlier finding on the "performance versus importance" map that street maintenance is an area residents consider of high importance and in need of more attention. Trails also draw broad support, with a 3.4 mean rating.

There is less support for new parks (2.7), and very little support for building an aquatics center (2.4 average, with 4 in 10 residents giving the lowest possible rating).

There are no major differences in ratings between demographic segments. Since all but 8 of the 350 respondents are registered voters, there is no meaningful difference between registered voters and the sample as a whole. Women, younger residents, and parents tend to be somewhat more supportive toward each of these ideas, but not by significant margins. In general, residents are quite consistent in their priorities: the basic amenity of street maintenance is key, while an aquatics center is not desired.

In 2006, a question with a slightly different list of proposed ideas garnered different results, with the aquatic center being one of the top three ideas. A "\$3 monthly fee used for street/sidewalk maintenance" was the next most supported idea.

7103

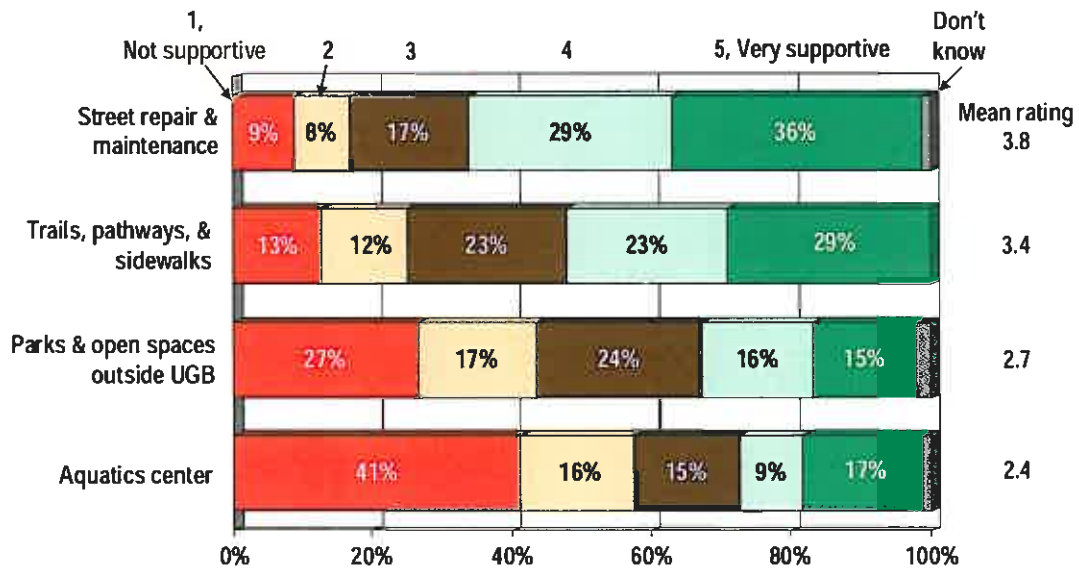
### Support for potential City projects

Q: Looking to the future, there are a number of projects the City of West Linn could undertake that would require voter approval of bond measures. Before any formal consideration takes place, the City Council wants to know the level of support in the community for the City undertaking a variety of types of projects. So while we realize you would need more information before making any decision, in general, please tell me how supportive you are of the City undertaking each of the following.

We will provide you information about the total cost for each project and the cost to an individual property taxpayer with a home that has an assessed value of \$250,000, the median assessed value for a home in West Linn.

For this question, please use a "1" to "5" scale. On the scale a "1" indicates you are not supportive at all and a "5" indicates you are very supportive.

n=350



T103

**Pelz, Zach**

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**From:** Roger and Marla [gaarshep@easystreet.net]  
**Sent:** Sunday, June 26, 2011 8:55 PM  
**To:** Pelz, Zach  
**Subject:** Trails Plan testimony  
**Attachments:** Trail Plan testimony\_Shepherd.doc

Zach,

Please accept the attached letter of support for the West Linn Trails Plan. Please also let me know that you received this email and you were able to open the attached document.

Thank you,

Roger Shepherd  
5845 West A Street  
West Linn, OR 97068

7102

Public testimony in support of the West Linn Trails Master Plan

June 24, 2011

Dear members of the West Linn Planning Commission,

My name is Roger Shepherd. I am the chair of the Parks and Recreation Advisory Board and leader of the West Linn Trails Group, but my testimony is as an individual and I am not representing either group.

I think we did ourselves a disservice by calling this the Trails Master Plan. I think it should have been called something like the Pedestrian and Bicycle Master Plan. There is a perception that trails are off-road – in the parks – a dirt pathway. I think this limited our citizen's interest in the plan. But this Trails Master Plan is much more than that. This plan is about having safe routes for our kids to walk and ride their bikes to schools. This plan is about having safe routes for our citizens to walk to their jobs, or to bus routes, to the grocery store or to the park. It is also about the increasing desire for recreational uses of trails and pathways. This plan is about being able to safely get from one neighborhood to another.

My wife and I live near West Linn High School. When my child was younger, a lot of his friends lived up the hill from us, and we would have to drive him to his friends houses to go play with his friends because there was no safe way for him to get there on his own, or his friends parents would have to drive their kids down to play with our son. This should not have to happen in West Linn. It is ridiculous to have a major route for many students to get to West Linn High School like Skyline Boulevard that they cannot safely walk on.

This plan is important.

I know that the testimony of people speaking in favor of the trails master plan are out-numbered by at least 100 to 1, but that is the nature of testifying about a new plan. People only get excited and involved with it affects them directly, usually perceived to be negatively. I understand the concerns of the people living along the rivers. Having a trail line along the river on a map is a real concern to them.

If you believe that a line on the map of proposed trails that is near or on your property means that a trail will be built there regardless of whether you want it or not, whether it makes sense or not, or whether citizen's concerns about the trail will be ignored or not, then you have a real reason to be concerned.

But if you believe the line on the map means:

- Further study will be conducted to determine the best location of the trail,
- Further planning will be conducted to determine if the trail location makes sense,
- The trail will only be built on private property with the owners permission,
- The trail will only be built after safety considerations are satisfied,
- A proposal to actually build the trail will need Planning Commission approval after public testimony is heard,
- That the money to build the trail will be hard to come by.

If you trust these things will happen, you should not be as concerned with the location of the lines on the map of proposed trails in the Master Plan.

TIC2

It is important that these lines stay on the map. That line means there is more study to be done to determine the right location for a trail. If we take those lines off the map, the trail will never be built. There may not be a willing property owner at the present time, but there may be one in the future. There may be future developments happen along the river that without the line being on the map we will not be able to require a trail to be built. The City may be in a position to buy properties as they come up for sale, get a trail easement and then re-sell the property. None of this happens without the line being on the map.

The Willamette and Tualatin Rivers are real assets to be enjoyed by all citizens of West Linn. I am convinced that a vote asking people if they desired a public trail near the rivers that respected the rights of private property owners would pass by an overwhelming majority.

A slide that was viewed during the public hearings by the Planning Commission that compared the existing trail network with the planned trail network with what appeared like a huge number of new trail routes being proposed all over the city is a bit misleading. Many, if not most of the new routes are along city streets and what the map of the existing trail network does not show are the existing sidewalks and bike lanes that will be part of the trail network. Some of the proposed routes are already in existence and will only need to be identified with signage.

Do I believe that the whole trail network as proposed will ever be built? No. But I believe we must leave all desired routes in the plan to take advantage of opportunities that may present themselves in the future that may result in some of the trails being built. Other trails will be built through careful planning and prioritization.

Do I believe the Trails Master Plan is perfect? No. But I believe the time and money required to study each trail segment to determine if it makes sense where it is located and the size and type of trail it should be, would be unrealistic and is not required at this time. Those things will be determined as the list of trail projects is prioritized and submitted for inclusion in the six-year Capital Improvements Projects list.

The issues of being able to safely get around in our City without an automobile, and the desire for recreational uses of walking routes increases as the baby-boomers age, are real, are timely, and are addressed in this plan. I recommend passage of the West Linn Trails Master Plan.

Thank you for the opportunity to present my thoughts.

Roger Shepherd  
5845 West A Street  
West Linn, OR 97068

T102

# WHICH IS MORE IMPORTANT?

**62 miles of Trails at \$65,000,000.00\***

**or**

WL's budget – \$75,000,000

Aquatic Park – \$24,000,000

Police Station – \$8,500,000

Testimony by: Stephen B. Garner, 3525 Riverknoll Way, WL, President, Barrington Heights, Hidden Creek Estates, Tanner Woods Neighborhood Association



# \*Financial Analysis of MTP:

- **\$42,018,240** = 17.3 miles new trails on Private Property

- **\$32,883,840** = Cost to Acquire Private Land/Easements

*[Assume the city will acquire a 20 ft wide trail easement to provide defensible space. City paid \$26/sq ft in ~'07 for an easement next to Burnside Park. Property values have declined ~30%, per Zillow, \$26 x 0.7 = \$18/sq ft, yielding \$32,883,840 = 17.3mi x 5280' x 20'w x \$18/sq ft]*

- **\$9,134,400** = Cost to Build Trails

*[In the MTP the cost of building a trail varies and does not include bridges, trail heads, parking, signage, staff time, legal costs, etc. An average cost to build a trail of \$100 per linear foot is modest. \$9,134,400 = 17.3mi x 5280' x 20' x \$100/ft]*

- **\$23,548,800** = 44.6 miles of trail/sidewalk on Public ROW

*[\$23,548,800 = 44.6 mi x 5280 ft x \$100/ft      Let's be conservative: 22.3 miles needed at \$50/ft = \$5,900,000]*

- **\$65,567,040.00 Master Trails Plan COSTS**

*[\$65,566,640 = \$23,548,800 + \$32,883,840 + \$9,134,000      Conservative: \$32.9+\$9.1+\$5.9=\$47,900,000]*

All in 2011 dollars. None of these costs will be incurred in 2011 dollars. Cumulative inflation over last 50 years is 639% according to Inflationdata.com !! MAINTENANCE: assumed to be very little; will it be? We don't adequately maintain our existing trails!

My name is Sarah Brown and my family and I own property located along the Tualatin River downstream from Fields Bridge Park. This property has been in my family for over 100 years and the fifth generation is living on it. We saved for over eight years to build on this property and consider it our heritage. The attached map drafted by an engineer, show that the proposed trail across our lot would use nearly 25% of this privately owned lot.

We are not opposed to trails on public property. My family and I enjoy the many recreation opportunities in West Linn. We are opposed to trails through private property and habitat conservation areas. The 2011 Trails Plan depicts a multipurpose primary trail route through multiple private properties and High Habitat Conservation Areas (HCA) that are made up of class 1 riparian, highest-value habitat and class A wildlife, highest-value habitat (Metro, 2004) (Metro Interactive Mapping Tool, 2011).

Trails through private property are not in harmony with the 2008 Community Development Code (CDC) 28.110 Approval Criteria § F (1.) that states Private lands within the Protection Area shall be recognized and respected. Yet the trails planning workshops had meeting attendees draw trail routes on maps that did not include private property lines, high water marks, steep terrain, and habitat conservation areas. There was also no information given regarding other constraints such as the cost to build, maintain, or secure the paths. Many participants expressed their concern about the lack of information and stated that they would prefer to connect trails by publically owned streets. In fact, this is a common thread throughout the public comments included in Appendix C: Public Outreach Documentation. In addition, planners had to be reminded repeatedly to use the correct language when documenting comments, as they would insert 'trail' for sidewalk and on-street bike routes.

During last week's June 15 public hearing, a man who gave the *only* supporting testimony for the 2011 West Linn Trails Plan, said something like fifty years from now, we would all be dead and so would the opposition. Commissioners - that will not be the case. My mother and I, along with many West Linn citizens, testified against the 2007 Recreation and Open Space Plan because it included trails through riparian 1 land and private property. I encourage you to listen to the public hearing testimony as there were many who testified against this plan. When told that a trail was planned through their backyard, my six-year-old grandchildren said, "No - stranger danger!" - With all due respect, even six year olds recognize the danger of playing in their backyard as a steady stream of unknown pedestrians, bicyclists, and loose dogs travel within feet of them.

During public testimony regarding the 2011 Trails Plan on June 15, 2011, Ken Worcester told the planning commission that trails along the river would *probably* be 4' and that there would be a hearing regarding each lot. However, the 2008 CDC states that the desired pathway width along the riverfront in single-family residential areas shall be at least 20 feet and constructed of all weather material and the 2011 Trails Plan diagram shows width of 24 feet for either paved or unpaved primary trails (Pages 88 & 89). This is not in harmony with the Metro Title 13 Model Ordinance that states that trails located in Habitat Conservation Areas (HCA) are to have a maximum width of four feet and be made of pervious material §2 (15)(b).

It has been stated that the best predictor of future behavior is past behavior. I have attached photos taken along just 1,500 ft of the Fields Bridge trail. Look at the erosion that has taken place because of unsanctioned trails. I also attached two articles regarding Forest Park. In the May 14 article, Linfield College associate Professor Nancy Broshot says that she has found as high as 75 percent mortality rates among young trees which might be attributed to the park's heavy use -- in some cases illicit -- and the observation of more unsanctioned trails winding off the park's established routes, which might lead to soil compaction or pave the way for invasive species. Ms. Broshot also noted that Forest park has become a spider web of little trails everywhere and stated that it was not in the best interest to put any trails in the park at this time (2010). The second article regarding Forest Park provides the observations of the Forest Park Ranger who states that in a single day, he collected 17 bags of dog excrement in a 2-mile stretch. Therefore, it cannot be denied that trails in Habitat Conservation Areas will be detrimental to the environment.

**The 2011 Trails Proposal must be revised to include a less invasive trail system that utilizes routes on existing streets rather than proposing trail routes through private property *and* restrict HCA trails to a width of 4 feet of pervious material. This would be in harmony with the 2007 Recreation and Open Space Plan, which states that, 'in some cases trails may be routed on existing streets and the Metro Title 13 Model Ordinance.**

The 2011 Trails Proposal also allows for Class 1 Design Review (56.020(C)) for trails and projects within a natural resource area. Mr. Worcester gave the opinion that trails through HCA could be changed to require a Class II Design Review (56.020(D)) and public hearings.

**The Planning Commission must require that the 2011 Trails Proposal be revised to include the requirement for Class II Design Review and hearings for each section of trail through HCA.**

The testimony regarding the 2011 Trails Proposal is overwhelmingly against the recommendation to adopt the Proposal as is. Public testimony gives compelling arguments for the preservation of the environment and private property rights and against the \$60,000,000 + cost to this proposal and identifies the fact that this proposal omits a plan to maintain and secure the paths.

**Commissioner Martin told the public that was gathered to testify on June 16, that he did not want to hear N.I.M.B.Y. Ladies and gentleman of the Planning Commission, this is not about my backyard, it is about our backyard. I implore you to heed your constituents overwhelming testimony against this plan by advising the City Council that the 2011 Trails Plan as written should not be adopted.**

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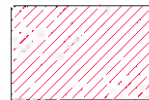
**LEGEND**

Red lines represent a proposed path from Fields Bridge Park to Willamette Park.

The width of 26' was referenced from Fig: 8 Primary Route Off-Street Trail (paved), 2011 West Linn Trails Plan, V. Recommendations, page S2. The total width of 26' includes 12' of paved surface (min 10"-12" deep), 2' on both sides of the paving for a shoulder, and 5' either side of the shoulder for slope transition and drainage.

Black lines represent the existing property boundary.

15' is approximately how close the current paved trail at Fields Bridge Park approaches the Tualatin River.



Red Hatching represents the area of private property possibly used in constructing a paved path. This area is nearly 13685 sq ft, or 0.32 acres, reducing the total amount of privately owned property by nearly 25%.

PROPOSED PATH Fields Bridge Park to Willamette Park	Date	8/13/2011
	Scale	AS NOTED
	Project	
	Sheet	

Fields Bridge Park - June 2011 - Erosion and Unsanctioned Paths





Fields Bridge Park - June 2011 - Erosion and Unsanctioned Paths



Fields Bridge Park - June 2011 - Erosion and Unsanctioned Paths



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Fields Bridge Park - June 2011 - Erosion and Unsanctioned Paths



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Fields Bridge Park - June 2011 - Erosion and Unsanctioned Paths



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Fields Bridge Park - June 2011 - Erosion and Unsanctioned Paths



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Everything Oregon

## Forest Park's young trees at risk, biologist says

Published: Friday, May 14, 2010, 11:00 AM

By **Special to The Oregonian**

### Portland officials downplay the research conclusion and say things are just fine

A local biologist is warning that trees in lush **Forest Park** might be dying at an excessive rate, possibly a dire predictor of the forest's future.

City ecologists, however, say the park is healthy and that more study is needed to determine the ultimate significance of what Linfield College associate professor Nancy Broshot calls "alarming" findings.

In a study documenting tree health in the 5,000-acre park, Broshot says she has uncovered high mortality rates among young trees in the **Bureau of Parks and Recreation's** crown jewel. Broshot, who holds a doctorate in biology from Portland State University and has studied the park for more than a decade, hasn't released the study in published form.

She says she found as high as 75 percent mortality rates among young trees in 2003, when she revisited 24 randomly selected park sites she'd monitored 10 years earlier. In addition, young trees aren't taking root, Broshot says, and that could have disastrous effects in decades to come.

"It's concerning to me, and it's concerning enough that I'm not sure how good the health of Forest Park is," Broshot said. "We definitely need to do more research."

The causes are unclear. Citing recent studies, Broshot said global warming and pollution have been linked to tree mortality worldwide. The park's heavy use -- in some cases illicit -- also might be a factor. Anecdotally, Broshot said she has seen more unsanctioned trails winding off the park's established routes, which might lead to soil compaction or pave the way for invasive species.

"Today Forest Park has become a spider web of little trails everywhere," she said. "It's the dogs that are taking off and going everywhere in the brush. And obviously there are people who aren't staying in the trails."

Distressed by her findings, Broshot, who is on hiatus from her teaching job to further study her findings and prepare for publication, shared her data with the Parks Bureau, she said. She was "shocked" when the

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bureau issued a release earlier this month downplaying her findings.

