

BEFORE THE PLANNING COMMISSION
FOR THE CITY OF WEST LINN, OREGON

In the Matter of WEST LINN-WILSONVILLE) FILE NOS: CUP-15-03, DR-15-17, and
SCHOOL DISTRICT 3JT's Application for) VAR-15-01/02/03
Conditional Use, Design Review, Director's)
Exception, and Class II Variance Approval to) SAVE OUR SUNSET PARK'S
allow construction of a new primary school) SUPPLEMENTAL MEMORANDUM IN
and related facilities in the R-10 zone.) OPPOSITION

I. INTRODUCTION

This supplemental memorandum is filed on behalf of Save Our Sunset Park ("SOS Park") to address additional procedural and substantive issues. Again, we want to stress that SOS Park is not opposed to replacement of the Sunset Primary School, *per se*. However, members of SOS Park are extremely disappointed in the manner in which the project design has been handled. When the West Linn citizens voted in favor of selling park land to the school district, they were promised that the terms of the sale would "maximize recreational opportunities while preserving significant trees at the site." A copy of the City of West Linn Ballot Measure 3-358 is attached as Exhibit 1. The initial drawings were consistent with this representation, showing that the 1.6 acres of park land would be open recreational space; however, the current design includes parking lots and storm water facilities on the former park property – not open recreational space.

In addition to the failure to preserve the 1.6 acres of park land for recreational purposes, it appears that the applicant has described a brand new drainage plan for this project in its supplemental submittal. However, the plan is not identified as a “new plan” and there is no detailed analysis of how this alternate drainage plan meets the applicable provisions of the West Linn Community Development Code (“CDC”). Accordingly, the applicant has not met its burden to show compliance with each mandatory approval criterion.

II. PRELIMINARY MATTERS

A. Continued Hearing.

SOS Park requests that all persons attending the April 6, 2016 hearing be allowed to participate orally and in writing. SOS Park requested a continuance of the March 16, 2016 hearing and the Planning Commission continued the public hearing until April 6, 2016, but stated that people who testified at the March 16, 2016 hearing would not be allowed to testify on April 6, 2016. However, the West Linn Community Development Code (“CDC”) requires that the Planning Commission allow all people to participate where there is new evidence. CDC 99.170 (E) (1) provides, in relevant part, that:

[a]n opportunity shall be provided **at the continued hearing** for persons to present and rebut new evidence, arguments or testimony.

The applicant has submitted extensive new information (over 900 pages) since the March 16, 2016 hearing. Accordingly, all persons should be allowed to present and rebut the new evidence, arguments or testimony at the April 6, 2016 hearing.

B. Open Record.

In addition to presentation and rebuttal of the new information at the April 6, 2016 hearing, SOS Park requests that the record remain open for at least seven days to submit additional written evidence, arguments, or testimony for the purpose of responding to the new written evidence.

CDC 99.170 (E) (1) further provides, in relevant part, that:

[i]f new written evidence is submitted at the continued hearing, any person may request prior to the conclusion of the continued hearing that the record be left open for at least seven days to submit additional written evidence, arguments, or testimony for the purpose of responding to the new written evidence.

Based upon the volume of new written evidence submitted since the first evidentiary hearing (over 900 pages), SOS Park requests that the record remain open for a minimum of twenty-one (21) days to allow sufficient time to analyze and respond to the new information.

III. ARGUMENT

A. The applicant has not carried its burden to show that either drainage plan meets the applicable approval criteria.

On March 16, 2016, the applicant presented its proposal for a new elementary school, which included a massive Storm Water Infiltration Pond. The members of SOS Park addressed multiple concerns regarding adverse impacts of the proposed infiltration pond. Based upon the applicant's supplemental submittal, it appears that the infiltration pond may no longer be part of the project. However, the storm water drainage plan described in the applicant's March 28, 2016 supplemental submittal has not been identified as a "new" plan, and the applicant has not demonstrated its compliance with the mandatory approval criteria, including CDC 55.120 (F) (1) (site plan setbacks), 55.130 (B) (grading plan), 92.010 (E) (drainage plan submittal requirements).

