

**PC-5 PUBLIC COMMENTS
ADDENDUM (part 2)**

This addendum contains public comments received between 9 a.m. April 18, 2016 and 9 a.m. April 20, 2016. Subsequent submittals will be made available at the Planning Commission's public hearing.

Resolution of the Robinwood Neighborhood Association

To the West Linn Planning Commission regarding project SUB-15-03

On Tuesday, April 12th 2016, the Robinwood Neighborhood Association (RNA) resolved to oppose the currently proposed development, project SUB-15-03, at 18000 Upper Midhill Drive and request that the current application be denied for the following reasons:

1. The development as proposed would cause a dramatic increase in traffic with an estimated 389 car trips per day through the most impacted intersection on Highway 43 at Arbor Drive. Congestion will cause backed up traffic to travel the length of Upper Midhill to Marylhurst Drive to exit the neighborhood. Upper Midhill provides access to the neighborhood park and has sections of extremely narrow 16 foot pavement.

The submitted traffic study fails to comply with the intent of 85.170 B.2. since vehicle counts were collected on June 17, 2015, when schools were on summer break, including Marylhurst University, which began summer term on June 22nd. During summer term, traffic is lighter, and school bus traffic, and school drop-off traffic were not counted. Observations were performed in July 2015, still during summer term.

In addition, data was collected before the new duplexes on Highway 43 began construction, and failed to account for the planned expansion of Mary's Woods in Lake Oswego. A more accurate count reflecting actual conditions is warranted.

2. There is no concrete plan to address the dramatic increase in traffic at Arbor Drive and Highway 43. The mitigation project should be constructed before construction traffic begins. We have no guarantee if or when this proposal will ever happen.

The applicant assured the RNA that they will make a financial contribution to fund improvements at the intersection at Arbor Drive and Highway 43, but refused to divulge the amount and no details are included in this application. There is no certainty that the amount will be sufficient to fund necessary mitigations to comply with CDC 85.170 B. 2.e(C)(1). Improvements should be completed prior to construction traffic impact, not after the subdivision is built out, as allowed by staff in other projects.

3. Lots are to be sold to multiple builders, with no certainty regarding length of the construction phase. The current owner's best estimate is 2 ½ years. Construction could drag on for many years impacting livability of the existing neighborhood.

4. Proposed lot sizes under R 4.5 zoning do not match the density of any of the surrounding neighborhoods. R-10 would be much more appropriate.

5. Further subdivision of the proposed lots, creating new flag lots and increasing permitted density after the fact, needs to be prohibited as a condition of approval.

Motion by Jerry Henderson, seconded by Lamont King, Passed by show of hand with 25 ayes , 0 nays, 0 abstentions.



April 19, 2016

Michael Babbitt, Chair
West Linn Planning Commission
22500 Salamo Road
West Linn, OR 97068

**Chene Blanc Subdivision
SUB-15-03/WAP-16-03
West Linn, Oregon**

Dear Chair Babbitt,

This letter has been prepared in order to respond to several public comments which have been received during the open comment period associated with the Chene Blanc Subdivision (SUB-15-03/WAP-16-03).

The Applicant appreciates the comments and concerns raised during the public comment period. The letters received address issues which are similar to the discussion that the Applicant has had with the neighborhood association over the course of several public meetings.

The following is a summary of the issues raised within the public comments and response to each issue from the Applicant:

R-4.5 Zoning

Several neighbors commented that the zoning for the property was inappropriate and that it didn't provide lot sizes which were a good fit for the surrounding neighborhoods.

Applicant's Response The Applicant appreciates these comments.

The site and several blocks to the south of the property are zoned R-4.5. The Applicant's proposal would create a neighborhood of single family detached homes at a density which is consistent with provisions of section 14.030-14.070 of the City's Community Development code. The Applicant has specifically provided a development at the minimum density range which could be permitted within the zoning district. The Applicant has submitted plans showing the minimum number of single family homes which are permitted within the allowable density range.

Extension of Hillside/Scenic Drive

Several neighbors commented on the proposed extension of Hillside/Scenic Drive into the site. Several concerns were raised about protecting existing homes along the western side of the property from light spill originating from streetlights which may be placed along the proposed extension.

Applicant's Response The Applicant appreciates these comments.