The city says Broshot concentrated her study near trailheads and along the perimeter of the park most accessible to Portland's urban bustle. More-removed portions of the park are in much better condition than the sites reflected in the data, the parks bureau contends.

"In certain cases, it confirms what we've known," says Dan Moeller, Parks Bureau natural area supervisor. "I'm not ready to apply any one paper to the entire park. The important thing is, we're talking about this and it's raising more questions."

Moeller says the Parks Bureau has long known the portions of the park that see most use are most degraded, for a variety of reasons. He has no hard data confirming more-remote parts of the park are in better shape than those studied by Broshot, though he hopes such a study emerges in the future. Instead, Moeller says he sees evidence of young trees thriving in most of the park.

Broshot's findings have gained attention at an interesting time: The Parks Bureau is looking at possibly ramping up mountain biking access to the park.

### Forest Park facts

- Acquired in 1947
  - Covers more than 5,000 acres
  - Represents 50 percent of Portland's park system
  - Popular for hiking, birding, bicycling and horseback riding, though much of the park is off-limits for everyday recreation
  - Host to 112 bird and 62 mammal species.
- Source: Portland Bureau of Parks and Recreation

Since fall, the 17-member **Forest Park Off-Road Cycling Advisory Committee** has met to determine how the park might be made more accessible to mountain bikes, specifically for single-track riding.

The group -- composed of a diverse swath including bikers, walkers, neighborhood leaders and biologists -- has not been free of controversy, with stakeholders butting heads over trail-sharing provisions and other matters that still remain sore spots, members say.

The health and stewardship of the park has loomed large in this debate, with mountain bikers contending their activities have little to no negative impact, and vocal opponents saying otherwise. That contention is also playing out online, with comment threads on oregonlive.com and other sites turning into fierce debates for and against increased bike access in the park.

Late last month, the board held an open house to present its initial recommendations. Those included options for improving several of the park's fire lanes for bicycle use, as well as the construction of new trails and connecting paths between various established trails.

Since the open house, hundreds of residents have filled out questionnaires designed to give the advisory board feedback on its proposals. The board is to meet again later this month to discuss the questionnaires and modify its plans accordingly.

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Once finished, the committee will make formal recommendations to **Parks Commissioner Nick Fish** and Parks Director Zari Santner.

For her part, Broshot, who has followed the group's progress, decided to send a letter about her findings.

"I don't think it's in the best interest to put any trails in the park at this time," she said. "At least until we know what's going on."

--Dirk Vanderhart, Special to the Oregonian

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Everything Oregon

## Forest Park's lone ranger is doing as much as one person can to preserve and protect our greatest natural resource

Published: Thursday, March 17, 2011, 6:00 PM Updated: Thursday, March 17, 2011, 7:51 PM



By **Anna Griffin, The Oregonian**

### Forest Park Ranger Bob

Bob McCoy is the Forest Park Ranger, walking the trails in the park to teach, enforce laws, and act as ambassador between visitors, the city and the ecosystem of the park.

Except for the dog poop, Bob McCoy may have the best job in Portland.

He certainly has one of the most important, at least when it comes to

preserving the city's most precious natural resource.

McCoy is the first and lone ranger for **Forest Park**, that giant blanket of green that stretches across the city's northwest hills. He spends an enviable chunk of his work day hiking the forest trails to roust camping transients, note trails that need repair and remind dog owners that their pets can actually do significant harm to both the feel and health of the park when they're allowed to wander off leash.



Torsten Kjellstrand

Bob McCoy, a former book editor, is the city's first and lone Forest Park ranger.

"A lot of people just don't realize the impact one person can have," said McCoy, a fit, talkative 55-year-old. "Forest Park seems so huge. It's easy to forget that a place like this is also very fragile."

Amen. Last year, a **Linfield College professor** warned that young trees in the park were dying at an alarming rate. In a separate effort, researchers with the **Portland City Club** recommended that regional leaders think about shifting management of the park from the City of Portland to Metro, a private nonprofit or a new regional parks authority. That growing **chorus of concern** prodded city leaders into finally trying to figure out precisely what the park should be -- an untouched sanctuary? an anything-goes recreational facility for mountain bikers, equestrians and hikers? -- and ensuring no more irreparable damage is done.

McCoy represents the beginning of that **effort**. He was hired last fall to serve as the Portland Parks Bureau's official eyes and ears, though his route to the job was as circuitous as any of the forest's 70 miles of criss-crossing trails.

"I am a textbook Baby Boomer," he said. "I hit 50 and decided to change my life. Next I just need to write

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the Great American Novel."

He's joking, partly. A Baltimore native, McCoy spent the first half of his career desk-bound as a book editor for a small Philadelphia publishing company. But his wife is from Portland and talked almost daily about moving back to Oregon. They finally jumped when their youngest child left for college. She already had a job lined up here. He figured he could find a position in publishing. He figured wrong, and instead wound up taking a seasonal job as a city park ranger. He liked rangers so much he signed on for winter duty, too. By the time the Forest Park post was created last summer, he had given up any thought of going back to books.

McCoy has an office downtown, but does most of us his work out of a city pickup truck or via Blackberry. He spends an average of three hours a day patrolling and the rest of his time responding to calls about rogue trails and makeshift trash dumps, talking to stewards of other natural areas about what his job should become, and logging the number of joggers and hikers he's spotted.

"I'm still figuring out where I can do the most good," he said.



McCoy says he spends an average of three hours a day patrolling the park. That's nowhere near enough time to explore all 5,000 acres, so he makes more frequent visits to known trouble spots and more popular stretches.

On patrol, wearing heavy green pants, a green jacket with "ranger" on the back, mud-caked hiking boots and a big gold badge, he looks the very image of authority. Yet there's only so much ground he can cover alone. At over 5,000 acres, Forest Park contains far too much land for one guy to walk, so he concentrates on areas of heavier traffic. He's working to start a volunteer corps to patrol the park and build on the work the **Forest Park Conservancy** and other volunteers already do to maintain trails, educate park visitors and control the spread of ivy and other invasive species.

"We need more eyes on the park on a regular basis," he said. "When people see me, they might modify their behavior. But volunteers, out hiking or walking their dogs or normal things like that, will see things I don't. They'll be able to give us all a better sense of the challenges we face."

I can tell you the biggest challenge: Human hubris, the kind that causes us to build nuclear reactors near fault lines, fill landfills with stuff we don't need and assume that adage about "leaving only footprints" applies only to other people.

McCoy ends most patrols by pulling black surgical gloves out of a coat pocket and, despite the lush and sometimes spooky beauty of his surroundings, walking with his eyes fixed on the ground.

He's searching for garbage. It's a rare day when he doesn't find some, and an even rarer day when his collection of cast-offs doesn't include several sacks of dog excrement left on the trails. Some people are at least polite enough to bag up Fido's leavings, presumably planning to pick the nasty little bundles up on their way out; on one recent day, McCoy collected 17 bags in a 2-mile stretch.

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Others just leave the stinky piles for somebody else to clean up.

"I'd like to think that these are people who love the park and just don't understand that all this stuff adds up. Otherwise it's inexplicable," McCoy said. "I guess it should make me happy in a way, though. Behavior like this is why I have a job."

**- Anna Griffin**

Follow me on **Twitter**.

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**EXHIBIT E—ORDINANCE NO. 05-1077C**

**METRO CODE CHAPTER 3.07  
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN**

**TITLE 13 MODEL ORDINANCE**

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10. Maintenance, alteration, repair, and replacement of roads and utilities when no additional incursion into the HCA is proposed.
  11. Maintenance and repair of existing streets, railroads, shipping terminals, and utilities within rights-of-way, easements, and access roads.
  12. Existing water-dependent uses that can only be carried out on, in, or adjacent to water because they require access to the water for waterborne transportation or recreation.
  13. Operation, maintenance, and repair of manmade water control facilities such as irrigation and drainage ditches, constructed ponds or lakes, wastewater facilities, and stormwater pretreatment facilities.
  14. Projects with the sole purpose of restoring or enhancing wetlands, streams, or fish and wildlife habitat areas, provided that the project is part of an approved local, state, or federal restoration or enhancement plan.
  15. Low-impact outdoor recreation facilities for public use, outside of Water Quality Resource Areas, including, but not limited to, multi-use paths, access ways, trails, picnic areas, or interpretive and educational displays and overlooks that include benches and outdoor furniture, provided that the facility meets the following requirements:
    - a. It contains less than 500 sq. ft. of new impervious surface; and,
    - b. Its trails shall be constructed using non-hazardous, pervious materials, with a maximum width of four feet.
- F. Emergency procedures or activities undertaken which are necessary to remove or abate hazards and nuisances or for the protection of public health, safety and welfare; provided that such remedial or preventative action must take place within a timeframe too short to allow for compliance with the requirements of this ordinance. After the emergency, the person or agency undertaking the action shall fully restore any impacts to the HCA resulting from the emergency action. Hazards that may be removed or abated include those required to maintain aircraft safety.
- G. Multnomah County Drainage District - Within Habitat Conservation Areas located in Multnomah County Drainage District No. 1, Peninsula Drainage District No. 1, Peninsula Drainage District No. 2, and the area managed by the Sandy Drainage Improvement Company, routine operations, repair, maintenance, reconfiguration, rehabilitation, or replacement of existing drainage and flood control facilities, and existing related facilities, including any structures, pump stations, water control structures, culverts, irrigation systems, roadways, utilities, accessory uses (such as off-load facilities that facilitate water-based maintenance), erosion control projects, levees, soil and bank stabilization projects, dredging and ditch clearing within the hydraulic cross-section in existing storm water conveyance drainageways, or other water quality and flood storage projects applicable to existing facilities and required to be undertaken pursuant to ORS chapters 547 or 554 or Titles 33 or 44 of the Code of Federal Regulations, shall be allowed, provided that:
1. The project is consistent with all other applicable local, state, and federal laws and regulations;

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June 22, 2011

To: West Linn Planning Commission  
22500 Salamo Road #600  
West Linn, OR 97068

Subject: Proposed adoption of "West Linn Trails Plan: A 50-year Vision..."  
File No. PLN-11-01

Commission Members,

Good Evening. My name is Lois Streimer. My husband, Fred, and I live at 2019 Maple Terrace in West Linn.

Upon review of the Staff recommendation to adopt the 2011 West Linn Trails Plan and its associated Comprehensive Plan amendments, I encourage you to please:

**Re-Assess** the need and desire to add 27.3 miles of public trails that would necessitate the acquisition of private property. Public comment collected during plan development reveals:

- o A majority preference for connection to existing trails via publicly owned streets, and
- o A priorities focus on neighborhood and business connections as the improvement of current well-traveled routes will benefit all.

**Revisit** the need to preserve and protect natural resources, as well as to nurture sensitive wildlife in riparian zones. The specific desire to establish a primary trail along the Willamette River is contrary to this goal as it maximizes public access to wildlife habitat.

**Re-Evaluate** the *perceived* need for additional public-owned trails. As stated in the summary of the first meeting of the Technical Working Group held on January 10, 2010: the most effective way to assist in plan implementation is to prepare "recommendations that are realistic, that have support from the community, and that are fiscally constrained.." (p. 221)

I encourage you to review the aforementioned criteria in your deliberations on this proposed trail plan and to answer the following: Does the proposed plan accurately address the need to limit environmental impacts and preservation of wildlife habitats? Is the staff recommendation realistic, and overwhelmingly supported by the entire community?

Thank you for the opportunity to share my thoughts with you on this very important topic.

Lois Streimer

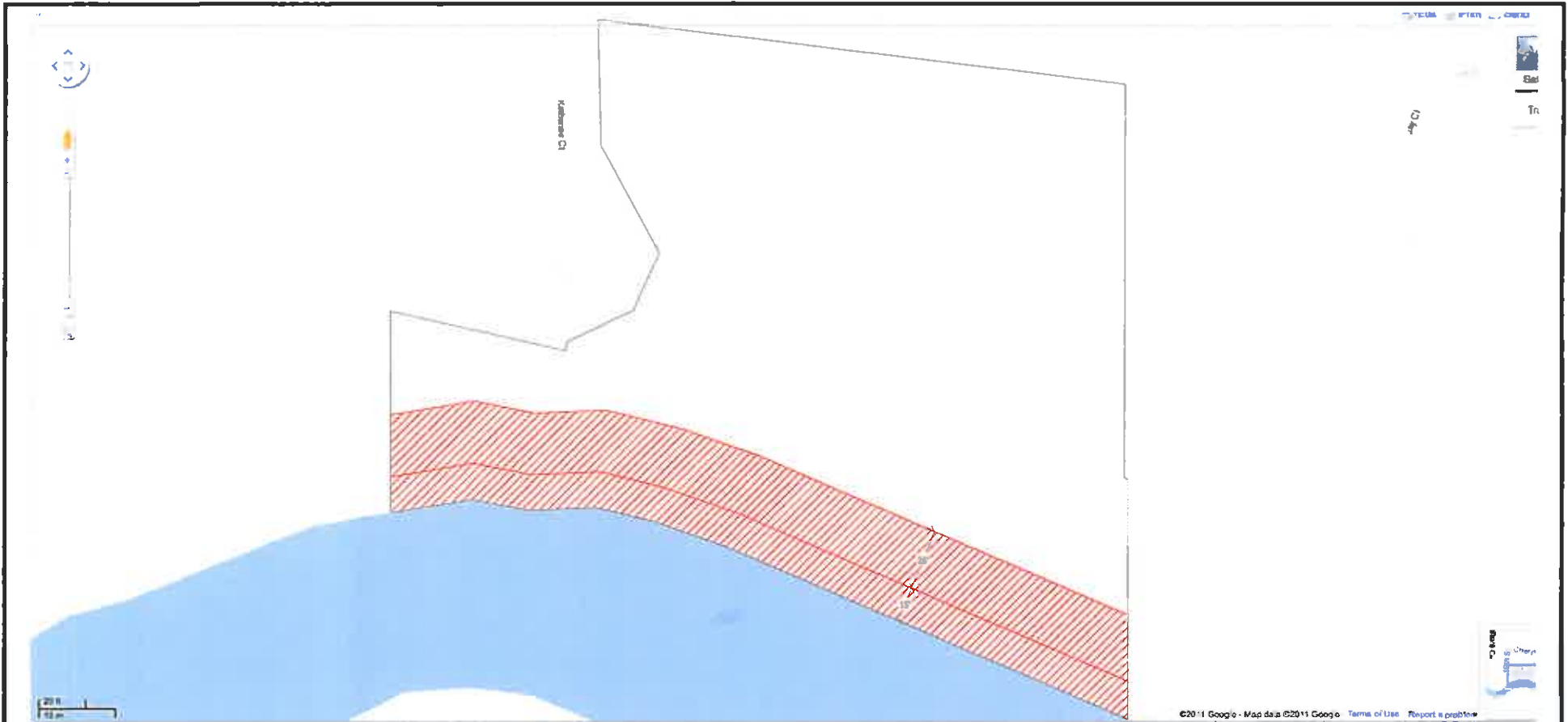
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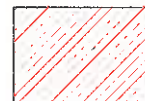
**LEGEND**

**Red lines** represent a proposed path from Fields Bridge Park to Willamette Park.

The width of 26' was referenced from Fig: 8 Primary Route Off-Street Trail (paved), 2011 West Linn Trails Plan, V. Recommendations, page S2. The total width of 26' includes 12' of paved surface (min 10"-12" deep), 2' on both sides of the paving for a shoulder, and 5' either side of the shoulder for slope transition and drainage.

**Black lines** represent the existing property boundary.

15' is approximately how close the current paved trail at Fields Bridge Park approaches the Tualatin River.



**Red Hatching** represents area of private property possibly used in constructing a paved path. This area is nearly 13685 sq ft, or 0.32 acres, reducing the total amount of privately owned property by nearly 25%.