Neither the applicant nor the staff report addresses the different storm water drainage plans in a meaningful manner. For example, in finding “compliance” with CDC section 55 regarding design review, Staff merely “incorporates the applicant findings as revised by Section E-1 in the applicant’s supplemental submittal dated March 28, 2016.” March 30, 2016 Staff Report at 2. However, Section E-1 provides a Site Stormwater Narrative (“SSN”) which seems to describe a completely new storm water drainage plan and fails to identify it as such. Moreover, the applicant has failed to demonstrate that the “new plan” complies with the applicable approval standards.

The applicant cannot have it both ways. There is either a new drainage plan or there is not. (Please see David Dodds’ discussion of significant differences between the infiltration pond on the plan presented at the March 16, 2016 hearing and the drainage plan described in the kpff March 28, 2016 narrative “SSN”). If there is a new plan, it must be clearly identified and subject to standard review for completion and compliance with the CDC. Staff must make specific findings regarding the new plan’s compliance with the applicable approval standards. If there is not a new plan, the existing infiltration pond must be reviewed on its own merits and the new submittal should not be considered.

In its March 16, 2016 memorandum, SOS Park addressed the failure of the infiltration pond to meet the requirements of the CDC. With respect to the new plan, there are no specific findings, supported by substantial evidence, to show how the approval standards are satisfied. In any event, neither plan meets the applicable approval criteria. Therefore, the applicant has not met its burden and the application should be denied.

B. Applicant has failed to satisfy CDC 60.070 (A) (3) because the current design is inconsistent with the promises made when the park land was sold to the school district.

60.070 (A) (3) requires a finding that “the granting of the proposal will provide for a facility that is consistent with the overall needs of the community.” The applicant continues to rely on voter approval to show that the overall needs of the community are met, stating:

The needs of the community are best expressed by its approval of the bond measure to finance these improvements.

However, use of the 1.6 acres of land formerly known as Sunset Park for a parking lot and storm water facilities does not meet the needs of the community. The citizens did approve the bond measure to fund the new school, but they also voted to sell 1.6 acres of park land to the school district on the express condition that the 1.6 acres would be used to “maximize recreational opportunities while preserving significant trees.” See Exhibit 1. The West Linn community needs to be able to trust local government. Sunset Park has a long history of being preserved for park and recreational purposes. SOS Park members relied on the City’s promise when they voted to support the sale of this specific 1.6 acres of park land to the school district to be used for recreational opportunities and tree preservation.

The history of Sunset Park (including 1.6 acres sold to the school district) supports the significance of preserving the subject property in its park-like state. When Crown Zellerbach conveyed land for Sunset Park to the City of West Linn back in 1951, the conveyance was subject to a reversionary interest stating that title would revert to the timber company if the land was not used solely for park and recreational purposes. That reversionary interest no longer exists, either because it was extinguished by statute (ORS 105.770) or because Crown Zellerbach’s successors

in interest have now quit-claimed any such interest to the applicant; however, the 1.6 acres at issue here has always been intended, and promised, for park and recreation purposes.

On March 16, 2016, the City attorney advised the Planning Commission that Measure 3-358 is not an approval criterion for this application. However, in looking to the “overall needs of the community,” the public has a right to rely on the explanatory statement of ballot measure designed to induce them to approve the sale of a public park. As proposed, this design plan does not maximize recreational opportunities while preserving significant trees at the site. The applicant cannot rely on a vote of the people to satisfy the approval criterion which requires “consistency with the overall needs of the community,” and ignore a more specific vote of the people for the *conditional sale* of the subject 1.6-acre parcel which demonstrates “inconsistency with the overall needs of the people.”

The voter approvals of funding the school project while preserving trees and maximizing recreational opportunities on the 1.6 acres of former park land are not mutually exclusive. As demonstrated by the initial drawings, the applicant could accomplish this promised preservation while proceeding with its project. However, the current plan to locate a parking lot and storm drainage system on the 1.6 acres of former park land is totally inconsistent with the City’s representations at the time of the vote which allowed the sale. Accordingly, the applicant has failed to carry its burden to show compliance with 60.070 (A) (3) because the facility, as currently proposed, is inconsistent with the overall needs of the community.

IV. CONCLUSION

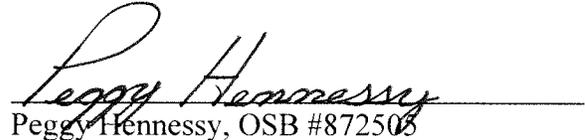
Based upon the procedural requirements of CDC 99.170 (E) (1), SOS Park respectfully requests that all persons be allowed to present and rebut new evidence, argument and testimony at the hearing. In addition, SOS Park requests that the record remain open for at least seven (7) days, preferable twenty-one (21) days to respond to new evidence.