Scenic Drive, along the project's southwestern boundary, is an existing section of the City's Right-of-way. This roadway was created by the original Robinwood neighborhood Plat but the area was not improved. In 1999, a portion of Scenic Drive was vacated by the West Linn City Council via Ordinance 1430 (VAC ORD 99-114675). The Commission's intent in vacating only a portion of the street was to allow for development within this area utilizing a street network which was similar to the Applicant's proposed roadway configuration. The proposed road network

meets the intent of this ordinance and the requirements of sections 85.200 and 92.010 of the City's Community Development Code.

Lighting is required along new public streets by section 92.010.H of the City's community development code. Within that section, the City specifically requires shoe box styled lighting on 30 foot poles at non-intersection areas unless an alternative is approved by the City Engineer. The Applicant has provided a photometric plan within the subdivision application showing the location of the proposed light fixtures along the extension of Scenic Drive. The Photometric plan clearly shows that the proposed fixtures will illuminate the streets upon which they are placed in accordance with the City's Public Works standards. The placement of lighting fixtures has been considered so that they will produce less than 0.1 foot candles of light spill onto any adjoining property.

Tree Retention

Many of the letters submitted into the record address the Applicant's proposed tree retention plan.

Applicant's Response

The Applicant appreciates these comments.

The Applicant notes that none of the public comments address section 55.100 of the City's Code or attempt to explain how this code has not been met by the Applicant's proposal.

The Applicant has proposed a layout which has been designed to minimize the site's density and maximize the retention of trees. The proposed design considers and prioritizes the retention of several significant trees along the project's boundary lines.

Section 55.100 of the City's Community Development Code requires that the Applicant retain 20% of the significant trees on the property throughout the subdivision process. The Applicant is proposing to retain 33% of the existing significant trees on the property and an additional 62 non-significant trees. The Applicant's proposal meets and exceeds the City's requirements.

Water Resources

Several of the letters issue comments regarding the presence of two small isolated wetlands located on the property and the presence of a drainage ditch which was constructed to provide overland drainage conveyance for the Marylhurst Subdivision.

Applicant's Response

The Applicant appreciates these comments.

The property has two small wetlands located within the central northwestern portion of the site. These wetlands are small and isolated from larger water features. The project's wetland biologist, Martin Schott, believes that these wetlands are essentially very shallow depressions which have been caused by the release of unmanaged upstream stormwater drainage. An ephemeral drainage ditch has been identified along the project's northwestern boundary line. Due to the linear nature of this ditch, the project's engineer and biologist believe that this ditch was constructed as part of the overall Marylhurst stormwater management system.

Because the two wetlands on site are isolated, the federally regulated provisions of the Clean Water Act does not apply to the project. The fill of the two isolated

wetlands on the property will be subject to the approval of the Oregon Department of State Lands.

The filling of the two isolated wetlands on the property is necessary in order to connect the two roadways which are stubbed to the property, Scenic Drive and Upper Midhill Drive. Options for the connection of these two streets is limited by the existing development patterns within the area and the presence of limiting topography. The proposed road connection is consistent with the requirements of section 85.200 of the City's Community Development Code and the impacts proposed are permitted by section 32.060 (Approval Criteria for Impacts to Water Quality Areas).

Regarding the mitigation of the proposed fills, the placement of wetland mitigation areas on the site is not encouraged by the Department of State Lands and not endorsed by the project's Wetland Biologist. Isolated wetland mitigation areas have a low likelihood of success and will not serve the purpose of connecting the wetland areas to any significant natural drainage basins, as none currently exist. The proposed fills will be mitigated for via a purchase of mitigation credits from a state approved wetland mitigation bank. The proposed mitigation is consistent with the requirements of Section 32.060. and 32.090.

Traffic

Several of the public comments provided highlight concerns for traffic operations and safety on the streets surrounding the proposed development. The following summary of issues have been provided with responses from the Applicant's Transportation Engineer.

Applicant's Response

Increased Traffic Volumes

- This development is estimated to generate approximately 18-20 additional trips along the segment of Upper Midhill Drive between Arbor Drive and Marylhurst Drive, approximately 14-22 trips along Arbor Drive between Upper Midhill Drive and OR 43, and less than five trips along all other roadways during peak time period. As such, the existing roadways can accommodate the estimated increase in traffic volumes and the overall traffic volumes are consistent with the classification of the roadways.

Access to OR 43

- While access to OR 43 via Arbor Drive can be difficult to make during peak travel time periods, alternative routes are available such as Marylhurst Drive and Robinwood Way. As identified in the TIA, improvements are proposed at the OR 43/Arbor Drive intersection to improve traffic operations. These improvements are consistent with the City's OR 43 Concept Plan, which is currently in the adoption phase. Once the improvements are complete, it is assumed that drivers from the surrounding area will use the OR 43/Arbor Drive intersection to access OR 43.