PROPOSED PATH Fields Bridge Park to Willamette Park	Date: 8/12/2011
	Scale: AS NOTED
	Project: Sheet: Attachment 3

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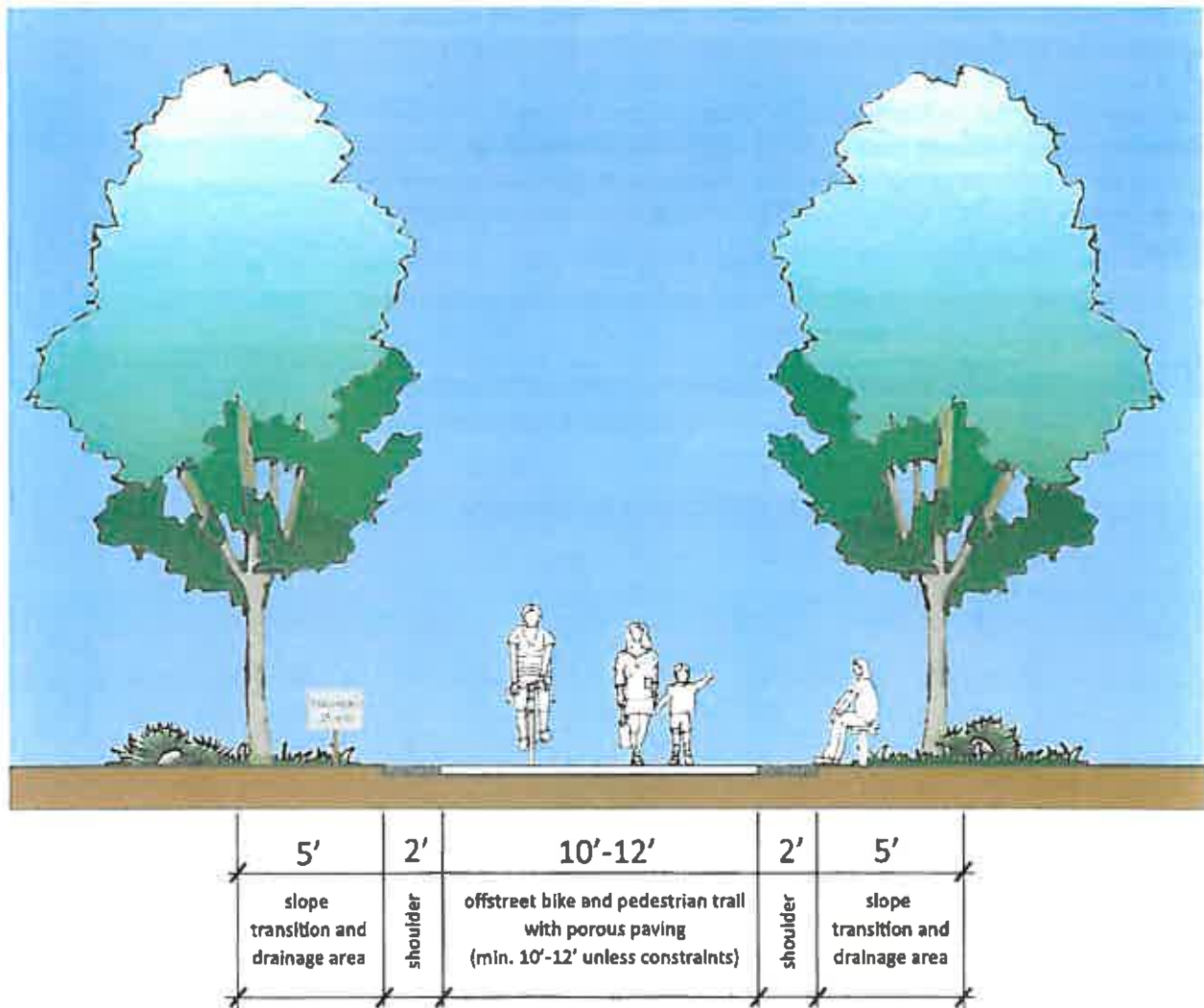
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Attachment 3 pg 232



recommendations

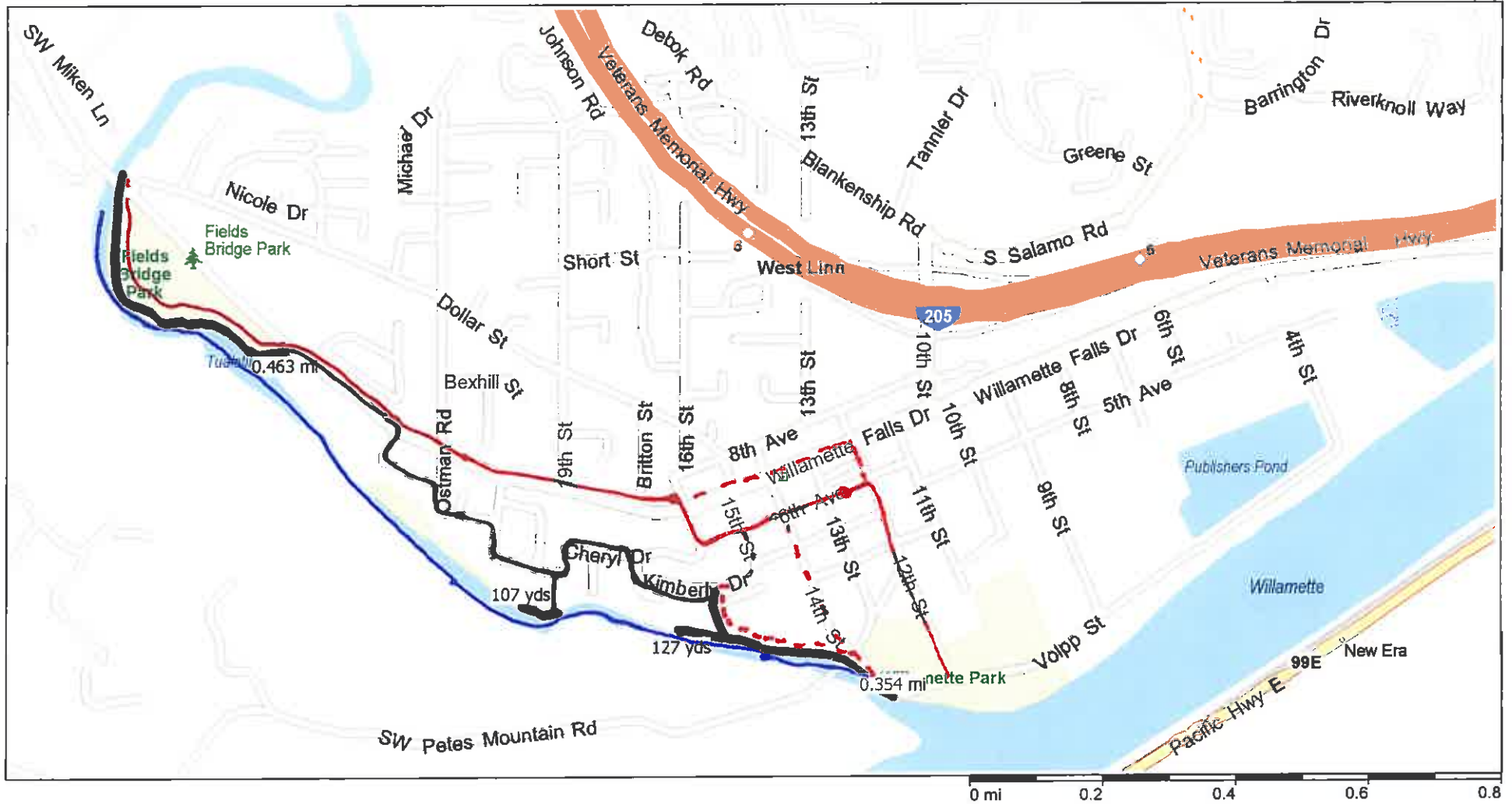
Figure 8: Primary Route Off-Street Trail (Paved)



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# EXISTING Routes From FBP to Willamette Park

West Linn, Oregon, United States



- River trail from FBP to WP
- Trail through Historical Homes - - - Alternatives
- Trail through neighborhoods

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# Your Rights to Use the Surface, Bed and Banks of Oregon's Rivers and Lakes

**Before you use Oregon's waterways and the land underlying and adjacent to them, you should be aware of some important legal considerations.**

## OWNERSHIP OF OREGON'S WATERWAYS

Not all the land under Oregon's waterways (submerged and submersible land) is publicly owned. In fact to date, public ownership has only been determined on land underlying certain segments of 12 Oregon waterways: the Chetco, Columbia, Coos, Coquille, John Day (in eastern Oregon), Klamath, McKenzie, Rogue, Sandy, Snake, Umpqua and Willamette rivers.

In addition to these waterways, the public also owns much but not all of the submerged and submersible land affected by the rise and fall of tides, and many lakes in Oregon.

On waterways where the State of Oregon owns the underlying submerged and

submersible land (commonly termed "navigable" waterways) you may use the land for any legal, non-ownership-related recreational purpose as you would a park.

On waterways where ownership has not yet been determined by the courts or by the State Land Board (which includes all of the other waterways in Oregon), **your rights are less certain.**

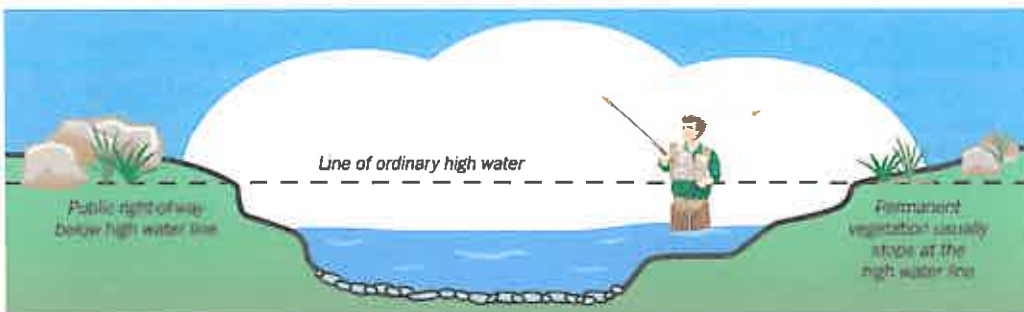
On these waterways, the Oregon Department of Justice (Oregon Attorney General) believes you have the right to use the bed and banks of the waterways for water-related recreational purposes such as swimming, fishing and boating (including anchoring) if the waterway has sufficient depth, flow and width to allow a boat to make successful progress on it.

It's important to understand, however, the waterway user takes legal responsibility if he or she decides to use the submerged and submersible land of any undetermined waterway.



## Why is This Important to You?

Because what you can and cannot do on the submerged and submersible land underlying a waterway, and the upland adjacent to a waterway, depends on who owns it. If you do not know who owns the submerged and submersible land underlying a waterway and what you are allowed to do on that land, you may risk possible citation by law enforcement officers for trespass.



Except where indicated (such as a public park), you are not allowed to go above what is termed "the line of ordinary high water" on waterways that are bordered by private land. The ordinary high water line is defined by Oregon state law as a line on the bank made by the water when it rises to its highest level each year to the limit of upland vegetation. It is **not** the flood line. You may not cross a privately owned property unless you have the landowner's permission. A possible exception to this is given in the Attorney General's opinion if you need to get around an obstacle blocking a waterway.

To learn more about where and how you may use the surface of and submerged and submersible land underlying Oregon's waterways and lakes, contact the Department of State Lands, 503-986-5200; [www.oregonstatelands.us](http://www.oregonstatelands.us) (click on Waterway Navigability).

For questions concerning boating regulations, contact the Oregon State Marine Board, 503-378-8587; [www.boatoregon.com](http://www.boatoregon.com).

Information concerning hunting and fishing regulations is available from the Oregon Department of Fish and Wildlife, 503-947-6000; 800-720-6339; [www.dfw.state.or.us](http://www.dfw.state.or.us).

Information on state parks and Oregon Scenic Waterways is available from the Oregon Department of Parks and Recreation, 503-986-0707; 800-551-6949; [www.oregonstateparks.org](http://www.oregonstateparks.org).



## Pelz, Zach

---

**From:** Robin Satryb [robpaulsatryb@msn.com]  
**Sent:** Monday, June 27, 2011 1:03 PM  
**To:** Pelz, Zach  
**Subject:** FW: West Linn Comprehensive Trails Master Plan, Which Includes Promtion of the Willamette Greenway Trail

Good Afternoon Zach,

Please look for some input from Travis Williams, Executive Director and Riverkeeper of The Willamette Riverkeeper organization.

Thank you for your time and efforts.

Best Regards,

Robin and Paul Satryb

---

**From:** robpaulsatryb@msn.com  
**To:** travis@willametteriverkeeper.org  
**Subject:** FW: West Linn Comprehensive Trails Master Plan, Which Includes Promtion of the Willamette Greenway Trail  
**Date:** Mon, 27 Jun 2011 12:47:40 -0700

Greetings Travis,

It was a pleasure speaking with you today. Thank you for spending the time to offer insight regarding the West Linn Comprehensive Master Trails Plan, particularly long the Willamette River. As you are aware, this particular section of the trail plan along the Willamette River is in keeping with;

"The **Willamette River Greenway Program**, established by the **1967 Oregon Legislatue**, is a cooperative state and local government effort to **maintain and enhance** the scenic, recreational, historic, natural and agricultural qualities of the **Willamette River** and its **adjacent lands**.<sup>[1]</sup> A number of trails exist along the greenway, but significant gaps still exist."

My husband Paul and I admire and appreciate your work and dedication. Travis.  
Please forward your comments by midnight, Tuesday June 28th, 2011

Required coments submission goes to the planning commission at:

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

Please also copy:

Zach Pelz, AICP  
Special Projects Planner  
[zpelz@westlinnoregon.gov](mailto:zpelz@westlinnoregon.gov)  
His phone number is 503-723-2542

We appreciate your time and efforts in this matter,

All The Best,

Robin and Paul Satryb

---

**From:** robpaulsatryb@msn.com  
**To:** travis@willametteriverkeeper.org



Subject: West Linn Comprehensive Trails Master Plan, Which Includes Promtion of the Willamette Greenway Trail  
Date: Tue, 21 Jun 2011 07:37:30 -0700

Hello Travis,

My name is Robin Satryb. I live in the Robinwood neighborhood of West Linn. I left a voicemail message for you regarding the West Linn Comprehensive Trails Plan. I believe you used to live in my neighborhood and may be well familiar with this community. I understand you are on vacation but may perhaps be checking in on emails. I spoke with Kate from your organization for quite awhile yesterday morning and filled her in on some details of the public hearing regarding Comprehensive Trails Master Plan. I informed her of the proposal and the vehement opposition to this plan. There was only one individual who testified in support of the plan. My husband Paul and I attended the meeting and wanted to learn more about the views of the community. We were stunned at the reasons and excuses that people came up with, opposing the plan. Our perception was a hostile and rather intimidating environment towards the Planning Commission and the presenters of the plan. Some folks came up with viable concerns that we agreed should be researched. However, the overall climate was short sighted, self serving and displayed an interesting sense of entitlement among homeowners. Indeed the plan does include trails to be built on what is now private property which would be purchased by the city of West Linn.

Paul and I are not opposed to the plan. We believe it seems logical that everyone become educated before making a final decision on each trail proposed. You can click on the link below and view the first public hearing from June 15th, 2011. Overall, I think there was much uninformed and illogical reasoning made by the citizens of West Linn, based on instilling fear with "What if" scenarios. You can also view documents from the plan, including the goal to integrate and promote the Willamette River Greenway Trail.

Paul and I have lived in West Linn since 2000. During that time, it has been our observation that the homeowners are not necessarily stewards of the land nor the Willamette River. We did not particularly buy into the environmental concern testimonies during the June 15th hearing. I personally believe that there is far more damage to the river (than trails) by the tree service chemical sprays, the lawn service and chemicals applied, motor boats, jet skis, the removal of large trees for better river views or larger homes ( affecting riparian wildlife), vehicles driven, washing those vehicles or boats in driveways at home, non native species of plants, including gardens, perhaps bon fires, docks installed in the river and even (hearsay) huge boulders dumped in the river to change the flow of it. We personally believe that the public has a right to access, enjoy and learn from and about the Willamette River. Trails my help to integrate a new culture of learning and respect for the river and environment. Trails may also add value with interpretive information kiosks or interpretive centers along the routes, and provide a valuable educational tool for future generations to become stewards of the lands and waterways.

I hope it is fi ne with you Travis that I sent you this follow up on the proposed Comprehensive Trails Master Plan. I thought you would have both a professional interest as well as a personal one if you have family in West Linn. Judging from the way things went at the June 15th meeting, it seems implausible that the Comprehensive Trails Master Plan will proceed from vision to fruition. If after the June 22nd hearing, there are any more opportunities for offering perspectives and input into the larger vision, I hope you may consider sharing your views of the plan, which seem to include the Willamette Greenway Trail.

Thank you Travis for you work and dedication as the Executive Director and Riverkeeper of Willamette Riverkeeper organization.

Please feel welcome to contact Paul and I at our email address.

Our phone number is 503-866-5772

All The Best,

Robin and Paul Satryb

<http://westlinnoregon.gov/planning/comprehensive-trails-master-plan>

Please note, I have also included an email that Paul and I sent on June 15th to the West Linn Planning Commission: It was submitted to the hearing for review and as part of public record:

## Trails Master Plan Adoption



To: jsonnen@westlinnoregon.gov  
From: Robin Satryb (robpaulsatryb@msn.com)  
Sent: Wed 6/15/11 4:42 PM  
To: jsonnen@westlinnoregon.gov  
Good Afternoon,

My husband Paul and I would appreciate our views being considered when the West Linn Planning Commission decides the fate of the Comprehensive Trails System Master Plan. We are in favor of such a plan. We would request that you educate the public at the meeting tonight, in terms of the history and overall objectives of this project. The hope would be that through education, the residents would be positively influenced to be less short sighted in their personal agenda and objections to the plan. Education can help to diminish fears and hopefully broaden perspectives beyond personal self serving attitudes. The additional hopeful outcome would be to consider the long term greater good of all citizens and the environmental impact alike. This would include the concepts of connecting residential areas to commercial, transportation alternatives, recreational benefits and access to the Willamette River. Future generations would benefit from the decisions we make today for the rights of all people to enjoy such objectives. Hopefully the sense of entitlement of some of those who live along the river will give way to sharing what really does not personally belong to any one of us. No doubt, it was accessed and shared by so many who came before us and our established homes. Truly, we are here for such a short time, compared to the millions of years it took for the geography to form around us that we enjoy today. It would be a far better legacy to implement the Comprehensive Trails Master Plan, than to individually declare "I prevented others from enjoying the Willamette River and the natural beauty surrounding it". In other words, not passing along the "Not in my backyard" culture, so that future generations will think of the greater good as a way of life.

My husband and I have tried to educate ourselves on the initial Willamette River Greenway, established in 1967, which was long before we arrived here in West Linn. We suggest that everyone educate and learn about this before irrationally objecting to the Comprehensive Trails Master Plan. We agree with goals and objectives (Tier1 and Partnership) of that plan. In reviewing the Comprehensive Trails Master Plan, presented by the West Linn Planning Commission, it is obvious that much thought and consideration has been brought forth in the efforts of this plan. Most importantly is that we feel strongly that the Willamette River, being a free flowing body of water should be available for all to access and enjoy, with regards to the plan.