If the Planning Commission reaches the merits of this case, based upon the substantive approval criteria, SOS Park respectfully requests that the application, as presented, be denied.

DATED this 6th day of April, 2016.

Respectfully submitted,

REEVES, KAHN, HENNESSY & ELKINS

A handwritten signature in cursive script, reading "Peggy Hennessy", is written over a horizontal line.

Peggy Hennessy, OSB #872503
Attorney for the Save Our Sunset Park

City of West Linn

Measure 3-358

Ballot Title

SALE OF PORTION OF CITY PARK LAND TO SCHOOL DISTRICT

QUESTION: Shall the City sell 1.6 acres of Sunset Park to the West Linn/Wilsonville School District for \$483,000?

SUMMARY: This measure, if approved, would allow the sale of 1.6 acres of Sunset Park to the West Linn/Wilsonville School District for the amount of \$483,000. The School District has indicated that Sunset Primary School needs to be replaced soon and that it's the District's desire to maintain the school at its current location, provided that the School District's property at this location can be expanded. The City-owned Sunset Park property is adjacent to Sunset Primary School. Agreeing to sell a portion of Sunset Park to the School District would provide sufficient land to allow the District to keep Sunset Primary School at this location. The West Linn Charter requires that the sale of any park property be approved by a vote of the community. If this sale is approved by the voters, the City would commit to using the proceeds from the sale of this property for acquiring or developing parks for the use of the West Linn community.

Explanatory Statement

Voter approval is required for the sale of 1.6 acres of Sunset Park to the West Linn/Wilsonville School District for \$483,000 (Sunset Park is currently 5.1 acres).

The West Linn Charter Section 46 requires that the sale of any property owned by the City of West Linn and designated as a park be approved in advance by City voters. The West Linn City Council approved placing this measure on the May 18, 2010 ballot with a 5-0 vote.

This measure, if approved, would allow the sale of 1.6 acres of Sunset Park to the West Linn/Wilsonville School District. The School District has indicated that Sunset Primary School should be replaced soon. The School District would maintain Sunset Primary School at its current location, provided that the School District's property at this location could be expanded. The City-owned Sunset Park property is adjacent to Sunset Primary School. Agreeing to sell a portion of Sunset Park to the School District would provide sufficient land for the School District to keep Sunset Primary School at its current location.

The Sunset Neighborhood Association Neighborhood Plan includes a primary goal of keeping Sunset Primary School as an element of the Sunset neighborhood. If approved, the terms and conditions related to the sale would include Sunset neighbors in the school planning process, and would maximize recreational opportunities while preserving significant trees at the site. The City would use the property sale proceeds for acquiring or developing land for recreational use in West Linn.

In addition to this ballot measure, the West Linn City Council has also submitted for the May 18, 2010 election two related but separate ballot measures. One ballot measure would authorize the issuance of up to \$10.8 million in general obligation bonds to fund the land acquisition and to construct, furnish and equip a new police and court facility at the Parker Road location. The other ballot measure would annex 7.5-acres of real property located at 3332 and 3151 Parker Road. Voter approval is required for each of the ballot measures.

If the three ballot measures are approved, the City would:

- Sell a portion of Sunset Park to the West Linn/Wilsonville School District so Sunset Primary School could be replaced at its current location;
- Purchase the Parker Road property being annexed; and
- Construct a new police and court facility on a portion of the annexed property.

Voters can learn more about this ballot measure online at <http://westlinnoregon.gov>.

(This information furnished by Tina Lynch, City of West Linn.)

**NO ARGUMENTS WERE FILED
IN FAVOR OR IN OPPOSITION
TO THIS MEASURE.**

March 27, 2016

To: The West Linn Planning Commission

Re: File No. CUP-15-03/DR-15-17/VAR-15-01/02/03

Proposed Sunset Primary School Development Application

According to the plans currently being presented to the West Linn Planning Commission, the local school district feels obligated to construct a storm water detention pond in an uphill location in connection with the reconstruction of the Sunset Primary School.

We, the neighbors, support constructing a new school in the area and wish to work with those who are planning this project to achieve our mutual goals in the best possible way. However, many of us are frightened by the possibility that the proposed storm water detention pond would be infusing the soil with more water than it can hold in the immediate area and by the inability of anyone to control what happens to the water if the detention pond fails or once the water is in the ground.

