

## Marylhurst Neighborhood Association Meeting Minutes

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July 23, 2013

Board Members present: Jef Treece, Karie Oakes, Jim Koll, absent: Doanne Brown. Members present signed-in: 21, Guests: Chris Kerr, City of West Linn Economic Director

President Jef Treece called the meeting to order. Karie Oakes acted as secretary.

### **Treasurers Report**

Jim Koll reported the balance is \$5467.99 less \$19.96 in outstanding expenses. A question was asked about what funds could be spent on and he replied that expenditures must directly benefit the neighborhood. Jef Treece added expenses are approved by the membership except for incidental operating expenses. In answer to questions, Koll explained the anticipated expenses for signs and right of way clearing along Marylhurst Drive for pedestrian access.

### **Old Business**

#### **Dog Ordinance enforcement at Marylhurst Heights Park**

Mr. Treece reported he met with enforcement officer Peggy Jones in regards to the motion made last meeting requesting collaboration and cooperation with the city to enforce dog leash laws. She declined because enforcement is complaint driven. Usually, when responding to a call, an officer must witness the violation for any action to be taken. If someone wants to sign a complaint and appear in court, an officer does not need to witness the violation for action to be taken. Typically, first-time offences are issued a warning and education. Repeated violators are issued a citation for which the fine is \$500.

Members discussed continued concerns for safety with off-leash dogs and frustration that the enforcement process is not effective because neighbors will not want to report neighbors; and the likely hood that an officer will not witness the violation. The idea of off-leash hours early in the morning and late in the evening was considered as a time when children may least likely be using the park. Upon further discussion, the concern was for all park users and the surrounding neighborhood as well.

#### **Enforcement of Marylhurst Park Hours for Use**

Mr. Treece reported he met with Officer Jones to ask if the Michelin parking lot at MH park could be patrolled. Officer Jones said enforcement is complaint based and an officer will respond when someone calls.

### **Presentation**

Chris Kerr, Economic Director, presented the "Cut the Red Tape" streamlining regulatory project in a 3-page handout of bullet points, dated July 10. The **proposed modifications** to the

comprehensive plan, community development code, municipal code and fees are intended to support the City Council goal promoting economic development by removing regulations that impede it. Opportunities for citizens to learn more or comment are noted below.

The handout outlines the numerous changes in bullet points and Mr. Kerr touched on major changes.

- Comprehensive Plan Goal 9 Economic Development modified to align it with the City's recently approved Economic Development Plan.

### **Community Development Code modifications**

- City land use appeal process will be changed from a "de novo" hearing to an "on the record" hearing, where it would be limited to specific issues requested by the appellant and no new evidence would be permitted.
- Variances will be classified in 3 tiers to allow more flexibility in design. Class I variance criteria for a minor modification is changed to allow flexibility. Class I and Class II variance approval process remain the same.
- Building height increased to 5 & 6 stories in commercial & multi-family residential zones.
- Notice to neighborhood associations of meeting with the applicant for a development will no longer be required to be sent by certified mail and instead by general delivery.
- Preservation of 20% of the site area changed to preservation of 20% of significant trees. Modification of the drip line and easement protections to allow more flexibility for development.
- Modifications to an approved Conditional Use Permit currently reviewed as a new CUP changed to be reviewed like modifications to any other approved development.
- Codify policy of permitting chickens in residential area.

The handout is available on the City website under Economic Development and a strike-out version of amendments will be available July 29. The Planning Commission will hold a work session on July 31 and a meeting on August 7 to make recommendations to the City Council. The Council will consider proposed amendments in September.

Kerr answered clarifying questions. A member expressed concern that limiting appeals, by both the scope of review and by eliminating the fee waiver to neighborhood associations, would limit citizen participation. Kerr felt it would force applicants to submit better applications and be fair that developers and citizens alike pay the fee. Another member expressed that he did not want the bar lowered for variances because it seems the City gives them freely anyway. Kerr said modifications are being proposed to Class I variances, which are minor.

### **Maryhurst Heights Park Development**

Christa Burk submitted and read a statement about how the quality of life is hurt by noise, lights, off-leash dogs, after- hours parties, users entering/ exiting park via private property and no enforcement of City ordinances. She does not look forward to the increased intrusions the planned parking lot on Valley View will bring. She understands that more parking is needed and requests MNA support an effort to seek alternatives for the parking lot and present to membership for approval.

Ms. Burk moved and it was seconded to form a committee to explore, formulate, and propose alternative locations for the Valley View parking lot which would be friendlier to the entire neighborhood.

Discussion followed about the need for more parking to alleviate the disproportional amount at the Michelin lot and alternative site possibilities. We were reminded that further park development was planned, including a parking lot, to the south end of the property on Carriage Way, and that the property is divided by a lot owned by Oregon Department of Transportation. It was pointed out that the committee would want to research the community development code and existing park plans in order to make a viable proposal. It was noted that the motion is to form a committee to propose alternatives and not a motion to eliminate parking.

The question was called, the motion read again and it passed. Ayes: 13, Nays: 5 and Abstain: 1

Committee members are Christa Burk, Barbara Burns, Karie Oakes and others may be added.

### **Other Topics**

Greg Arnold would like to see a stretching area installed at MH Park. It is thought that it may be part of the plans and will be checked into.

Mary and Peter Schwarzenberger who live adjacent to the park have experienced uses of the park adjacent to their property that they question if appropriate. There was an inflatable bouncy house at party and "slip-n-slide" using park water and the noise was unusually disturbing. They notified the City of their concern and the City was not aware of the uses. A member suggested that they ask the City to replant failed plantings in the area that may discourage such use.

Alice Beckman expressed concern that there will be a movie at MH Park, a city-wide event, when there is not enough existing parking in the Michelin lot to which she lives adjacent.

Karie Oakes moved and it was seconded that MNA request that the City discontinue community wide events at MH Park until such time that there is sufficient parking.

Discussion centered on how it seemed a reasonable request given that not all the planned parking for the park is developed. It was debated if the motion were approved, if it would accelerate the building of the Valley View lot and interfere with the previous resolution.

The question was called, the motion reread and it passed. Ayes: 17, Nays: 0 and Abstain: 1

The meeting was adjourned.