We would also like to offer up our personal perspectives, on this subject in terms of our observations of our first hand experience about river access along Calaroga Drive and Calaroga Court, since we have been residents in West Linn as of August, 2000. We purchased a home on Calaroga Court, four houses from the 50-60 foot right-of-way (to our understanding), to the Willamette River. We do not live on the river side. During our search for a home to live, we took into consideration the unique location and opportunity to enjoy the amenities that the Willamette River provides to all of us as residents and citizens. We searched for a home in Lake Oswego as well, but did not prefer the exclusivity of access to a lake by homeowners and their guests only. It has been our personal experience during our time here that at least one original easement to the river has been overtaken by the homeowner. The location is on Calaroga Drive, just off of Calaroga Court. It is well known to those that live in the area, that the homeowner has planted a tree, parked a boat and basically taken over the easement in hopes that nobody will use it as a public access. The other nearest access to the Willamette River is at the end of Calaroga Court, which is designated as West Linn public property right-of-way. I have spoken with Sam Foxworthy, the previous supervisor in the Parks and Recreation Division for many years about this. Our conversations were in the context of a request to keep the right-of-way mowed for those of us who wish to enjoy the Willamette and the small beach type area. Paul and I were personally yelled and screamed at one year by a previous homeowner on one side of the right-of-way location when we were trying to clear a path on a Memorial Day. Paul and I thought it would be nice to clear the right-of-way for all to enjoy. We had previous permission from Sam to do so. We have noticed that many children, as well as elderly folks try to use that access to get to the river. We were not on the homeowners property but he objected to us improving the pathway for all to use. We were only clearing about a four foot wide path. Sam Foxworthy also had told me that over the years, he has dealt with the current owner of the two properties at the end of Calaroga Court on either side of the right-of-way. Sam and his crew were also yelled at, according to Sam, when they were trying to mow about a ten foot wide strip for people to use. The homeowner has allowed blackberry bushes and some other plantings to encroach upon the right-of-way. Any fear on the part of the homeowner of cars driving down the path was alleviated by a large steel post that Sam had installed at street level. The point of mentioning these circumstances is to enlighten attitudes as to their personal entitlements and rights, particularly on a public piece of property owned by the city of West Linn. Sam and I had also discussed the future possibility of an

improved access. Paul and I have wondered if there is any possibility of handicapped access, as we have people in our neighborhood who are wheelchair bound.

We understand as well, that river easements may possibly be implemented adjacent to newly constructed homes along the Willamette River in West Linn. There was a 5000 square foot home that was demolished on Calaroga Court and replaced by a larger home this past year. Currently, that home is still under construction.

This brings me full circle to the point at hand, which is the proposal of the Comprehensive Trails System Master Plan. We understand that you will likely hear many more objections, particularly from those who have homes along the river. However, we ask that you do not omit the perspectives and values of those of us who do wish to see the plan adopted and implemented for the greater good.

Thank you for your time and efforts in this matter.

Robin Satryb

**William A. (Bill) Weber, Sr.  
3545 Riverknoll Way  
West Linn, OR 97068**

**June 15, 2011**

**My Comments to the Planning Commission Meeting**

**My name is Bill Weber and I am a 75 yr. old retiree from Esco Corporation where I worked for 40 years and achieved Group President Executive Management responsibility including responsibility for Business Planning. My wife Patty and I are in our 20<sup>th</sup> year as residents of West Linn.**

**I continue to be amazed (dumbfounded may be a better word) by this commission and the City Council's lack of detailed financial planning as it relates to projects such as the Master Trails Plan. I think I heard that estimated detailed costs were not available or meaningful since we are talking about a 50 year plan. I've believe that these estimates may be as high as \$45 to \$65 million dollars if all 62 miles of trails are built in West Linn.**

**While having some trails may add to the livability of a city, it just doesn't seem that trails that are opposed by residents, trails that are a pathway for crime, and trails that present an extreme fire danger in addition to the environmental concerns that others have expressed should even be considered. I am particularly referring to the proposed trail from Sunset to Salamo along Interstate 205. It doesn't make any sense economically, or from a safety standpoint, or from the impact to the environment.**

**I am totally opposed to trails that impact livability in neighborhoods, but more importantly, in today's economic environment now is not the time to approve or spend millions of dollars when this city is faced with deciding on a new Police Station and a future Aquatic Center – both stated top priorities for the City Council.**

**Another great area of financial concern I have is the cost of Maintenance for trails that are built now or trails proposed for the future. Total overall Maintenance Costs for new projects often exceed the cost to build and since these costs are ongoing**

**and tend to accelerate with time and inflation, these expenditures often dictate the financial feasibility of proceeding if at all. I certainly believe trails fall into a High maintenance category. I don't want the City of West Linn to jeopardize our regained financial status by expenditures which commit us to these high costs of Maintenance in the future.**

**The City Manager told me that oftentimes federal or state grants are used to finance the design and build costs of trails. While we may get a Grant (also taxpayer money) or two to engineer design and build, I firmly believe it will take a truckload of "Benjamins" to properly maintain.**

**Thank you for your time and I only ask that you seriously consider the financial impact of your actions as it relates to approving expenditures of unwanted trails; thereby wasting taxpayer money and incurring a future high maintenance commitment in these financially turbulent times when the City Council has other priorities that will be impacted.**

Arnold H. Peterson  
25435 Swiftshore Drive  
West Linn, Oregon 97068

Mr. John Sonnen, Planning Director  
City of West Linn  
22500 Salamo Road #600  
West Linn, Oregon 97068

June 22, 2011

Dear Mr. Sonnen:

I am a retired forester, most recently as the Assistant Forest Manager, Management Section, Yakama Agency, Bureau of Indian Affairs, US Department of Interior. In that role I served as a supervisor of work units that participated in interdisciplinary teams tasked with *analysis of environmental impacts of proposed federal actions*, most often timber sales. We were required to follow an approval process that was outlined in the National Environmental Policy Act of 1969 (NEPA).

I write this letter to the West Linn Planning Commission/Department to protest the "West Linn Trails Plan" in its current form. I object to specific trails and their designations of route types and the design standards that apply. Specifically, the Swiftshore Park trails, designated a Primary Route, that would connect Swiftshore Park to Willamette Park downstream and Fields Park upstream are objectionable because of the impacts to the environment and protection of individuals' rights as property owners versus that of West Linn's eminent domain.

This process included review and comment by the affected public just as does the West Linn Trails Plan. It is not clear to me the extent to which NEPA applies to the plan development or will to the implementation phases, however, if federal monies are used, then it becomes a "federal proposal" and NEPA and a host of federal statutes would apply, such as the National Historic Preservation Act (NHPA), Sec. 106; and the Archaeological Resources Protection Act (ARPA). The cost of environmental review and preparation of an EIS is significant, but is, at least in part billable to the federal funds obtained. I have assumed that your planning staff, as well as your City Attorney and your Publics Works Department (the transportation section, at least) have made you aware of opportunities available to solicit funds from the US Department of Transportation (USDOT), Title 23 (gas tax and other appropriated funds).

I believe it prudent for you to pursue the public monies even if this process seems burdensome, as this process does protect the environment, inform the affected public, and provide financial assistance to communities (taxpayers) with limited resources. I imply that the process under NEPA could be avoided if non-federal funding was used, and this might be an alternative that should be considered. However, you have embarked on a process that includes public disclosure and discourse; therefore I have assumed that you will continue with public involvement in the next phases of plan development, as well as a concern to most effectively utilize our tax dollars.

I also believe that in any environmental analysis, whether an EIS or an Environmental Analysis (EA), that the Swiftshore Trails projects will be found objectionable because the habitat is unique for at least three reasons:

1. This reach of the Tualatin River is the only erosional structure, or is the only rapids, in the river until somewhere upstream of Gaston.
2. The adjacent lands, although private, are protected by an Urban Growth Boundary (This is the north aspect of Pete's Mountain; the boundary is the Tualatin River.), and
3. This latter area has many of the characteristics of an old-growth forest habitat that add to the complexity of the total area habitat when considered in relationship to the adjacent Tualatin River riparian zone.

These features make possible a rich diversity of flora and fauna. I am unaware of any Northern Spotted Owls or other endangered species making use of this habitat (I am not a wildlife biologist or a botanist specialized in threatened and endangered species.) However, my wife and I have observed both male and female Pileated Wood peckers in our back yard over this past fall/winter/spring. I have learned from my wildlife biologist contacts that these birds use habitat with the essentially the same characteristics as would the Northern Spotted Owl. I suggest that the woodpeckers are at least an indicator species for conditions that exist in this ecosystem in its ability to support other species found in old-growth forests.

If my observations are correct, then the impacts associated with the current trail location and/or design standards would be detrimental due to the area taken for trail development and the bicyclists or any other users traveling greater than 10 mph. Any additional human incursion into this riparian zone is an additional impact, but to connect the parks with trails that encourage use by higher speed vehicles is unjustified by the objectives to preserve special and fragile habitat while providing access for pedestrian traffic out to enjoy the riparian zone and the flora and fauna. I encourage the Planning Commission/Department to consider the lowest standard for route designation and design width such as a 6' wide path designed for pedestrian traffic. Such a trail would have a "light hand on the land" that would provide a protection and preservation such a special habitat combination deserves.

My last point about rights of property owners versus the eminent domain of West Linn also relates to the number of properties that would need to be condemned. I am aware of at least two properties downstream of Swiftshore Park that would need to be condemned because the fee land extends to the center of the Tualatin River. If the Primary Route designation were to be retained, then at least one other property would be required also. At least two properties upstream between Swiftshore and Fields Parks are needed due to the proximity of dwellings to the river bank. Given the 24-26' width of the proposed right-of way, additional width by condemnation may affect other properties, as well. My sympathies lie with the individuals that will be adversely affected by this trail proposal. The "greater good" philosophy of eminent domain, I suggest, has already been achieved

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by access currently provided by West Linn at the Swiftshore Park swimming hole and other access points. The additional access in this proposal is imprudent when considered in the contexts of economics, physical environment, and fairness.

In conclusion, I advise rejection by the West Linn Planning Commission of the West Linn Trails Plan as currently developed. I applaud the Commission's policy of public disclosure and discourse and the Parks Department for their current operations. I also wish to commend the Planning Department for the enormous effort they have undertaken and request that they consider my suggestions for future plan/implementation modification(s). Thank you for the opportunity to make a difference.

Sincerely,



Arnold H. Peterson

Cc: Bob Martin, Planning Commission  
Ken Worcester, Planning Department  
Zack Pelz, Planning Department  
City Attorney (original copy)  
Dave Froode

TSLP



June 22, 2011

Michael B. Ragan  
4981 Mapleton Drive  
West Linn, OR 97068  
503-635-7920  
[mike@workflowpro.net](mailto:mike@workflowpro.net)

Presentation to West Linn Planning Commission  
**Subject: Proposed West Linn Trails Plan**

Thank you for the opportunity to speak with you this evening.

My family has lived on the river at 4981 Mapleton Drive since 1994.

We support long term goals to provide safe pathways for non-motorized transportation in the city. We desperately need safer and better maintained walking and bicycling routes. Insofar as the proposed plan promotes the use and enhancement of existing public rights of way, we support this goal. However, we strongly oppose the Trails Plan in its current form, for the following reasons:

1. There is no evidence that this plan reflects the desires or priorities of a majority (or even a statistically valid sampling) of West Linn citizens and taxpayers. Although public participation was solicited, actual public input has been sparse at best. There is only one cited statistic, on page 48, that in 3 public workshops a total of 100 people signed in to participate (about 33 people per workshop). 100 participants' feedback out of a population of 24,000 does not constitute a public mandate for this city-wide undertaking. In fact, there is clear evidence that public input which didn't meet the plan proponent's objectives was ignored.

As an example of the disconnect between public input and the proposed trail plan, the map on page 110 displays relative intensity of public interest in specific trail locations. The waterfront trail from Mary S. Young Park to the Cedaroak Boat Ramp is designated as being of low intensity interest. However, the map on page 76 indicates the proponents of this plan have chosen to designate this as a primary off-street route. In fact, the majority of the proposed Willamette waterfront trail from the border with Lake Oswego to the Oregon City Bridge is rated as low public interest, yet designated to be a primary off-street route.

T83

This is an ambitious effort by the plan's proponents to convert private property rights to public access. Their public outreach appears to have been little more than lip service to justify access and acquisition plans already formulated.

2. Of the 61.9 route miles proposed, this plan recommends an extensive and expensive acquisition of over 25 miles of new rights-of-way, and a high maintenance trail construction plan. Over time, any pathway develops maintenance issues. Tree roots buckle asphalt, and the movement of water and shifting soils creates dips and drainage problems, even in permeable surfaces. To see how this works, and how deferred maintenance will impact trails over time, take a walk through Mary S. Young Park today. Our local and state governments can't afford to maintain the public roads and infrastructure already in the public domain. Unless the City is planning to put toll gates on their new trails, there is no way for the City to pay for this undertaking and its maintenance other than new taxes and development fees, or the redirection of funds from other important projects.

Because this plan proposes more developed trail miles than are necessary, it dilutes the available resources for what we need. This is about sustainability. Instead of pursuing a plan that tries to do too much, and commits future generations to high maintenance pathways, we should concentrate our resources into maintaining and improving existing public resources and rights of way. Many of us would rather have 30 or 40 miles of high quality routes than 70 miles of mediocrity and maintenance problems.

3. Many miles of the proposed new trails will transgress existing privately owned properties, and many of the affected property owners are not happy. Acquiring this access will not be easy, and it will not be cheap. Proponents of the plan acknowledge as much on page 98. Further, imposing public trails through private properties will undeniably impact the privacy and security of those properties, and most likely reduce their value. We'll probably hear arguments to the contrary about property value impacts, but those are specious arguments. One only needs to ask this question: Does the property owner feel a loss of value, safety or security from the imposition of a public pathway through his property? If the answer is yes, it doesn't matter what the appraiser says.

4. This proposal is contrary to the goals and spirit of the Willamette Greenway plan. Significant portions of the proposed waterfront trail are underwater for much of the year. Further, the soils, topography and erosion characteristics in many sections of the proposed waterfront routes are unsuitable for trail construction, without substantial investment in shoring systems, retaining walls, pilings, walkway structures and drainage systems to provide safe pedestrian access. Pathway construction in this environment is a very high-maintenance proposition, and will likely have a severe and lasting negative impact on the riparian habitat.

It's pretty clear that the proponents are laying plans to obtain a public waterfront, irrespective of the expressed priorities of the existing property owners, public participants (all 100 of them), or the taxpayers who would have to pay for this.

In summary, we urge you to reject this plan, and to direct its proponents to abandon this expensive and unwarranted encroachment on private property. As currently formulated this plan diminishes private property values by asserting future plans to impose public access that are not justified by public needs or willingly funded by taxpayers.

A 50 year plan such as this is not benevolent. It is an arrogant imposition of the values of a few people on future citizens and taxpayers. We should limit the reach of plans made today to allow our successors to make their own decisions regarding land use, maintenance and tax burdens. The West Linn Trails plan should focus on maintaining and improving existing public rights-of-way for safe pedestrian and non-motorized passage in and around the city. That's clearly not the linear parks and public waterfront dream envisioned by the proponents, but it's more practical, affordable and sustainable than what they're selling today.

Thank-you.

T83

West Linn Planning Commission Meeting

Wednesday, June 15, 2011

7:30 pm Council Chambers

*Opposed to  
Master Trail  
Plan*

*"Too Huge"*

Public Comments for: West Linn Trails Plan: A 50-year Vision for the future

Testimony: Frederick L. Streimer  
2019 Maple Terrace  
West Linn, Oregon 97068

*Est. \$63M  
to build  
+ maintain?*

My wife and I have lived at this address since June of 1979. Our property is located on the banks of the Willamette River directly across from the Meldrum Bar boat landing and between Mary S Young Park and Burnside Park on the West side of the river. The river bank in our area and north to Mary S Young Park has been left natural and therefore supports a multitude of wildlife, including many nesting areas. During the summer months, when the water level is low, it is common for the public to be seen in this area walking the river bank enjoying the experience of visiting this wilderness area. However, once the rains begin and/or we experience higher water the area becomes difficult or impossible to traverse due to areas of soft mud, slippery steep banks and frequent high water levels.

West Linn Trails Plan:

I have reviewed the Staff Report that was prepared for this evening's Planning Commission meeting. This report includes a Draft of the Trails Plan and associated Appendixes and submitted written General Comments. The Staff is Recommending Adoption of this plan.

My wife and I are opposed to the adoption of the 2011 West Linn Trails Plan as submitted:

- 1) The plan is huge and has potential far reaching impacts on our city residents that we cannot fully understand at this point.
- 2) It ignores the rights of our private property owners as the indicated trails show connecting public spaces without regard for who owns the property that it is constructed on.
- 3) I question the need for the economic impact that the recommended plan will have on our taxpaying citizens at this time. It is not clear what the estimated total cost will be for the initial construction of the trails (63 million dollars?) nor is there an estimate for the annual repair and maintenance that will be required for continued usability.

*\* use current streets & sidewalks → up grade them instead of  
more trails.*

- 4) I did participate in the neighborhood Public Workshop process. I attended & participated at the February 24, 2010 workshop held at the Bolton Primary School – an interesting and worthwhile process. In most all cases, I concluded that the desired connectivity between currently city owned public spaces could be accomplished by including the use of existing roads and sidewalks as Metro's Trail Plan suggests. Yet the recommended plan suggests that much of the connecting trail system be placed on property that the city does not own. I remember comments from the meeting that I attended that mentioned that marking of trail locations without knowledge of who owns the land is just wrong. Participants were very uncomfortable about this portion of the exercise and I believe that it is also stated in the General Written Comments as well.
- 5) The area that I am most familiar with is the indicated route between Burnside Park Preservation Area and the Mary S Young Park. This route is indicated to be a Primary Route. By plan definition, A Primary Route is intended to serve the needs of the maximum number of users of varying modes (on foot and bicycle), ability (including the elderly, young children and mobility devices users) and purposes (i.e., transportation and recreation). As I see it, the plan is recommending that we convert a Natural Wilderness Wildlife Nesting Area to a Primary (Developed) Route for the Public. Is this really the correct direction for our environment in this area?

On Page 35 of the Trail System Plan it defines Environmental criterion as one of the primary factors in determining where trails can or cannot be developed within West Linn.

It is also important to note that this area of the river bank is subject to at least annual flooding during the springtime and frequently in the winter months as well. During this high water period any trail located in this area would be totally useless and subject to damage. Required maintenance to reopen the trail for use would be costly and time consuming. The intended "Primary Route" use for this area will definitely be compromised. I question the feasibility of actually being able to continuously use a developed trail in this location.

If we continue to use this area in its present state (no improvements), visitors can enjoy a walk on the river bank and experience one of Oregon's native treasures right here in the City of West Linn. Let's not lose this experience for our citizens.

Thank you,

\* ~~under water~~ - Paved trail will be under water

4961 Mapleton Drive  
West Linn, Oregon 97068

June 15, 2011

West Linn City Hall  
Planning Commission  
Trails Plan

Dear Planner,

I live on property that is bordered by the Willamette River slough. Heron Creek also runs through my property joins the slough. I have learned a lot about the Willamette by observing it. I am writing to you because you plan to place a ten to twenty foot wide public path on the riverbank and I would like to share some of my concerns about that.