Being aware of the testimony of one of the neighbors of the new Trillium Creek school (which is situated on what appears to be a better site for handling runoff water with its nearby creek), we are distressed to think that the water from the storm water detention pond holds the potential to undermine the homes that are downhill from the new school, and we fear this will have a ripple effect on the resale value of homes in the area.

We need to feel secure and safe in the knowledge that our investment of time, effort, love and money will not be endangered by a plan over which we have no control. We would like to feel that our need for community is being respected, and that we can work together to achieve the highest good for all concerned, including the wildlife and the trees that are part of Sunset Park. We still believe that the best interest of all could be served without damaging the park or the surrounding environment.

We ask that the West Linn Planning Commission and the representatives of the school district work with the members of the Sunset neighborhood to achieve something that will retain the beauty of our park and be a positive legacy for all.

It is our understanding that the school district chooses not to bus the children from the old school, one that is full of asbestos and lead, to other locations so that the school could be built in the exact same location due to concerns over disrupting friendships and lives for the 9 months of the school year during which the plan is to build the new school alongside the old school.

with every other effort being undertaken to save the environment on a local level, is a step in saving our planet. What a chance for the students involved! They can learn through example how to resolve conflicts and differences of opinion in mutually satisfactory nonviolent ways and at the same time be heroes of the Earth.

Let's work together to achieve the highest and best for all concerned, most particularly for our heroic children who will be carrying on the mission of nonviolence, environmental sustainability, and protecting life here on Earth long after we are gone.

Thank you for taking the time to seriously consider and deny the current plan,

Catherine Cougan

Carl Cowen

22820 Oregon City Hwy

West Linn OR 97068

Nancy Land

4666 Bitter H

West Linn, OR 97068

Copies to: Darren Wyss, Associate Planner, City of West Linn, Oregon
Dr William Rhoades, Superintendent, West Linn-Wilsonville School District
Tim K. Woodley, Director of Operations, West Linn-Wilsonville School District

April 4, 2016

To: The West Linn Planning Commission

Re: File No. CUP-15-03/DR-15-17/VAR-15-01/02/03

Proposed Sunset Primary School Development Application

It is our understanding that the West Linn-Wilsonville School District refuses to bus the children enrolled in the Sunset Primary School to other locations during the construction of the new school, which is why the school cannot be built in the same location that it currently occupies. Yet, if this were not an issue so that the children could be bused and the school built where it currently is, most of the objections of the neighbors should disappear.

During WWII, 3.5 million British citizens, most of them children, were evacuated either to rural areas or overseas to Canada, South Africa, Australia, New Zealand, and the United States. This was done at great expense in an effort to keep their children safe.

Isn't it time we think about the needs and safety of our youngest school-age children, and make plans to remove them from what could potentially be a dangerous construction site? The relocation of these children would not be for the duration of a war but for a period of 9 months, nor would it involve the trauma of being torn from their families and friends. Surely, if the School District considered all of the possible consequences of keeping the children in the Sunset Primary School while the new school is being built next door, they would revise their plans, and embrace busing these children out of harm's way.

Though we might choose to ignore it and concentrate on other enemies, every person on Earth is engaged in a war right now, only in this war the enemy is us. We are in a battle to save our precious planet. We aren't going to be moving to Mars or some other moon or planet anytime soon, so we must all do our parts in protecting and cherishing what we have. And sometimes that will mean making hard, uncomfortable decisions. We need to be willing to step up and do our part to save the Earth, by saving one tree at a time, and one park right now.

What we teach, and our children learn, comes from the top down, and includes how we live and how we act towards the habitat. It's time we teach peace, consideration for the needs of others, and how to live and work in the world without destroying more of it. Cutting down trees and destroying a perfectly beautiful, tranquil park would not be teaching peace and environmental concern. No number of forest classrooms can make up for this kind of destruction. As Chief Seattle said, "Man did not weave the web of life, he is merely a strand in it. Whatever he does to the web, he does to himself. All things are bound together. All things connect." What damage we do to the Earth today, we are doing to ourselves, and this damage can never be reversed.

We need to work together to get the needs of all concerned met. We can teach peace and nonviolence, or we can teach the opposite. It is our choice. But, if we don't teach love and respect, should we be surprised when children don't learn these things and end up bringing weapons and disrespect for the rights and needs of others into the classroom?