Safety at intersections

- The five most recent years of crash data available for the study intersections was reviewed in an effort to identify any potential safety issues in the study area. Based on the crash data, 9 crashes were reported at the OR 43/Arbor drive intersection over the five year period (0 fatalities, 5 injuries, 4 PDO). Further review of the crashes indicates that a majority occurred in the northbound direction when a motorist failed to

avoid another slowed or stopped motorist waiting to turn left onto Arbor Drive. The traffic impact analysis and supplemental letter identify potential mitigation measures at the OR 43/Arbor Drive intersection that will improve traffic safety for the northbound left-turn movements. No other trends or patterns were identified within the study area that require mitigation.

Safety for pedestrians and bicyclists along Upper Midhill Drive

- Traffic volumes and travel speeds along Upper Midhill Drive, south of Arbor Drive, are relatively low. This is due in part to the nature of the roadway. The proposed development will include frontage improvements (curb, gutter, and sidewalk) along both sides of the new extension of Upper Midhill Drive to Hillside Drive. The proposed development will also pay system development charges that can be used for pedestrian and bicycle improvements along Upper Midhill Drive as well as other streets throughout the city.

Date of traffic counts

- Traffic counts were conducted at the study intersections in June 2015. The counts were seasonally adjusted to 30th Highest Hour Volumes (30HV) in accordance with the Seasonal Trend Table methodology outlined in the ODOT Analysis Procedures Manual (APM). The 30HV reflect conditions along OR 43 during the peak month of the year, which occurs in August when school is not in session. The seasonal adjustment factor was applied to through volumes along OR 43 as well as all turning movement volumes at all study intersections to ensure a conservative analysis.

Hillside Drive/Syke Parkway Intersection

- The scope of work for the traffic impact analysis, including the location of the study intersections was developed in coordination with the City and ODOT staff. The Hillside Drive/Syke Parkway intersection was not identified as a study intersection. While it is possible that people will use the intersection, our analysis shows that approximately five percent of all site-generated trips (1 morning, 2 evening) are expected to travel to/from the east during peak time periods.

We trust that these responses will assist as you consider the application in relation to the City's applicable approval criteria. We look forward to presenting this project to the Commission and will be ready to answer any questions related to the project on April 20, 2016.

Most Sincerely,



Andrew Tull
Principal Planner
3J Consulting, Inc.

Copy: Mr. Peter Spir, City of West Linn
Mr. Ryan Zygar, Tieton Homes
Mr. David Noren, Attorney
Mr. Aaron Murphy, PE, 3J Consulting, Inc.
File



Spir, Peter

From: Greg <gsb.mailbox@gmail.com>
Sent: Tuesday, April 19, 2016 7:17 AM
To: Spir, Peter
Subject: SUB-15-03 and WAP-16-03

Dear Mr. Spir:

I am writing to the Planning Commission regarding SUB-15-03 and WAP-16-03. I live within 500 feet of the subject property. I have reviewed the report and I am concerned about how the planned development will degrade the unique character of the surrounding neighborhoods.

First, the construction of 34 homes on this site will overstress Route 43. ODOT is underestimating the impact. Those who commute north on weekday mornings or south weekday evenings have the experience to know that adding additional vehicles to this route will push it beyond acceptable capacity during these times. ODOT's remedy is insufficient. Widening the road to 4 lanes plus a dedicated left turn lane from Interstate 205 to Mc Vey is the correct remedy. Those adding developments along this route should be responsible for this upgrade to infrastructure before completion of the project.

Second, the removal of the majority of the trees from the property changes the character of area. The planned high density construction will not allow sufficient space for replanting to restore the same density of trees. The new construction will be a desert of rooftops which is neither aesthetically appealing, in keeping with the surrounding area, or ecologically responsible.

Finally, the high density is out of sync with the surrounding neighborhoods, which are zoned R-10 and R-15. Abutting these significantly different lots is not appropriate. There should be a gradation of lot sizes between R-4.5 and the surrounding R-10 and R-15 neighborhoods.

These are significant problems with the planned development. I urge the Commission to consider the livability of West Linn and neighboring Lake Oswego and require modification of the plan to address these issues.

I expected to attend the hearing on April 20, 2016 but a time conflict that may prevent this. Please present my evidence to the Planning Commission in my stead. Thank you.

Sincerely,
Gregory Ball
2310 Stonehurst Ct
Lake Oswego, OR 97034