First, I would like to say that my windows look out on five transportation options that are already heavily used by humans. Furthest away from me is the main channel of the Willamette, which enjoys boat traffic of all sorts and sizes. One step closer is the eastern arm of Cedar Island, which is open to human traffic all year long, with people and dogs arriving by boat or on foot. Next closest is the lagoon in Cedar Island, which is a popular destination for boats camping overnight, swimmers, fishermen and dogs. Another step closer brings you to the other arm of Cedar Island. Traffic there increases in the summer, into the night. Berry picking, camping, picnicking, etc. are popular there. Next comes the slough, which sees lots of boat traffic, swimmers, etc. Then you get to the riverbank I live near. I have some of the only trees on the slough.

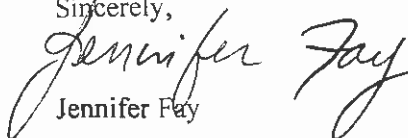
With this much traffic on the Willamette already, I don't see the need for another trail. A path on the West Linn side of the slough means that the last places remaining for the salmon, ducks, beaver, trees, raccoons, snakes, eagles, osprey, deer and a host more will be turned over to dogs and people. Foot traffic causes damage to riparian areas. A trail could easily be made along the street.

Heron Creek runs into the slough, and from what I see the water is always polluted. The slough has fish killing algae levels already. The salmon that run in the summer need shade. Humans have removed all the shade that salmon need. To bridge Heron Creek, you will remove the last trees on the slough. A beaver lives near the tree. Ducks, kingfishers, herons and other birds need areas where dogs and humans don't scare them away. The river needs riparian areas to stay natural to filter runoff.

I see putting a path for more traffic on the west side of the Willamette as a threat to the health of the river and its riparian ecosystem. Not just vegetation and habitat loss, but also other issues that degrade the water quality of the river, for example soil compaction, trash left behind, and improper disposal of human waste.

Please consider the health of the river in your planning. There is nothing GREEN about damaging riparian life.

Sincerely,

  
Jennifer Fay

1240

Hello All,

The Willinn Parks Plan scribed by MIG and worked on by Parks Board and staff was adopted in 2007 by city council includes verbage that trails can include roads as links for waterfront trail systems. I was on Parks Board at that time and tried where possible to ensure the language was open for existing roadways near trails. This document could be included in your Process page 2 on the Power Point as a premise for your arguments. -Parks Board

— Forwarded Message —

From: [troybuz@comcast.net](mailto:troybuz@comcast.net)

To: "cwl planningcommission" <[cwl\\_planningcommission@westlinnoregon.gov](mailto:cwl_planningcommission@westlinnoregon.gov)>

Cc: [troybuz@comcast.net](mailto:troybuz@comcast.net)

Sent: Tuesday, June 14, 2011 4:49:23 PM

Subject: June 15th Meeting Information

Dear Planning Commission,

Unfortunately, I will not be able to attend the meeting on Feb 15, so I figured I'd Email you a few items of input.

The topic in question is the subject trail system in West Linn, and my input is directed to the trail that is proposed that would serve from Willamette Park to Fields Park.

My home is located at 1228 14th Street, and to pinpoint my location, I am the first home that would be/ is impacted by the trail system when walking from Willamette Park. Last summer an Eagle Scout student placed a staircase, doggy bag center, and a gravel path that emerges in my back yard. The Scout, named John, was a nice young lad and did a good job communicating his project. He knew I did not favor his project, and was very courteous to my needs, which included pushing back his trail project until after I hosted a wedding for our nephew in our backyard. As the trail system enters my backyard he even posted a No Trespassing sign, and fiberglass delineators, encouraging users to stay off our yard. Our backyard is very obvious, unlike some properties that will be impacted by the trail.

Since the simple initial trail head installation I would like to share with you the impact our family has noticed. In the past we always have had some riverfront users, but since the creation of the trail head our number of daily visitors has increased by 400%, the nice the weather the more often the use. In addition, the trail has now brought in a new group of users, including dog walkers and even bicycles. Some of these visitors have their dogs on leashes, but most do not, and our grassy backyard becomes their playground, and occasional rest room stop. I have pets and young children, the last thing I want or need in my backyard is other peoples pets, friendly or not. Another issue that has evolved is the access to under the bridge. Again, with the increases access, the bridge has become a place for the youth to "Hang out", tag the under-bridge (graffiti), and present a unsettling feeling if my 11 year-old daughter wants to play in her backyard.

Finally, as I walk the trail occasionally I can not help by notice the increase in litter, as well as the maintenance requirements the trail needs after a very short time-frame. If further developed, the City of West Linn must clearly understand that with this trail system comes a huge maintenance commitment, from daily litter patrol to frequent trail maintenance.

In closing, when we purchased this property in 1998 I personally met with Mr. Ken Worcester because there were rumors back then to a potential trail system. Ken's exact quote to me was "Troy, We have always had a trail system plan, but it will never happen in my lifetime, let alone yours". It is my strong belief that the trail system is Mr. Worcester's legacy project.

As a final nugget I have spoke to Ken since and he said that when we asked the Citizens of West Linn, they said they wanted riverfront trails. My reply, why didn't you ask them if they wanted a new car, a membership to a country club, or even a Rolex. Why would we survey a community about options if they are not readily available? We purchased our riverfront property so we could enjoy it, not so the City could see how they could manipulate the system and improve so-called livability for a select group of folks (some residents, some not).

Finally, I would strongly recommend the planning commission engage the affected property owners more on these topics. It's weird that I get in the mail alerts anytime someone within 500' wants to build something that is under community review, yet it takes a whisper in the ear from a neighbor to let me know there is an important meeting which will affect my livability on June 15th.

Please do not hesitate to call me, Email me, or even stop by to discuss the matter.

Respectfully,  
Troy A Buzalsky  
1228 14th Street  
West Linn, Or. 97068  
503.572.5504

T93

**SmartZone Communications Center**

kmckay4@comcast.net

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**Proposed River Trail**

**From :** Lynne Bridges <bridges.post@gmail.com>

Tue Jun 14 2011 10:42:41 PM

**Subject :** Proposed River Trail

**To :** kmckay4@comcast.net

After receiving neighborhood concerns, I am outraged at the notion of the planning commission negligently using tax payer funds for a river trail through private property in West Linn. This would be proceeding with willful ignorance concerning neighborhood security, trespassing issues, annual flooding and the fact that property owners have rights. It would be fair to say that no property owner would support the theft of their private property. I am completely opposed to this audacious proposal and wish to make this statement public record at the 6-15-11 Planning Commission Meeting.

L. Bridges  
19363 Willamette Dr. #301  
West Linn, OR 97068  
503-450-9918

724



**SmartZone Communications Center**

kmckay4@comcast.net

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## Riverside pathway

**From :** Jay Haladay <jay@coaxis.net>

Wed Jun 15 2011 2:49:56 PM

**Subject :** Riverside pathway

**To :** kmckay4@comcast.net

We are out of town so cannot come to the meeting of June 15th in person.

We have lived at 18420 Old River Landing since 1993. In that time we have watched many families of geese, beaver, pheasant, and other riverside wildlife call our backyard their home. Many kayakers and those in canoes enjoy this from the river. Beavers have recently taken several of the native trees on our property to build dams in the area.

Building a pathway along the river would destroy exactly what the city wants to preserve. This wildlife would not tolerate the constant traffic. We believe there is ample access to the river at existing public properties. Launching a human-powered watercraft from these access points and enjoying the riparian wildlife from the river provides the best method to both preserve and use this treasure. Everyone that wants to take this in can from a canoe or kayak.

We have many issues concerning West Linn's dialog about a riverside path. They include, but are not limited to construction techniques, maintenance, upkeep after high water and floods and safety. However, damage to the natural state of the riparian habitat is unquestionably our biggest issue. We are firmly against such a path!

Jay & Renee Haladay  
18420 Old River Landing

T23

Date: June 15, 2011  
To: The Planning Commission, City of West Linn  
From: Stephen B. Garner  
3525 Riverknoll Way  
West Linn, OR 97068  
Subject: Statement in Opposition to the West Linn Master Trails Plan and the  
"Oaks Savannah Trail" component of the 2011 West Linn Master  
Trails Plan

As a private citizen, lover of trails, and as the President of the Barrington Heights, Hidden Creek Estates & Tanner Woods Neighborhood Association (BHTNA) representing over 1000 WL residents, I request the Planning Commission to take whatever action is in its power to challenge and stop the approval of the West Linn Master Trails Plan until its process of development is more inclusive of WL residents, and, the Oaks Savannah Trail (i.e. the trail options that are located between I-205 on the South and the streets Barrington Drive, Riverknoll Way and Imperial Drive on the North, which connects Salamo Road to Sunset) is completely removed from the plan.

I submit two over-arching reasons for this request:

- 1) The development of the Master Trails Plan was deficient and non-inclusive.
- 2) The cost of both the MTP-planned developments and the Oaks Savannah Trail, specifically, are prohibitive.

**Overall MTP Deficient:**

- 1) Too little citizen input:
  - a. What percent of citizens must contribute to be deemed "significant" input?
  - b. There were 100 "attendees" in person in 3 meetings at Willamette, Cedar oak and Bolton schools. Is there really "strong support from residents"? [See PC Meeting 2011-06-15 pg 22—even Parks and Rec. has removed this concept in one instance.] [Online comments, many negative, were only 42 in number over 11 months, Appendix C pg 175.]
  - c. According to the American Community Survey in 2009, 74% of West Linn's residents are 18 or older. They estimated WL had 25,000 residents. Thus, 18,500 residents are old enough to vote and participate in this MTP decision. If we assume the 100 attendees are all voting age residents of WL, ½ of one percent of WL is being characterized as strong support. State Land Use and Planning Goal 8 obligates the city to inventory recreation needs based upon "adequate research and public desires". Does 0.5% meet this criteria?
  - d. Pg 45 states, "... the City of West Linn gathered feedback from as many residents and stakeholders as possible." ½ of one percent? My NA was never

sought out for input on the longest new, off-street trail directly impacting over 90 homes in my NA and another contiguous neighborhood.

- e. Also on pg 45, "The planning team used a variety of activities to ensure participation from all of West Linn's neighborhoods, including various age groups and diverse interests". No one came to my NA to solicit input. We had to get it all by requesting meetings with Parks and Rec. and these nearly always provided us with insufficient information—it's always "in process".
- f. Discussions with roughly 3 dozen Imperial Drive (Sunset NA) residents found less than 6% were even aware of the proposed Oaks Savannah Trail.
- g. These 3 school-based meetings provided no notice or venue to the people on the hills of West Linn, i.e., those who live west of Hwy 43 and north of I-205.
- h. Only 1 citizen, same person, came to 2 of 3 Tech Working Group meetings.
- i. Pg 6 of the MTP claims "broad community ... input" – 0.5% is mendacious.
- j. The process seems to rely heavily on prior studies, goals and plans as justification. Prior reports, votes, plans, goals, etc. some so old it seems "*the dead are demanding we spend ...*". Let current citizens vote on the MTP; don't jam it through the system with so little citizen awareness, education, and input. So many "valuable" cash outflows, already too much money will be taxed from our kids!!!!

2) No cost estimates of the whole plan:

- a. Whole plan estimate is 62 miles. 17.3 miles are identified as off-street trails, at \$110/linear foot (2011 dollars) to build just these off-street trails = 17.3 mi x 5280 ft x \$110/LFt = ~\$10,000,000. PLUS, one must add the cost of land acquisition, trail heads, bridges, parking, staff time, maintenance, etc. This pushes off-street trails to close to \$1,000,000/mile in 2011 dollars. No cost estimates for "route publications, directional markers, other promotional messages" (MTP pg 99 and Staff Report's Executive Summary pg 7) (Individual trails can range in costs from \$50 to \$140/linear foot. MTP pg 99) Is this even rational?
- b. According to Inflationdata.com the cumulative inflation of the 50 years between January of 1961 and January of 2011 is 639%, i.e., something costing \$100 in 1960 dollars now costs \$739 in 2011 dollars. The MTP states that the most difficult/expensive trails will be constructed later. If one assumes half the trails will be built 25 years from now, 1986 to 2011 inflation history is 101%, thus, if history is a trend line the costs just to build trails will double in that time: \$2,000,000 per mile!!
- c. Trails, like sidewalks, undoubtedly increase the quality of life of many residents; they may even slightly reduce automobile-generated pollutants. However, they do not, in any material sense, increase commerce and, thus, do not provide any supporting revenues to off-set their taxpayer-funded costs to build and maintain—they are a net negative cash flow for the city. While desirable, they are not basic requirements to good livability, like a financially sound city is.

Testimony by: Stephen B. Garner, President, Barrington Heights, Hidden Creek Estates,  
Tanner Woods Neighborhood Association.

- d. Specific funding sources, excepting SDCs, and funding amounts are not identified anywhere in the MTP. This puts the city in the position of encouraging development in order to help fund trails with SDCs. Will this be at the expense of more important transportation needs in WL, potholes?
- e. Reliability of these sources is not assessed. If about 80+% of WL is currently built out what can the city expect in SDCs, etc. from the remaining developable land? This is a calculation that can be made. Why wasn't it?
- f. Online comments were only 42 in number over 11 months, Appendix C pg 175. We don't know the repeat commenters or the correlation between online posters and meeting attendees. Many were not in favor of new trails of any type.
- g. Based on my neighborhood association's feedback, from over 100 residents: this whole MTP process seems to treat citizens as stupid and/or uninterested; many feel it appears to insult those of us with concerns.
- h. Community comments clearly show a concern for property rights. Why can't the city properly maintain the trails we have now? Many seem satisfied with the existing system of trails. NONE were asked if they wanted trails at ~\$110 per linear foot.
- i. I checked all 11 (not 8 as in the MTP Executive Summary mailed to me) Neighborhood Associations' Neighborhood Plans. Only 3 NA's: Bolton, Willamette and Parker Crest, mention wanting new trails; none specify off-street trails. Of the other 8 NA's, most specifically mention just using (and better maintaining) the existing trail system if they mention trails at all. None of the NA plans mention the costs involved or if costs have even been considered.

*These economic times don't afford the luxury of building new trails while other more useful transportation needs seem to go unattended.*

#### **Trails in ODOT ROW: Oaks Savannah Trail**

##### **1) Costly**

- a. \$210,000 to design an 8,870-foot trail is \$24/linear foot just to design something that may not be implemented or used as designed. This money was NOT free (ARRA funds) it came from us taxpayers and included money from people in Texas, Maine, etc. to design our trail; this seems unconscionable. This is an expenditure that prevents higher priority and more beneficial uses of federal taxpayer funds in a down economy.
- b. This money was obtained by ODOT, not the city; thus, it may not be available again for the build. Even if it is available it seems a poor use of others' taxes.
- c. How much might this trail cost?  
\$210,000 to design, already spent  
\$1,242,000 = 8,870 ft x \$140; it is 1.68 miles long, pg 40; \$140/linear foot to build because it is in difficult terrain, crossing wetlands, pg 62  
\$366,000 trail heads, 2 likely needed at \$183,000 each, pg 63

TU

Testimony by: Stephen B. Garner, President, Barrington Heights, Hidden Creek Estates,  
Tanner Woods Neighborhood Association.

\$??? Cost to get, from ODOT, approval to use their land via an easement, lease  
and/or maintenance inter-governmental agreement, and dependent on  
funding type as well

\$??? Cost of WL city staff time

**\$1,818,000 – or over \$1million/mile!!**

- d. This trail will require extensive permitting and approvals due to threatened species living on the land and 2 or 3 wetlands already identified. Plus, parts of ODOT's ROW are already zoned R10 meaning they must go through land use.
- e. Engineering will be even more extensive and expensive if the path is not contiguous to I-205. See 3 of 4 of the trail paths shown on the online map at
- f. Potential for lawsuits over many issues: increases costs to us taxpayers.
- g. Fire hazard protections needed: increases costs to us taxpayers.
- h. Ground stability is major issue this will necessarily raise engineering costs. See map "Landslide Inventory Map of the Northeast Quarter of the Canby Quadrangle, Clackamas County Oregon" created in 2009 by the Oregon State Department of Geology and Minerals Industries.
- i. Although MTP has a prioritization plan, Primary vs. Secondary trails, real implementable prioritization of building sequence, costs, etc. has NOT been applied to any trails.
- j. Fencing to protect neighbors: increases costs.
- k. Fire prevention and, likely, a water system and hydrants: increases costs.
- l. This trail will create a *non-defensible space* (a legal term of art) behind roughly 90 homes along five streets: Alder Court, Imperial Drive, Beacon Hill Drive, Riverknoll Way and Barrington Drive. This could raise homeowners' insurance rates and will likely raise the city's insurance rates. How much??

#### **Others will speak to the problems with trails in ODOT ROW: Oaks Savannah Trail**

2) Fire Hazard

3) Personal Safety-- Recent crime in BHTNA – 2 break-ins in April 2011 on the trailside of Riverknoll Way; it's dangerous to put a trail here.

4) Hillside stability

5) Species threatened by the Oaks Savannah Trail

Introduction - Sarah Brown, Katherine Court, West Linn, OR

Grandfather's property - saved for seven years to live here and used inheritance to purchase my father's property for our children and grandchildren.

Approximately \$8,000 annually in property taxes

Not opposed to trails on public property. My family and I enjoy the many recreation opportunities in West Linn. We are opposed to trails through private property and habitat conservation areas.

### 2011 West Linn Trails Plan: A 50-year Vision for the Future

Features of an off-street primary route trail (page 85-86)

- Minimum 10' width unless constraints are present; preferred 12' width surface with 2' shoulders, and adequate shy distance net to the shoulders, with additional area provided for slope, fill and landscape maintenance.
- Signs, mileage markers, fences, benches and other placed features should be located outside of the shoulders; and
- Placement of benches, trash receptacles, drinking fountains and other trail amenities should allow for machine maintenance of the vegetation with at least 8' of clearance around any feature.