Also, is it not more compassionate to save parents the worry and aggravation of delivering their children into a construction zone every day and the neighbors of the Sunset Primary School the worry, fear and concern over the destruction of a much beloved area of the park? According to the Dalai Lama, "Compassion is not religious business, it is human business, it is not luxury, it is essential for our own peace and mental stability, it is essential for human survival." And, we might add, for the survival of the Earth.

If we can work together to come up with a plan that meets everyone's needs, basic needs for interdependence, closeness of the community, empathy, respect, support, inspiration, and understanding, plus the fun, laughter, peace and beauty that the park provides, then we will have a plan that we can all embrace, and can begin to heal some of the wounds and divisiveness which the current plan has created. This would also relieve much of the fear, anguish, pessimism, and frustration now being felt within the neighborhood.

It's a given that it's easier to avoid a problem than it is to fix one. We, personally, believe that the School District and its officials must have feelings and some regard for this small piece of our planet. After all, if our educators have no concerns about teaching by example how to protect nature and the Earth, who can we possibly hope will do this?

No one wants to be in an adversarial role here, because we all basically want the same thing. Only our approach and needs differ. According to the latest amendments to the plan submitted by the School District, the Storm Water Pond, which was a major point of concern and contention at the last Planning Commission meeting, has been scrapped or modified in favor of an undated (exhibit D.2, page 899) "Proposed storm treatment and detention facility" from which the water will go directly into Sunset Creek.

Is this a new proposal in answer to the opposition met at the last meeting? If so, it would appear that the School District *is* willing to address some of the neighbors' objections to their plans. Maybe they would also be willing to consider putting in rain gardens and permeable parking as the hydrologist hired by the neighbors proposed. The local neighbors really *want* to work with the District to come up with a mutually acceptable plan, and we believe that this can be done.

Right now, schools need a win, and what the West Linn Planning Commission and the West Linn - Wilsonville School District decide to do here in the Sunset neighborhood, could be that kind of win.

Thank you in advance for keeping in mind all of the concerns of the Sunset neighborhood,


Robert Malcolm
22791 Oregon City Loop
West Linn

Nancy Jend
4666 Pittman St
West Linn, OR 97065


Catharine Brown
22820 Oregon City Loop
West Linn OR 97068

April 6, 2016

these 4 pictures were

~~This picture was taken~~ today at Rosemount Middle School. I can only assume that it was made possible by the people who have had lots of experience with stormwater facilities that drain within 24 hours.

Carrie Hansen

Carrie Hansen

4760 Bittner St

West Linn, OR









Pacific Hydro-Geology Inc.

18487 S. Valley Vista Rd.

Mulino, OR 97042

(503) 632-5016

April 6, 2016

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

RE: File CUP-15-03/DR-15-17/VAR-15-01/02/03. Response to March 28, 2016
comments by Mark Wharry, P.E. at KPFF

To City of West Linn Planning Commissioners:

Pacific Hydro-Geology Inc. (PHG) has reviewed the rebuttal testimony that was submitted to West Linn on March 28, 2016. We have noted significant changes that are the functional equivalent of a new storm water management plan. KPFF has not submitted the technical information necessary to allow proper review of these changes. Our comments to the response are discussed below:

Changes Made Without Documentation:

- KPFF has changed the shape of the initial storm water detention pond and slightly moved its location. See Exhibit D.2 compared to LU1.03.
- KPFF has added a second drainage basin called Drainage Basin 2, with discharge calculations shown on Table 1 (Page 27 planning numbering system).
- Summary statement No. 7 (Page 30 planning numbering system) says there are two overflow structures; however, the second overflow structure does not appear to be shown on any maps or figures.
- KPFF notes the size of the proposed storm water pond as 5,000 square feet. The *Preliminary Stormwater Drainage* report prepared by KPFF states the storage volume for the pond was to be 9,230 cubic feet. Converting the 5,000 square feet to cubic feet using the proposed 4 foot depth shows the new storm water pond will now retain 20,000 cubic feet, which is double the previous volume. This is a significant change in storage volume that needs to be discussed further given the landslide risks for the area.

Other Comments:

- In their summary of testimony (summary statement No. 5), KPFF states there is no evidence to support the conclusion that the proposed facility could trigger landslides or reactivate existing landslides. The landslide hazard maps prepared by Department of Geology and Mineral Industries (DOGAMI) are evidence that there is the potential for landslides.
- Storm water examples given by KPFF are not applicable here. The proposed facility will be constructed on top of a hill with a relatively shallow depth to bedrock, which makes the area more prone to landslides.

- KPFF seems to be trying to discount concerns surrounding the proposed infiltration pond by referring to it as a “planter.” The issue is storm water will still be concentrated in a small area and allowed to infiltrate through the bottom of the structure. It does not matter if you want to call the infiltration area a pond or a planter, it is still an area where storm water is concentrated and some of it will infiltrate and move downslope. This area under and below the infiltration pond will be wetter under the new conditions.
- KPFF notes under the section titled “Water Quality,” the bottom of the infiltration pond is recessed 6 inches below the outlet pipe. Thus, there will be a minimum of 6 inches of water retained in the pond that will be available for infiltration during any rainfall event. During the winter, evaporation is low and plant uptake is also low. Therefore, the majority of this water will infiltrate through the growing media and native soils.
- KPFF states that the infiltration will not be significant to the operation of the facility and the facility does NOT (KPFF emphasis) depend on infiltration. However, concentrating the infiltration at the pond will have a significant impact on the area below the pond.
- KPFF makes multiple comparisons between existing and new drainage basins. However, they do not clearly note that the existing impervious area covers 2.1 acres and the proposed impervious area will cover 2.9 acres. This is an increase of 0.8 acres of impervious surface that will contribute additional water that will flow through the new public storm sewer and eventually flow down Sunset Creek. This will be an additional impact in spite of the metering from the proposed infiltration pond. The flow of water will be spread out over a longer period of time.
- KPFF notes the existing storm water pipe is 8 inches in diameter and is inadequate for the existing storm water runoff from 2.1 acres of impervious surface. The diameter of the new storm sewer to be constructed was not provided. Thus, there is no way to evaluate the full impact of water discharging through the new storm sewer.

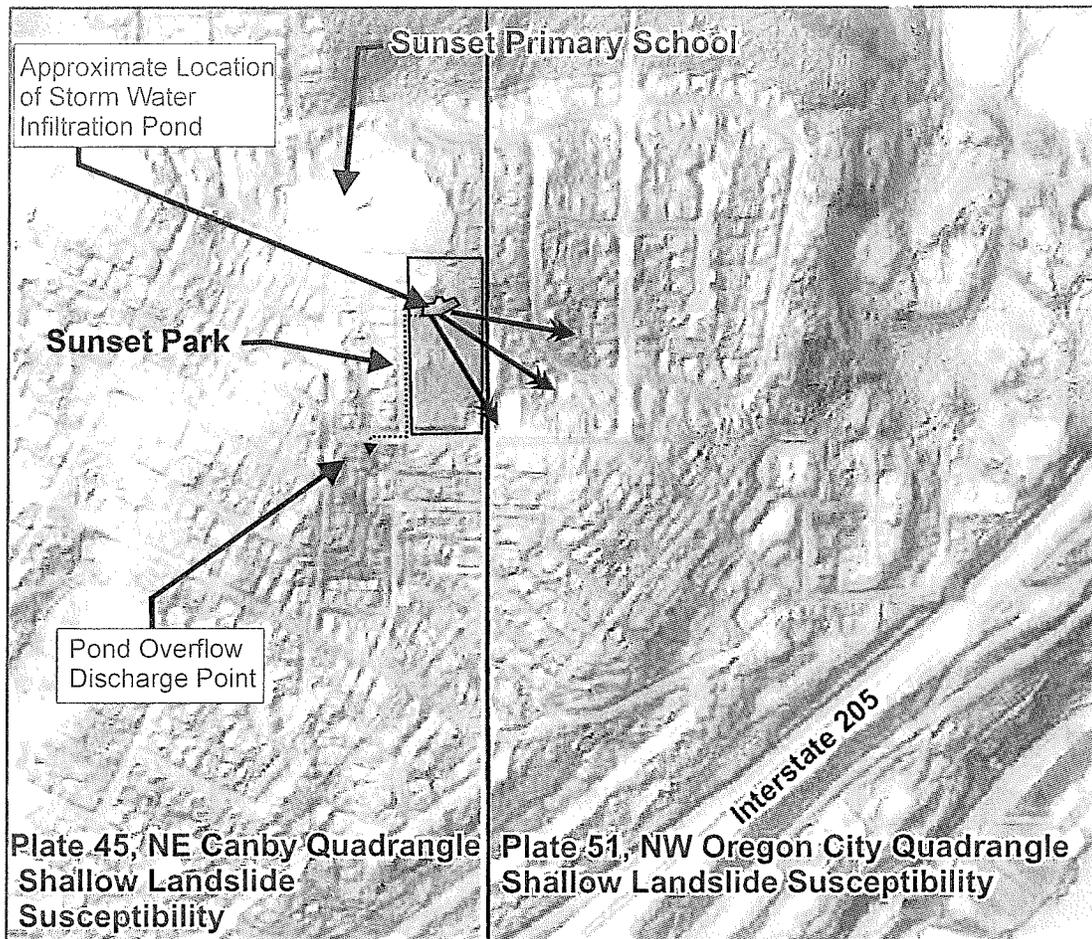
In summary, our concerns about the increased risk of landslides and flooding for neighboring properties still remain. The proposed changes do not fully address those issues.