Think about that - a 12' wide surface crossing through High Conservation Areas (HCA) that are made up of class 1 riparian, highest-value habitat and class A wildlife, highest-value habitat (Metro, 2004 & Metro Interactive Mapping Tool, 2011)

This has proven to cause a negative impact to the environment at Fields Bridge Park.

### **West Linn Community Development Code 28.010**

#### **28.010 PURPOSE**

- A. Protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along the Willamette and Tualatin Rivers.
- F. Protect, preserve and expand legal public use and access to and along the shoreline and river, while recognizing and preserving private property rights.
- H. Protect and enhance riparian habitat for native flora, fish, and wildlife within the Willamette and Tualatin Rivers and along their banks. (Ord. 1576, 2008)

#### **28.020 DEFINITIONS**

- H. Habitat conservation areas (HCAs). Metro classified sensitive riparian areas as habitat conservation areas or HCAs because of a combination of factors including vegetation, wildlife and fisheries habitat potential, slopes, forested overstory, wetlands, streams, etc. These areas have been mapped by Metro (see <http://www.metro-region.org/index.cfm/go/by.web/id=8385>) and are to be avoided to the degree possible with development instead directed to the areas designated "Not Affected by Recommendations" or "Allow Development."

## 28.030 APPLICABILITY

3. In addition to the Willamette Greenway and Tualatin River Protection Area boundaries, this chapter also relies on Metro's Habitat Protection Map to delineate where development should or should not occur. Specifically, **the intent is to keep out of, or minimize disturbance of, the habitat conservation areas (HCAs).** Therefore, if all, or any part, of a lot is in the Willamette Greenway and Tualatin River Protection Area boundaries, and there are HCAs on the lot, a Willamette and Tualatin River Protection Area permit shall be required unless the development proposal is exempt per CDC 28.040.

## 28.090 SUBMITTAL REQUIREMENTS: APPLICATION

### F. Access and property rights.

1. Private lands within the protection area shall be recognized and respected.

## METRO ENDANGERED SPECIES

Aleutian Canada Goose (wintering)  
American Bald Eagle  
Oregon Slender Salamander  
Tailed Frog  
Northern Red-legged Frog  
Northwestern Pond Turtle  
Harlequin Duck  
Northern Goshawk  
Band-tailed Pigeon  
Lewis's Woodpecker  
Acorn Woodpecker  
Olive-sided Flycatcher  
Streaked Horned Lark  
Purple Martin  
Yellow-breasted Chat

Endangered, Listed Endangered, Threatened, Listed Threatened, Proposed Endangered, Proposed Threatened, Candidate, or a Species of Concern. (Metro, 2008)

## EROSION

The attached photographs taken on June 11, 2011 along a 1056 ft section of the Fields Bridge primary trail route located along the Tualatin River show that extensive erosion has occurred due to unsanctioned trails. The attached Google map also provides an overview of the erosion that has taken place off the primary trails.

**The proposed primary trail along the Tualatin River disregards environmental protection and preservation of a Habitat Conservation Area and the property rights included the Development Code.**

## SAFETY/LOSS OF PRIVACY

Our property is located off a cul-de-sac at the end of Katherine Court. A primary trail located off this property would result in significantly increased traffic and parking concerns, as people would use this area as a trailhead.

Stranger danger – imagine if you will, your grandchildren playing in their backyard as a steady stream of unknown pedestrians, bicyclists, and loose dogs travel within feet of them.

The fees to obtain public records listing the rate of crime in and around Fields Bridge Park and Swiftshore park prior to and after construction are prohibitive. These records should be provided to the public as part of the trail analysis.

**The proposed primary trail along the Tualatin River disregards basic rights for privacy and does not include relevant statistics to support conclusions regarding safety.**

#### REGULATIONS AND STANDARDS

- Requiring dedication of trail corridors in an 'aggressive' fashion; especially trails along Willamette and Tualatin Rivers is listed as a guiding principle. What exactly does that mean?
- The Tualatin River is referred to as a navigable river on page 127 and it is not. (West Linn, 2009)
- It is not clear if the costs to meet requirements by US Army Corps of Engineers, Endangered Species Act, and archeological review are included.
- Table B:1: West Linn Trail and Pathway Design Standards does not include a minimum width or grade for multi use trails along rivers. (Page 136)

**The proposed primary trail along the Tualatin River leaves many fundamental questions unanswered.**

#### PUBLIC OUTREACH

Public information regarding the planning meeting stated that participants would be, "given information regarding existing opportunities and constraints for trail development." However, the maps did not include property lines, high water marks, steep terrain, and habitat conservation areas. Many participants expressed their concern about the lack of information and stated that they would prefer to connect trails by publically owned streets. This is a common thread throughout the public comments included in Appendix C: Public Outreach Documentation. In addition, planners had to be reminded repeatedly to use the correct language when documenting comments.

**The proposed primary trail along the Tualatin River does not accurately reflect citizen input.**

**Please do not adopt the 2011 Trails Plan for the reasons stated.**

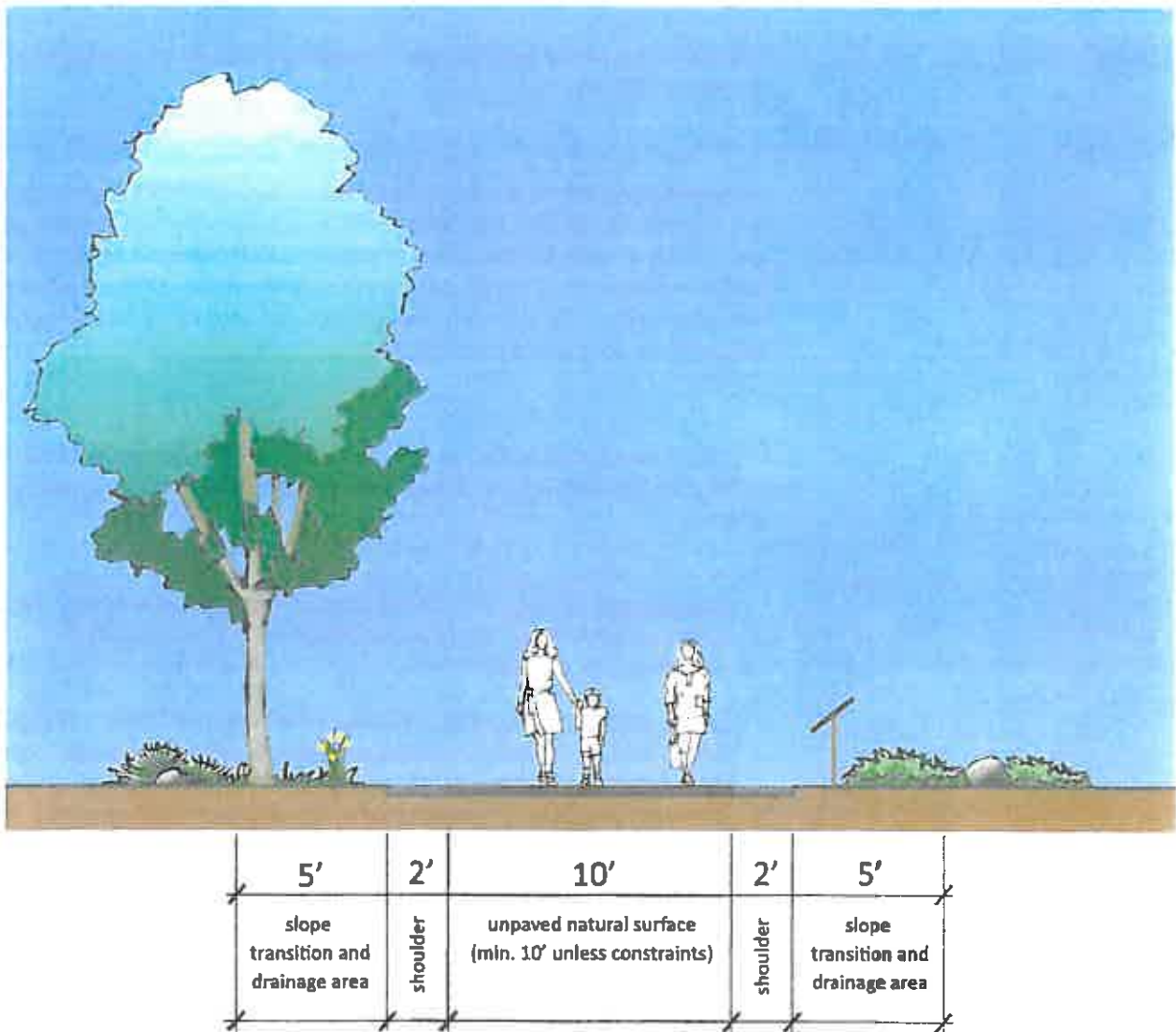
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recommendations

Figure 9: Primary Route Off-street Trail (unpaved)



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181







1/28/11





FST





**LEGEND**



Hatched area affected due to trail users straying from the paved path. In approximately 380 linear feet, an area of nearly 1420 square feet has been adversely affected due to pedestrian, animal, or other forms of travel along the existing Fields Bridge Trail.

Current maps only allowed analysis of one side of the trail.

	Date: 06/12/2011
	Scale: As Shown
West Linn Path Fields Bridge Park to Williamette Park	
	Sheet: <b>2</b>

Fig 1

## Pelz, Zach

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**From:** Sonnen, John  
**Sent:** Thursday, June 23, 2011 10:53 AM  
**To:** Pelz, Zach  
**Subject:** FW: My public testimony in electronic form  
**Attachments:** West Linn Master Trail comments.docx

John Sonnen, Planning Director  
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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

**From:** Cindy Garner [<mailto:clgarner@comcast.net>]  
**Sent:** Thursday, June 23, 2011 10:22 AM  
**To:** CWL Planning Commission  
**Subject:** My public testimony in electronic form

*I testified on June 15, 2011 against the Master Trail Plan. Attached please find a copy of my testimony for your records.*

*Thank you very much for your time and your work.*

*Cindy Garner*



My name is Cindy Garner and I live at 3525 Riverknoll Way in West Linn.

I do not agree with the Oaks Savannah Trail from Sunset to Salamo, north of I-205 for the following reasons:

1. Security: The Oaks Savannah Trail will be located near the rest stop was that was closed in 1994/95 due to criminal activity. In the last full year of operation there were 158 written reports of arrests, citations and police dispatches by JUST WL police – 4/week. The cost to the city was approximately \$60,000/year in 1995.

A trail or trail head will not be a rest stop, however, there are, as I understand it, small parking areas with no restricted access to the trails planned along the route with no lighting and emergency vehicle access and no proposed security. Who owns the trail and is responsible for the safety and security of our neighbors? With the recent story of Gert from Columbia Sportswear in everyone's mind, how should our neighbors feel?

This trail (in some areas) appears to run directly behind several houses' back yards, making security a large concern for me. Houses could be watched more intently and more easily accessed through a trail behind them.

If ODOT is planning a Solar Panel installation on the same hillside and they say they will install security cameras, lights AND a cyclone fence with barbed razor wire at the top to protect their investment, how secure can our families feel?

2. Fire: There was a fire in August 2003 on the same hillside that the trail will be on. People caused that fire and with a trail can cause others. With no access to the hillside there were frantic neighbors trying to protect their property, houses and families from danger. There is no truck or water access to the hillside for fire trucks. Luckily no houses were lost, this time.
3. Appropriateness of trail: I love trails. I am a runner and spend many days a week running on them. However, the trails I choose are scenic and peaceful, such as Camassia Park and Wilderness Park. These trails are very close to our house and are wonderful respites into nature. When I think of the Oak Savannah's trail location on the hillside I think of freeway noise. Many people who look to buy a house in our neighborhood are turned away by the freeway noise. Will hikers really be attracted to this kind of trail? There's no attraction for me, especially if I'm dodging bicycles.

TS

4. Lastly, I recently called or visited to at least 50 homes on Beacon Hill, Riverknoll Way, Alder Court and Imperial Drive to find out how people felt about this large trail that will directly affect them. Only 2 out of approximately 35 residences on Imperial Drive and Alder Court even knew about the trail. Out of those 35 people there was not one positive response to this trail, citing concerns about their safety and questions about where the money is coming from.

I urge you to deny the Oak Savannah trail portion of the West Linn Master Trail Plan. Thank you.

Thank you,

Cindy Garner

3525 Riverknoll Way

West Linn, Oregon 97068



T94

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WEST LINN OR 97068-9101

# Community

## West Linn pastel artist pens book on her craft

A13



# Schools

## 'Actor's Showcase' highlights talent

A8



# Sports

## Lions' hoop dreams are back on track

B1

# West Linn Tidings

## Two auto crashes, same location, each yield DUII citation

### The accidents, which were 12 hours apart, occur on Salamo Road near Barrington Drive

By JIM HART  
Staff Reporter

Angels must have been watching over Salamo Road near Barrington Drive last week. Two vehicles driven by two women, one with an 18-month-old toddler, crashed within 50 feet of one another about 12 hours apart. There were few injuries. Both crashes were at the same location, with vehicles traveling the same direction and both involved alcohol since both drivers were arrested or cited on suspicion of driving while intoxicated. The first mishap happened at about 12:30 p.m. Jan. 27, when Teresa A. Schmidrig, 22, of Gresham was reported traveling downhill on Salamo at an excessive rate of speed.

See ACCIDENTS, page A2

## Park construction continues this summer

### Fields Bridge Park will cover 20 acres alongside the quiet Tualatin River

By JIM HART  
Staff Reporter

It's going to be a busy summer for the West Linn Parks and Recreation Department. In addition to its regular educational and recreational activities, the department and its contractors will be building seven city parks. The largest of the group is Fields Bridge Park, located alongside Borland Road near its intersection with Dollar Street and generally north of the Tualatin River. The 20-acre park has lots of river frontage, which will include a trail that goes under the Borland Road bridge and connects with a trail that now ends at the nearby plant nursery but begins at the edge of residential West Linn. "Theoretically, the residents of these subdivisions (the southwest side of West Linn) could actually get to the park by trail," Worcester said. Among the features of Fields Bridge Park will be enhanced ripari-



TIDINGS PHOTO / VERN UYETAKE

Ken Worcester, director of parks and recreation for the city of West Linn, is pictured at the edge of Fields Bridge Park near the Borland Road bridge over the Tualatin River at the extreme southwest edge of the city limits. The 20-acre Fields Bridge Park, along with six other new city parks, will be under construction this summer.

an and wetland areas with native grounds for different ages, a canoe launch, restrooms, two parking areas, community gardens, shelters and benches along the river trail. "The park will be about half fair-

ly active use and half pretty passive use," said Parks and Recreation Director Ken Worcester. "And the community gardens will stay where they have been." Parking near the garden area will be pervious, he said, and constructed from materials very similar to that used in the Bernert Landing of Willamette Park. The \$1 million cost of the park's amenities will be funded through the fees that developers pay to the city for parks, according to Worcester, who said there would be two entrances/exits onto Borland Road. None of the remaining \$1 million in the 1998 Parks Bond will be used for park development, Worcester said. Approximately \$650,000 of that money is earmarked for the development of an aquatic center and most of the rest (\$250,000) is expected to build a trail along the Willamette River to connect Willamette Park with Fields Bridge Park. A committee of local residents conceived and organized plans for the park's development. Those ideas

See PARK, page A3

## Park: Much of the emphasis will be on restoring native plants

Continued from page A1

were submitted to the Willamette Neighborhood Association for suggestions or approval, and then Worcester and his coworkers put them in a form that could be submitted to the city's planning department. "We had a neighborhood design committee," he said, "and then reviewed our progress with the neighborhood association, so we actually involved two different groups to gain consensus." Currently, the city is planning to get bids for the summer's work, including the grading and replanting of flat areas that will become playing fields. Worcester says portions of the park will be open to the public, even while construction is occurring. Among the jobs to be completed in the first phase this sum-

mer are grading, irrigation, parking, seeding as well as construction of shelters, benches and restrooms. "A lot of the emphasis is going to be on restoring native plant material along the river," he said. "We just want to emphasize the river and take advantage of the river more in all of our parks where we have the frontage." The only part of the park still up in the air, Worcester said, is the old house - which is in disrepair. Besides Fields Bridge, parks where construction is planned this summer include Robinwood, Tanner Creek, Maddax Woods, Maryhurst property, Midhill property and Mary S. Young State Park. In addition, Worcester said, approximately \$400,000 in federal grants will help refurbish the boat landing and floating docks at Willamette Park.

Founders and other editors from Oswego Review, Lake Oswego Review, and other newspapers.



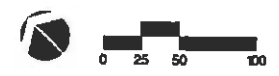
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# Fields Bridge Park

A "City of West Linn" Development

July 2004



*West Linn*

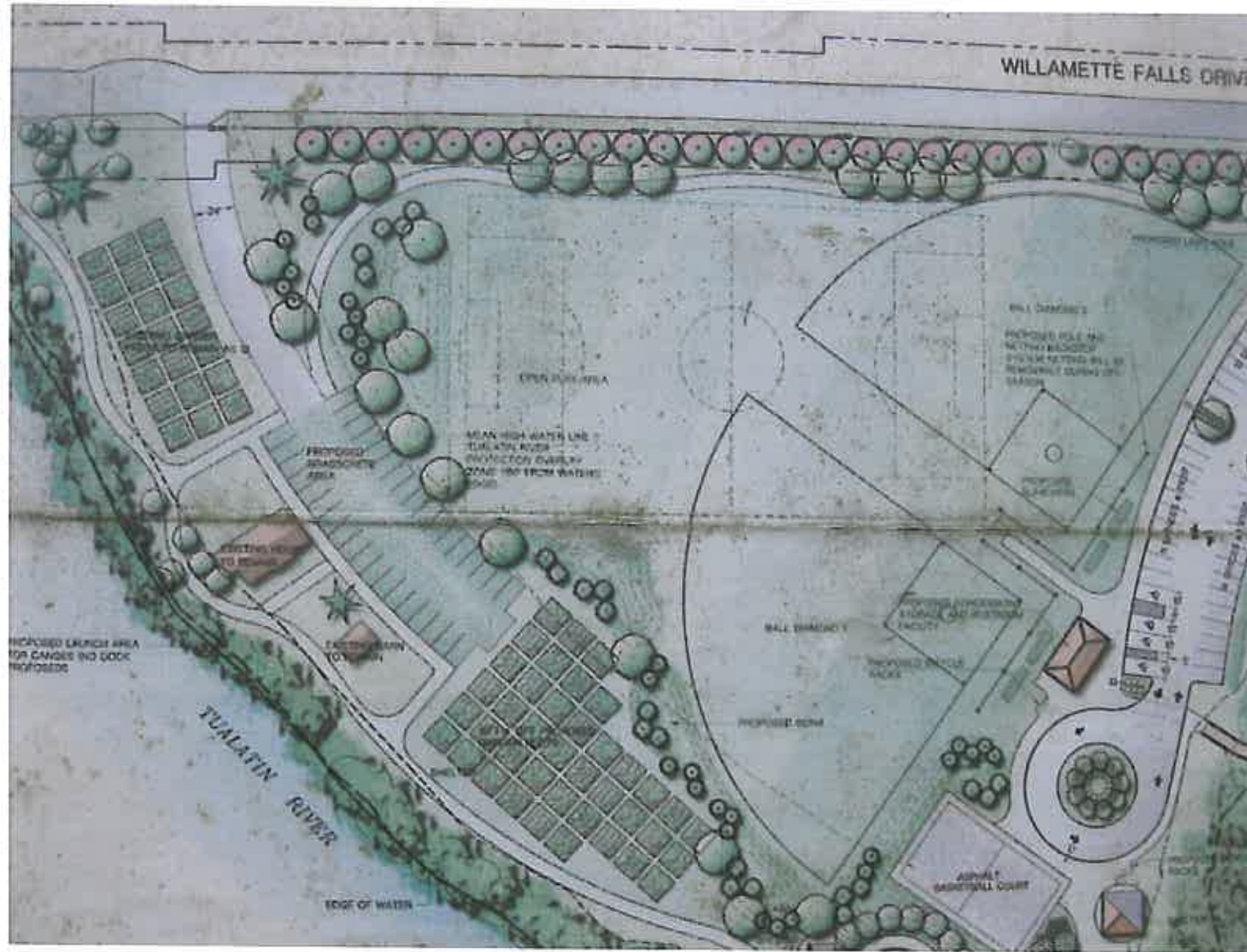
W R G  
D E S I G N I N G

Site Plan



T94

# Fields Bridge Park Original Construction Sign Presently on Property 6/19/2011



## Enlarged Portion of Sign

T94

# Fields Bridge Park

## Original Construction Sign

### Presently on Property

6/19/2011





# Fields Bridge Park or is it <sup>T94</sup> West Linn's New Baseball Park



**Poles & Fences Left Up Year Round**



**Permanent Outdoor Turf**



**No Room for Soccer Field  
or Open Play Area**



**Fenced in baseball field  
with advertising**



**Permanent Batting Cage**

Attachment 3 pg 273



**Two Permanent  
Dugouts**



# Fields Bridge Park 6/19/11

T94

## During Games Cars are Parking on the Open Playing Field





Fields Bridge Park

6/19/11

T94

Before Games

During Games



No Parking Areas

Baseball Games



# Fields Bridge Park 6/20/2011 <sup>T94</sup>



**Dangerous Parking  
in the Basketball  
Court area & by  
the Kids Play  
Structures**



**Cracking of  
concrete not  
designed for  
parking**

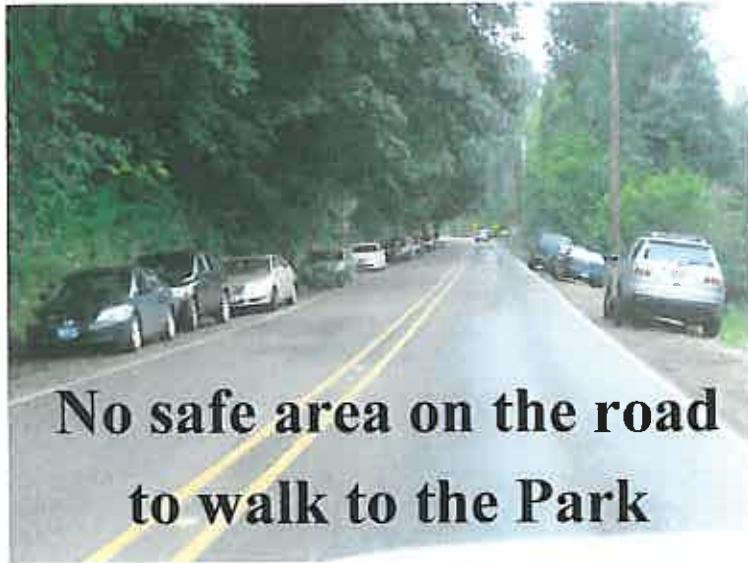




Fields Bridge Park & Willamette Falls Drive <sup>T94</sup>



**Not Safe for Bikes  
or Pedestrians**





# Fields Bridge <sup>T94</sup> Park 6/27/10





T94

# Fields Bridge Park 7/3/10





# Fields Bridge <sup>194</sup> Park 7/3/10



Defiant parking in the circle with  
No Parking Sign Clearly Posted

T94

**CITY OF WEST LINN  
PLANNING COMMISSION  
PUBLIC HEARING NOTICE**

**FILE NO. DR-04-07/MISC-04-06/MISC-04-08/MISC-04-07**

The West Linn Planning Commission is scheduled to hold a public hearing, on **Thursday, July 22, 2004, starting at 7:30 p.m.** in the Council Chambers of City Hall (located at 22500 Salamo Road, West Linn, OR), to consider the request of the City of West Linn and Ken Worcester, Director of West Linn Parks Department to develop a public park to be known as "Field's Bridge Park." The site comprises approximately 15.37 acres and is on the south side of the Willamette Falls Drive and Dollar Street intersection. Class II Park Design Review, Tualatin River Protection, Wetland, and Flood Management permits are required. The approval criteria for a Class II Parks Design Review is Community Development Code (CDC) Section 56.100; the Tualatin River Protection permit approval criteria is CDC Section 29.060; the Wetland permit approval criteria is CDC Section 30.100; and the Flood Management Area permit approval criteria is CDC Section 27.060. Approval or disapproval of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed. A summary of the approval criteria is enclosed.

You have been notified of this proposal because County records indicate that you own property within 500 feet of the proposed site located at tax lots 300, 400, and 500 of Clackamas County Assessor's Map 2-1E-34C, and Tax Lot 1900 of Map 3-1E-3AB, and as required by Chapter 99 of the West Linn Community Development Code.

The complete application in the above noted file is available for inspection at no cost, or copies can be obtained for a minimal charge per page. At least seven days prior to the hearing, a copy of the Staff Report will be available for inspection. For further information, please contact Peter Spir, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068 (phone: 656-4211).

The hearing will be conducted in accordance with the rules of Section 99.170 of the Community Development Code, adopted December 14, 1987, Ordinance 1129. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff report presentation from the City Planner; and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, or close the public hearing and take action on the application. If a person submits evidence in support of the application, any party is entitled to request a continuance of the hearing. If there is no continuance granted at the hearing, any participant in the hearing may request that the record remain open for at least seven days after the hearing. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

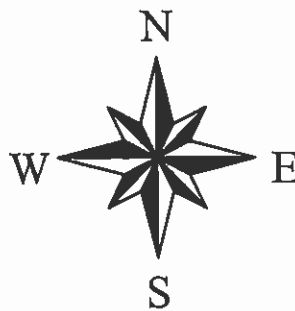
NANCY L. SCHMIDT  
Planning Secretary

(Publish: West Linn Tidings, Thursday, July 8, 2004)

p:\devrvw\p.d. notices\notc.-fieldspark-dr 04-07

T94

# DR 04-07 Vicinity Map



**Site  
Tax Lots**

TUALATIN RIVER  
Attachment 3 pg 783

DOLLAR ST. - MINOR ARTERIAL

POINT OF ACCESS

PARKING

POINT OF ACCESS

WILLAMETTE FALLS DRIVE

WILLAMETTE FALLS DRIVE  
TO WEST LANE

BALL  
FIELDS

PARKING

TUALATIN RIVER

FOOTPATH

FINN'S  
ISLAND

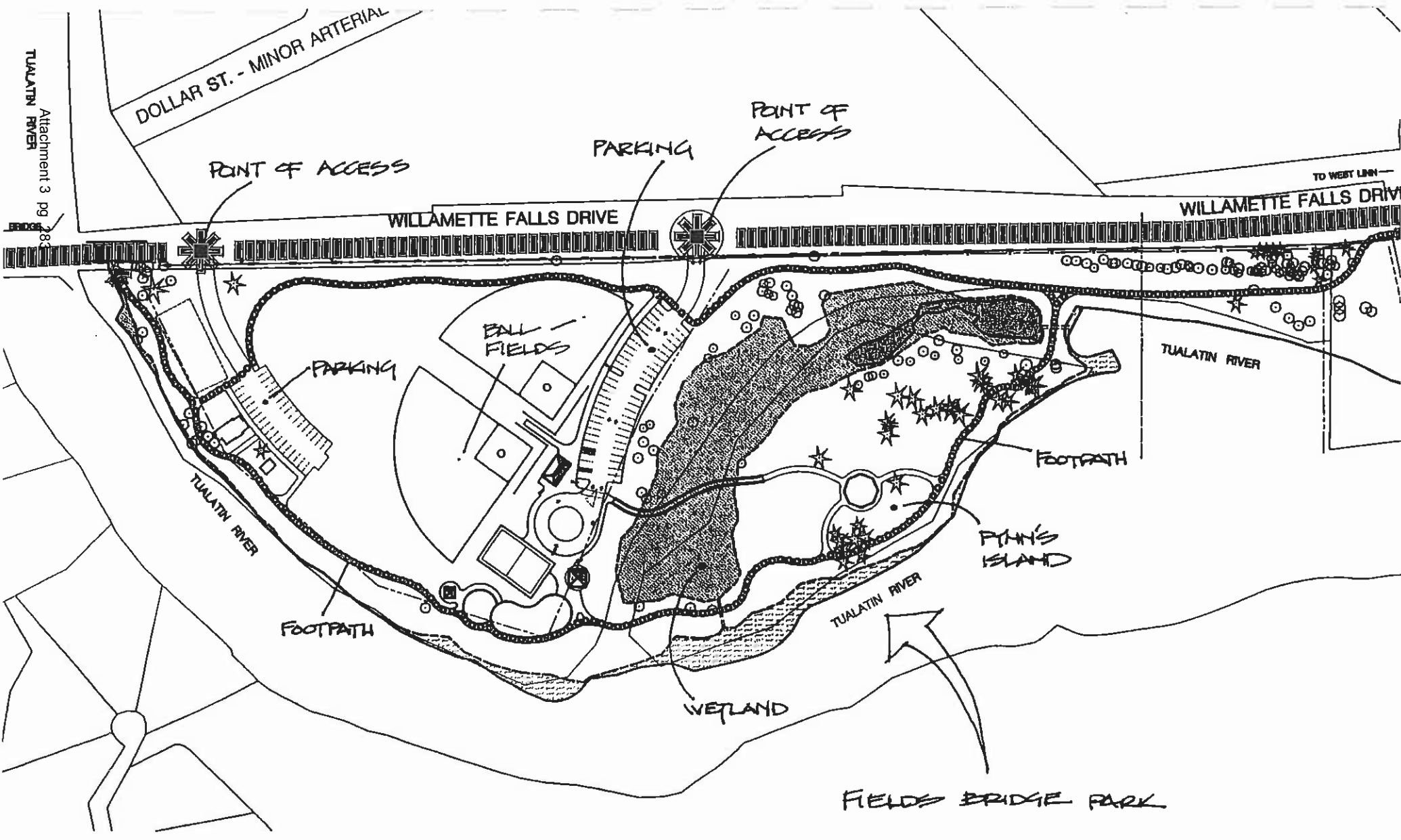
FOOTPATH

WETLAND

TUALATIN RIVER

↑  
FIELDS BRIDGE PARK

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T94

WEST LINN  
PUBLIC HEARING  
PROCEDURE

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- Chairperson opens public hearing, announces nature and purpose of hearing, and summarizes hearing rules.
- Chairperson asks for any challenges of the Commission or Commissioners to hear the matter.
- Chairperson asks the Commissioners if they have had any *ex-parte* contacts.
- Staff gives an overview of the proposal and approval criteria.
- Staff report and recommendation.
- Applicant gives their presentation (30 minutes).
- Testimony in favor (8 minutes each).
- Testimony neither for nor against (8 minutes each).
- Testimony in opposition (8 minutes each).
- Applicant rebuttal (10 minutes).
- Close public hearing.
- Commission deliberation and decision.

T94

# DESIGN REVIEW CLASS II - PARKS APPROVAL CRITERIA

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- The proposed park shall conform to the Parks Master Plan.
- The proposed park respects the natural features of the site.
- The architecture is compatible with buildings on and adjacent to the site.
- The impacts are buffered, screened, or transitional.
- Adequate privacy for nearby residents.
- Adequate recreational acres/facilities.
- Demarcation of public, semi-public, and private spaces.
- Adequate vehicular access, circulation, connectivity, and parking.
- Adequate trails and pathways.
- Adequate landscaping.
- Adequate public facilities (roads, water, sewer, drainage).
- Adequate visual and physical accessibility.
- Crime prevention and safety addressed.

Note: The above is a summary. The full approval criteria are contained in the staff report and Section 56.100 of Community Development Code.

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# TUALATIN RIVER PROTECTION APPROVAL CRITERIA

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- The design standards of Section 29.080 are met.
- A buffer or filter strip of existing vegetation will be preserved in accordance with the standards of Section 29.080(A); or the buffer will be adequate based on the standards in Section 29.080(B), or the existing vegetation will be replaced by comparable vegetation as provided by Section 29.080(C).
- The setback provisions of Section 29.070 are met.

Note: The above is a summary. The full approval criteria are contained in the Staff Report and Chapter 29 of the Community Development Code.

**WEST LINN  
PLANNING & DEVELOPMENT  
WETLAND AND RIPARIAN AREA  
PROTECTION  
APPROVAL CRITERIA**

1. Have alternatives that avoid adverse environmental impacts associated with the proposed action been recommended?
2. Is there an adequate transition area between the wetland/riparian protection area and the proposed development?
3. Is a public easement or dedication for the transition area proposed?
4. Proposed development within the transition areas should not result in significant adverse environmental impacts to the protected area.
5. Any development proposed for a protected wetland/riparian area shall be compensated through a mitigation plan.
6. Is a construction management plan that protects natural resource areas in place?
7. Has the applicant shown that all appropriate state and federal agencies have been notified and the proper permits secured?
8. The Planning Director or Planning Commission, as applicable, may also make findings based on the following chapters of the Community Development Code: Flood Hazard Construction (Ch. 27), Willamette River Greenway (Ch. 28), Tualatin River Protection (Ch. 29), Hillside Protection and Erosion Control (Ch. 31), and Natural Drainageway Protection (Ch. 32).

*PLEASE NOTE: The above criteria is a generalization of the actual Community Development Code approval criteria (ref: Section 30.100) which is available for review at the City Library, City Hall, and City Hall Annex.*

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**City of West Linn  
Community Development Code  
Chapter 27 - Flood Management Area  
Approval Criteria**

The Planning Director shall make written findings with respect to the following criteria when approving, approving with conditions, or denying an application for development in flood management areas.

- A. Development, excavation, and fill shall be performed in a manner to maintain or increase flood storage and conveyance capacity and not increase design flood elevations.
- B. No net fill increase in any floodplain is allowed. All fill placed in a floodplain shall be balanced with an equal amount of soil material removal. Excavation areas shall not exceed fill areas by more than 50 percent of the square footage. Any excavation below bankful stage shall not count toward compensating for fill.
- C. Excavation to balance a fill shall be located on the same parcel as the fill unless it is not reasonable or practicable to do so. In such cases, the excavation shall be located in the same drainage basin and as close as possible to the fill site, so long as the proposed excavation and fill will not increase flood impacts for surrounding properties as determined through hydrologic and hydraulic analysis.
- D. Minimum finished floor elevations must be at least one foot above the design flood height or highest flood of record, whichever is higher, for new habitable structures in the flood area.
- E. Temporary fills permitted during construction shall be removed.
- F. Prohibit encroachments, including fill, new construction, substantial improvements, and other development in floodways unless certification by a professional civil engineer licensed to practice in the state of Oregon is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

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- G. All proposed improvements to the floodplain or floodway which might impact the flood carrying capacity of the river shall be designed by a professional civil engineer licensed to practice in the state of Oregon.
- H. New culverts, stream crossings, and transportation projects shall be designed as balanced cut and fill projects or designed not to significantly raise the design flood elevation. Such projects shall be designed to minimize the area of fill in flood management areas and to minimize erosive velocities. Stream crossings shall be as close to perpendicular to the stream as practicable. Bridges shall be used instead of culverts wherever practicable.
- I. Excavation and fill required for the construction of detention facilities or structures, and other facilities, such as levees, specifically shall be designed to reduce or mitigate flood impacts and improve water quality. Levees shall not be used to create vacant buildable land.

***PLEASE NOTE: The above criteria is a generalization of the actual Community Development Code approval criteria (ref: Section 27.060 which is available for review at the City Library and City Hall.***

Attachment 3.2: Draft PC Minutes from June 15, 2011, with TID numbers





# CITY OF West Linn

## PLANNING COMMISSION

Minutes of June 15, 2011

*- Draft -*

Members present: Chair Robert Martin, \*Vice Chair Michael Babbitt (left prior to the public hearing); Gail Holmes, Holly Miller, Laura Horsey, Christine Steel and Dean Wood

Members absent: \*See above

Council Liaison: Teri Cummings

Staff present: John Sonnen, Planning Director; Ken Worcester, Parks and Recreation Director; Zach Pelz, Planner; and Damian Hall, City Attorney

### CALL TO ORDER

Chair Martin called the meeting to order in the Council Chambers of City Hall at 7:30 p.m.

### APPROVAL OF MINUTES

Steel **moved** to approve the Minutes of May 4, 2009. Horsey **seconded** the motion and it **passed** 6:0:1. Wood abstained.