Sincerely,



Expiration Date:

Malia R. Kupillas, R.G., C.W.R.E.



Contributing Factors *	Final Hazard Zone		
	High	Moderate	Low
① Factor of Safety (FOS)	less than 1.25	1.25 - 1.5	greater than 1.5
② Landslide Deposits & Head Scarps (Shallow)	included	—	—
③ Buffers	2H:1V (head scarps)	2H:1V (FOS less than 1.5)	—

➔ Direction of surface and subsurface flow

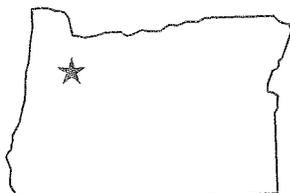


Scale: Enlarged from a scale of 1:8,000 to 1:773



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1 Mile



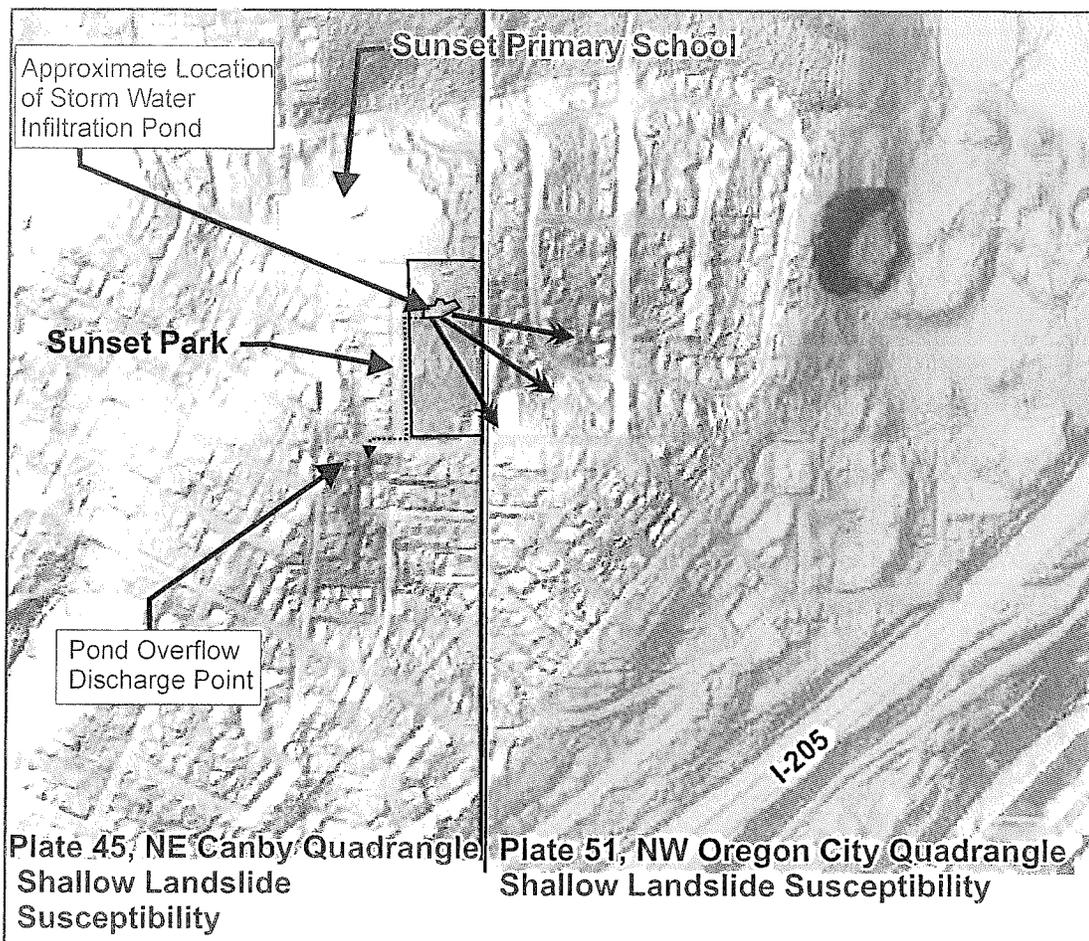
Source: Landslide Hazard and Risk Study of Northwestern Clackamas County, Oregon. State of Oregon, Oregon Department of Geology and Mineral Industries, Open-File Report O-13_08, Plates 45 and 51.

Figure 1. Site Location Map and Shallow Landslide Risk

Proposed Sunset Primary School Storm Water Infiltration Pond

Pacific Hydro-Geology Inc.

03/2016



Contributing Factors *	Final Hazard Zone		
	High	Moderate	Low
① Factor of Safety (FOS)	less than 1.25	1.25 - 1.5	greater than 1.5
② Landslide Deposits & Head Scarps (Shallow)	included	—	—
③ Buffers	2H:1V (head scarps)	2H:1V (FOS less than 1.5)	—

➔ Direction of surface and subsurface flow

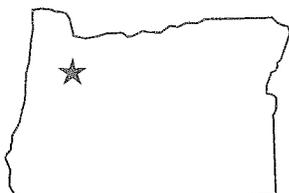


Scale: Enlarged from a scale of 1:8,000 to 1:773



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1 Mile



Source: Landslide Hazard and Risk Study of Northwestern Clackamas County, Oregon. State of Oregon, Oregon Department of Geology and Mineral Industries, Open-File Report O-13_08, Plates 45 and 51.

Figure 2. Site Location Map and Deep Landslide Risk

Proposed Sunset Primary School Storm Water Infiltration Pond

Pacific Hydro-Geology Inc.

03/2016

- *Sunset Neighborhood and friends* support a smart design for the Sunset Primary School site.
- Due to what we believe is faulty engineering by the applicant's contractor, we have lost faith in the professional judgement of kpff. *CKPFF (Consulting Engineers)*
- Faulty engineering of stormwater ponds has the potential to be hazardous due to the nature of this land.
- We are talking about a landslide area. Unstable slopes need to be avoided.
- Contact William J. Burns of: **Oregon Department of Geology**, he is happy to answer your questions.
- He points us to helpful information regarding: **Northwestern Clackamas County's Landslide Hazard and Risk Study**.
- There are various approaches that can be taken to reduce landslide risk.
- Ask for examples of regulations that can apply to development in areas potentially subject to landslides.
- His work promotes--**risk prevention is key**.
- Nearby/adjacent, to proposed development, is at an intermediate risk for landslides, at our current hydrology, per our expert hydro-geologist.
- It is imperative to maintain the current hydrology of the 1.6 acres of land, the portion of Sunset Park, the school purchased from the City of West Linn.
- This area of land, in particular, is where the topography goes downhill at a much steeper grade.
- Logging the mature Douglas fir trees will change the ground soil and runoff, thus changing the hydrology.
- Faulty and poorly planned stormwater detention ponds have the potential to put mature Douglas fir trees at risk of failure, a hazard to our school/park/and adjacent homes.
- Plus more tree loss means more logging, and more logging means more change to the ground soil, runoff, and hydrology of this land.
- There is hope.
- There is a win-win solution.
- We suggest rain gardens around the buildings, combined with permeable parking which will eliminate the need for a pond and maintain current hydrology.
- Oregon Water Resources Building in Salem is an excellent example of this type of design.
- These viable alternatives would be more consistent with meeting the requirement of the West Linn Storm Water Management Plan, Community Development Code 92.010E, and Chapter 55.130B,C (design review).
- This would minimize the risks for adverse impact to the school, park and adjacent residents.
- We ask you to deny the current application to allow time for incorporation of recommendations upon re-submittal.

Caryn Aman
 4740 Bittner St.
 West Linn, OR