### PUBLIC COMMENTS (None)

### PUBLIC HEARING

(Note: The staff reports and all related documents for the hearings are available through the Planning Department.)

### 2011 West Linn Trails Plan: A 50-year Vision for the Future and Associated Comprehensive Plan Amendments

Chair Martin opened the public hearing and outlined the applicable procedure and criteria. He was the only Commissioner to declare a potential conflict: a potential trail segment was mapped across his property. No one challenged the ability of the Commission or any Commissioners to hear the matter. However, someone in the audience wanted to know how many members of the City Council owned property that might be affected. Chair Martin explained that no one was sure, but he had declared because his property could potentially be affected.

### *Staff Report*

Ken Worcester, Parks and Recreation Department Director; and Zach Pelz, Planner; presented the proposed plan. Worcester reported the trails in the proposed plan were fairly consistent with those in past plans. Public comments indicated the City needed a transportation plan as well as a recreational trails plan. Transportation could be addressed in the upcoming

Transportation System Plan update process. Outreach was accomplished via the project management team; a technical work group; the website; workshops; intercept events and neighborhood association meetings. The plan suggested primary routes; secondary routes (connecting neighborhoods); and local routes (within neighborhoods). It did not establish specific standards for each trail type. Each segment would be designed around existing conditions and constraints. Where it was necessary to make it fit, pedestrians and bikes would share a segment. Each segment that was not within a park would be reviewed in a separate design review process. Pelz discussed Comprehensive Plan and CDC amendments that would be necessary. Some of them were to add a new classification, "Linear Park" to park types; create pedestrian policies; fashion updated standards for trails; and update the TSP to implement trails in the right-of-way. He advised the proposed master plan met a number of Comprehensive Plan goals, including goals that called for a comprehensive trail plan; a range of modes of transportation to reduce reliance on automobiles and accomplish energy conservation; and ensuring public access along the Willamette River. He reported that the proposed network would have 87 miles of non-motorized routes. 70% of them were in the public right-of-way. Staff concluded that the proposed plan was consistent with state, regional and local policies and recommended approval.

During the questioning period, Pelz reported approximately 15 additional letters had been received and a copy of a June 8, 1995 *Tidings* article about closure of the rest area on I-205 had been submitted since the staff report was published. Chair Martin reported that a couple of people had handed him letters before the meeting began. He anticipated they would be read into the record in the course of the hearing. He alerted those present that the hearing would very likely be lengthy and have to be continued. When Horsey asked how protection of wildlife habit had been addressed Worcester anticipated that would be addressed as the design of each segment was considered. For example, the conceptual design for the Upper Willamette Trail kept it away from the river, except in places where it was routed to viewing platforms. Worcester clarified for Steel that a Linear Park would be subject to Class 2 design review, like any new park. Trail segments in existing parks and open spaces that were over 200 feet long would be subject to Class 1 design review. He assured the Commissioners that the Parks and Recreation Department typically worked closely with the affected neighborhood during Class 1 review. He confirmed for Steel that the City could require Class 2 design review and Planning Commission approval of any trail. But he cautioned that a lot of little projects were accomplished as Eagle Scout projects, which could be addressed in a list of exceptions. Worcester confirmed for Wood that "existing green space" included existing parks and it was currently subject to Class 1 review. Pelz and Worcester clarified for Steel that the recommendation for way-finding signs was in the Education and Outreach section of Chapter 5 Recommendations. They could be on neighborhood sidewalks. They could be stenciling. Worcester clarified for the Commissioners that Chapter 56 language would be adopted to define a trail as a linear park. Any new park was subject to a Planning Commission Class 2 design review hearing and approval. Horsey noted that required public notice and opportunity for the public to comment.

*Proponents*

T1  
Kevin Bryck, 18840 Nixon Ave., stressed that the proposal was an aspirational plan for 50 years in the future. The City needed to have a plan for trail connections if it was ever to get them. He noticed the Mapleton to Mary S. Young Park trail was not on all the maps. He saw a need for that connection. He recalled concern that the City could not afford the plan. If the City designated a trail route where one was needed he was sure it would eventually get built and be maintained. His neighborhood association had graveled and maintained the narrow, muddy path his sons had used to get to elementary school

*Neither for nor Against*

T2  
Margaret Tolan, 3410 Riverknoll Way, asked that the segment that ran through ODOT land near I-205 be relocated. It was a fire hazard. It would cross land was not maintained; was overgrown; was hard to access; and which did not have a water supply. The steep slope had caught on fire in 2003 and the flames had raced uphill, threatening nearby homes.

T3  
Charles Heath, 19220 Nixon Ave., agreed the City should have a long range plan for trails. But aspects of it concerned him. It proposed a 250% increase (to 85 miles) in miles of trails during a period when the population was projected to increase 33%. He anticipated property taxes would go up to pay for creating and maintaining lineal parks. He questioned the need for the strong focus on interconnectivity between neighborhoods because neighborhoods were very diverse and the trails would be over steep topography. He questioned whether the plan had a high level of support of residents. He noted the segment between Mary S. Young and Cedar Parks was close to the river where high water levels and winter debris would impact the trail. He opined that to route a trail through backyards would affect the livability of neighborhoods.

*Opponents*

T4  
Robert Jester, 3475 Riverknoll Way, had formerly resided on Michael Drive. He described all the problems residents on Michael Drive had been faced with after the City put the entrance to a trail there: parking problems, trash, spent fireworks, fires, campers, all-terrain vehicles, and discharge of firearms. The problems did not stop after the City put up a sign to indicate the area closed at dusk. The Police had advised the residents they could not enforce what they could not see, so enforcement was essentially in the hands of the residents. Jester and his wife had sold that house and purchased the one on Riverknoll. There was ODOT land behind it. Now the proposed plan would put a trail through there. He stressed that the City needed to use tax dollars prudently and invest them in existing infrastructure during the current recession. Cindy Garner did not favor the Oaks Savannah trail segment. She recalled the nearby rest stop had been closed because of all the criminal activity that took place there. She was concerned having a trail through backyards would offer criminals easy access to homes. She noted that ODOT planned to protect its solar installation with security cameras, lights and a razor-wire fence. She asked who would protect her property. She recalled the fire on the hillside ten years ago. She explained that she would chose to run along a trail through a quiet, scenic, park

area rather than one that ran through backyards and along a noisy freeway. She had talked to many residents who would be directly affected but were not aware of the plan. When they heard about it most of them had concerns about safety. She suggested putting "transportation" related trails money into fixing sidewalks. One segment that needed attention was the segment between Barrington and Safeway.

Steve Garner, 3525 Riverknoll Way, President of the Barrington Heights/Hidden Creek Estates/Tanner Woods Neighborhood Association said he represented over 1,000 residents. He submitted a written copy of his testimony. He asked the Commission to delay or deny the master trails plan and specifically excise the Oaks Savannah trail from the plan. He calculated that the City received input and feedback about the proposal from one-half of one percent of residents of voting age. That was not enough citizen input. He said the costs of both the master trails plan and the Oaks Savannah segment were prohibitive. He indicated his neighborhood association had not been directly invited to provide input or received adequate information when it asked for it. Residents in some areas had not been sent the notice of the meetings at the schools. Only one citizen attended two of the three technical work group meetings. Garner asked the City conduct a vote on the plan instead of jamming it down residents' throats. He opined that the plan was an unwise and an improper use of limited resources in the current economy.

Brad Arms, 1873 Radcliffe Ct. asked the Commission not to approve the master plan until the Oaks Savannah segment was removed. It said it was unsafe because of the risk of wildfire and landslides and because it could not be patrolled from the street. It was not needed to meet connectivity goals or to support of other pieces of the plan. He said it was not wanted. Last year an unusual number of homeowners association members had come to association meetings to talk about how to stop the trail segment through their neighborhood. He said the segment was too expensive. He estimated it would cost at minimum of \$1.4 million. If the Oaks Savannah segment were removed from the plan that would benefit the rest of the plan.

Doug Ainslie, 2951 Beacon Hill Dr., asked the Commission to scale back the project and remove the Oaks Savannah segment. The trails plan was too aggressive. The proposed increase in miles of trail was mindboggling. It was the City's duty to preserve and care for the sidewalks and streets it already had in current economic times. The Oak savannah segment did not meet any of the three goals; it was costly; and it jeopardized security and safety.

Gorham Nicol, 3891 Calaroga Dr., asked the City to shelve the proposal for another five years. These were difficult times. The cost of maintaining and policing the trails would be high. If they became popular they would generate traffic from a large number of users (and abusers) coming from outside West Linn. Sunriver employed eight officers to police its 35 miles of trails. He related that the City had condemned and paid him \$840 for one-third of an acre for the land under the Calaroga pump station. He held that property owners should be fairly compensated for their loss of land and loss of property value. He noted the County would experience reduced revenue due to reduced property values.

T10 Herb Chow, PO Box 16516, Portland, OR 97292, asked the Commission to table the proposal. He stressed the cost of the proposed system included the cost to maintain it. He stressed the decision should be the City's, not Metro's. He advised that during the current bad times the priority should be existing infrastructure.

T11 Andy Rocchia, 957 Willamette Falls Dr., owned a waterfront lot. He related that he had served on the Parks board and worked on the parks plan in the past. He was opposed to the proposed system. If there had to be such a trail system it should be unpaved and on the south shore of the river down to its mouth. However, a bike path was more needed. It could be installed in lieu of a trail. Its alignment could parallel and be close to the highway in the Willamette District. He said the City should think more about future years' maintenance costs. He questioned whether it was prepared to expand the budget to police the network; ensure safety at the eleven sets of rapids; and have work crews to give consistent care to the large trees along the Tualatin River bank. He added that he believed Fields Bridge Park should not have been developed as a conventional park with paved parking. Rocchia submitted a copy of a recent New York Times article that reported that public parks across the nation had to severely cut back on programs and charge user fees. He questioned why West Linn taxpayers had to subsidize programs in parks that were sponsored by non-profit sports clubs. He submitted a photograph to show the effect of pollution on the asphalt trails in Fields Bridge Park.

T12 George Schmeltzer, 4055 Calaroga Dr., encouraged the Commissioners to vote against the proposal for environmental reasons. The trail system would put significant pressure on wildlife and salmon habitat. He questioned whether the community was calling for more connectivity of trails. He hoped the Commission would think about long term costs associated with the program.

T13 Armin Buholzer, 3047 Riverknoll, stressed that he had paid good money to purchase a property where he could raise his family in privacy and security and enjoy a beautiful view. He did not want to have to worry about perverts and pedophiles looking through the windows. He advised that many crimes were committed on foot and with bikes. The trail would be the perfect place to commit a crime and take off on a bike.

T14 Dianne Froode, 19340 Nixon Ave., agreed with previous testimony about fire and safety risk. She lived near a river access from a dead end street. Drivers did not pay attention to the No Parking signs and the City did not ticket them. She was concerned the illegal parking would impede emergency access. Police had advised her they could not do anything about what they could not see. She reported the people started campfires and accidents happened at the river. She said she was a hiker, but would never expect to be able to hike through someone's back yard. But she thought the proposed network that connected through public right-of-way was a good idea. She reported the water was extremely high and if there were a trail through her yard now it would be completely under water. she said the Parks and Recreation already had a difficult time maintaining what it had (fishing platforms on Cedar Island were in poor condition) so she anticipated it would not be able to maintain an extended trails system. This was not the right way to spend money in West Linn.

T15  
Matt Markstaller, 5455 River St., explained the fundamental issue was the staff was driving the proposal even though it was fairly clear that the message from citizens was they did not favor it. He reported the river was high now and the only flat place in his yard to put a trail on was right next to his house. He recalled he had testified against installing a greenway trail on private property a few years ago. He posed the question: Even if there was the greatest reason in the world to put in the trail system, why do it if the citizens did not support it?

Chair Martin observed the consensus of Commissioners was to continue with the meeting until 11:00 p.m. Steel asked him to explain why the Commission was asking for names and addresses. Chair Martin explained that testifying and providing a name and address would give a party the right ("standing") to appeal the decision. The staff would mail the notice of decision to them all. But a party did not have to disclose his/her address in oral testimony as long as he/she had written it on the testimony form.

T16  
Gwen Sieben, 4950 Mapleton Dr., resided near the dead-end access to Mary S. Young Park. She reported what happened in the park at night included screams, vandalism, tagging, gunshots and illegal fires. She had read in the newspaper that a rape had occurred in the park. Most of the people parking on the street to access the area were not residents of West Linn. They parked there outside of the posted hours. She held the City should not create more remote, hidden, trails that would go through ravines and behind houses where people could lurk unseen. She questioned whether parents would allow their kids to bike through there. She held it would be better to spend the money making it safer to walk along Highway 43. She indicated that every affected property on the map was already devalued, so the City was already taking away the value of property.

T17  
Fred Streimer, 2019 Maple Terr., submitted written testimony. He and his wife were opposed to the plan. They resided on the Willamette River between Mary S. Young and Burnside Parks. The bank was in a natural state and supported wildlife. People enjoyed walking along the bank, but after a lot of rain when the water rose the area was difficult or impossible to traverse. He questioned how it could serve as a primary trail. He contended the proposed system was too huge and no one fully understood the potential impacts. It ignored private property rights. It was not clear what the estimated cost of construction would be - he had heard it could be as much as \$63 million. There was no estimate of what it would cost to maintain it. He had attended public meetings about the proposed trail system. He understood that in most cases the desired connectivity between open spaces could be accomplished using existing streets and sidewalks. He noted that people had submitted comments that indicated they were uneasy about drawing in trails when they did not know who owned the underlying property.

T18  
Kathleen McDonald, 25435 Swiftshore Dr., did not support including the segment between Pete's Mountain Bridge and Fields Bridge Park. She questioned why it was proposed as a primary trail. It only connected the bridge to the park. She urged the Commissioners to walk through that area before they decided there should be a trail there. She suggested if anything,



it should be a local, gravel, pathway. She reported the river there was mostly rapids. Houses were very close to the water. Seven of them were 15 to 20 feet from the river and had to be sandbagged during high water. The path narrowed to four feet close to a residence window at a curve where one could not see a biker coming around the corner from the other direction. She lived on the river. The trail would be through her yard. As a Realtor, she knew that properties had already lost 30% of value and the proposed trail would further devastate property values. She described what she had seen during a walk through the area that day: bird houses shot down by BB guns; an unmaintained, narrow path with poison ivy; erosion and gang graffiti under the bridge; and owners had posted "No Trespassing" signs.

T19  
David Froode, 19340 Nixon Ave., Vice President of the West Linn Riverfront Owners' Association, recalled that the task force that created Chapter 28 to protect rivers and habitat put the first 30 feet off limits in order to protect the environment. But staff had inserted language that allowed waterfront trails. He recalled the task force had unanimously agreed that the greenway code would apply to property owners, commercial properties and the City. But since then the City had employed methods to exempt itself. In one case the City had paid \$42,000 for a 20' wide waterfront easement. That showed the City's "vision" was not just a complacent, flexible, 50-year plan, but intent by a select few. Once the trails were mapped they would become reality. He advised the City to only gain private land to fulfill the plan from willing sellers. He questioned whether the City had actually established that there was a need or want for the \$60 million plan. Only 9 of the entire population of 24,000 had expressed interest in accessing a river. Many had commented that they were satisfied with existing trails. Many had commented they did not want to adversely affect private property. He reported Metro staff had made it clear to him that Metro was not mandating the trails be along the waterfront, just proximate and parallel to the river. He summarized that he was asking the City to address the issues of those impacted; identify where existing right-of-way was adequate to serve; be specific how the city would obtain private property (it should not be by condemnation); establish priorities based on environmental impact; create a plan to protect adjacent property owners from liability, crime and safety issues; and focus on what the citizens needed and were willing to pay for, during the current difficult economic times.

T20  
Dylan Hinrichs, 25445 Swiftshore Dr., cautioned that installing a primary trail segment from the Willamette River to Fields Bridge Park would do more harm than good. It would adversely impact the wildlife, the environment and the ecosystem. He related that he did not see as much wildlife since development of the Park. He asked the City to respect the trail work done as Eagle Scout projects. They had put a lot of time and effort into them.

T21  
Kathy Hinrichs, 25445 Swiftshore Dr., was also concerned about designating the Willamette River to Fields Bridge Park path as a primary route because it would adversely affect wildlife habitat. The Commissioners should go look at that stretch of the Tualatin, which was a City treasure. They could consider the alternative type of path that Rocchia had suggested and consider using existing streets and sidewalks. To install a primary route path would not be consistent with the goals to protect the environment and wildlife habitat. She testified she had personally observed the impact on increased use of the Swiftshore area and Fields Bridget Park



of the past ten years. To make that a primary route would create even more impact. She urged the Commission not to approve the plan with that segment in it.

TZZ  
Arnold Peterson, 25435 Swiftshore Dr., advised the City had already met its objective to provide access to recreation and high value riparian zones. Many people used Swiftshore for access and there were other access points between the park and bridge. Many people walked past his house. There were two places downstream where fee land extended to mid-stream that was a separate issue for the City Attorney to look at if it came up. He suggested the segment be downgraded from primary to local trail or completely dropped from the plan. He suggested the Planning Commission ask the police chief how he would police the proposed trail system. He reported police had been called to Swiftshore to deal with rowdy kids; serious drug and alcohol abuse; and camping.

Sonnen confirmed for Chair Martin that the staff could ask the police chief to attend the next hearing to offer his views on security. Chair Martin confirmed for an audience member who asked that anyone who wanted to would be allowed to testify at the continued hearing on June 22, including a representative of the Tualatin Riverkeepers.

Lois Streimer deferred her testimony to next week meeting when she was called to testify. The following parties did not come forward when called to testify:

Mark Schaeffer  
Prescott Garner  
Madison Garner  
Audrey Lazar  
David Carr  
Lynn Bridges  
Maggie O'Brien  
Gary Swanson  
Dan Dunston  
Cameron Ainslie  
William Weber  
Nancy Inman  
Eugene Schoenheit

ITEMS OF INTEREST FROM THE PLANNING COMMISSION (None)

ADJOURNMENT

There being no other business, Chair Martin adjourned the Planning Commission meeting at approximately 11:00 p.m.

APPROVED:

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Robert Martin, Chair

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Date