

## Shroyer, Shauna

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**From:** Axelrod, Russell  
**Sent:** Tuesday, February 19, 2019 9:55 AM  
**To:** Cummings, Teri; Stein, Eileen  
**Subject:** Re: Letter from the Robinwood Neighborhood Association

I'm very interested in this as well and have discussed the matter briefly at end of last week with RNA rep's. I'm not sure of the process, but believe we are under tight time constraint for any council action. I'm copying Tim here so he can help with defining the process steps for us.

Thanks,  
Russ

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**From:** Cummings, Teri  
**Sent:** Tuesday, February 19, 2019 12:18 AM  
**To:** Axelrod, Russell; Stein, Eileen  
**Subject:** Fw: Letter from the Robinwood Neighborhood Association

Mayor Axelrod and Ms. Stein, could we please have information about the CDC remand procedure available tomorrow since I assume time is of the essence in this matter? I am willing to hear the one issue on remand.  
Teri Cummings

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**From:** Jim OTOOLE <jandeotoole@comcast.net>  
**Sent:** Thursday, February 14, 2019 10:15 PM  
**To:** Axelrod, Russell  
**Cc:** Cummings, Teri; Sakelik, Richard; Walters, Julianna; Relyea, William  
**Subject:** Letter from the Robinwood Neighborhood Association

Dear Mr. Mayor

On behalf of Mr. Dennis Pollmann, President of the RNA, I have attached a letter regarding a request for a revision on a "condition of approval", from a final decision issued by the City Planning Commission relative to The Marylhurst School Project.

Thank you in advance for your consideration of this request.

JO'T  
**Jim O'Toole**  
West Linn, Oregon

## ROBINWOOD NEIGHBORHOOD ASSOCIATION

The Honorable Russ Axelrod  
Mayor  
West Linn, Oregon  
22500 Salamo Road  
West Linn, Oregon 97068

February 14, 2019

RE: Request for City Council Reconsideration of Planning Commission Decision  
CUP 18-01, DR 18-04, VAR 18-02/03, Staff Recommendation No. 2

Dear Mr. Mayor,

During this weeks monthly meeting of the Association the neighbors were made aware of the progress and campaign by The Marylhurst School through the City Planning Commission to relocate their facilities within the boundaries of the neighborhood. We welcome them whole heartedly into our midst.

While the cause for celebration is real, there is a deep underlying concern surrounding the requirement to place a "new concrete sidewalk and curb to nowhere" along the property on Old River Road.

The applicant, The Marylhurst School, originally proposed an asphalt type of pathway similar in nature and design as three other existing walkways within the Neighborhood to conform and blend in with the more rural setting of the streetscape; as well as, to address concerns of the Neighborhood Association, as outlined in the letter to you, dated June 19, 2018 (attachment).

The applicant's proposal was denied. Subsequently, the applicant recommended the decision of the sidewalk, street and curb structure be deferred until the Marylhurst School reached phase two of their construction plan which would be approximately two years into the future. This would also serve to provide the Association the time needed to address the street and sidewalk issues during the revision process of the Neighborhood Plan according to the applicant.

This proposal was also denied; notwithstanding very little construction and installation of new structures or facilities will take place until financing, plans and programs for phase two have been finalized. Unfortunately, there appears to be no flexibility in the interpretation of the City Code to allow for what we consider a very reasonable request.

Considering the time which could be allowed and with no adverse effect present, it makes little sense to stifle the opportunity to explore different and new available pathway construction options and alternatives which may be more compatible, and in sync, with the surroundings through the revision process afforded to us by our upcoming scheduled work on the existing Neighborhood Plan.

Our request to you is simple. We ask the City Council's Reconsideration of Planning Commission Decision CUP 18-01, DR 18-04, VAR 18-02/03, Staff Recommendation No. 2

For your convenience below, please find a copy of the condition of approval from the final decision, followed by our proposed language for the condition of approval.

The condition of approval is as follows:

2. **Engineering Standards**. All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These must be designed, constructed, and completed prior to the issuance of occupancy permits for each phase of the project.

We would suggest the language be **modified** as follows:

2. **Engineering Standards**. All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These onsite improvements must be designed, constructed, and completed prior to the issuance of occupancy permits for Phase 1 of the project. All offsite improvements, including full half street improvements as well as the undergrounding of electrical must be designed, constructed and completed prior to the issuance of occupancy permits for Phase 2 of the project.

We request an expedited remedy to this issue. Time is extremely limited for us to exercise any other options short of an appeal. We want to seriously avoid any situation which might turn out to be an encumbrance to The Marylhurst School and their plans.

Should you require any additional information, justifications, or my appearance before the City Council to further elaborate on this request, I will be more than pleased to make myself available to your calendar.

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The Honorable Russ Axelrod  
February 14, 2019

The active members of the Robinwood Association stand ready to assist you in this endeavor in any way that will prove helpful. We look forward to your kind response and thank you for your continued support for our neighbors.

Sincerely yours,

*/s/ Jim*

James T. O'Toole  
Special Projects

*/s/ Dennis A. Pollmann*

President  
Robinwood Neighborhood Association

*/s/ Christine Steel*

Vice-president  
Robinwood Neighborhood Association

*Attachment: June 19, 2018 Letter to The Honorable Russ Axelrod*

cc: The Honorable Teri Cummings  
Member of the West Linn City Council

The Honorable Richard Sakelik  
Member of the West Linn City Council

The Honorable Jules Walters  
Member of the West Linn City Council

The Honorable William Relyea  
Member of the West Linn City Council

Robinwood Neighborhood Association Board Members

Dennis Pollmann, President  
Kevin Bryck, Treasurer

Christine Steel, Vice-president  
Kazi Ahmed, Ambassador

*(Attachment: June 19, 2018 Letter to The Honorable Russ Axelrod)*

## ROBINWOOD NEIGHBORHOOD ASSOCIATION

The Honorable Russ Axelrod  
Mayor  
West Linn, Oregon  
22500 Salamo Road  
West Linn, Oregon 97068

June 19, 2018

Dear Mr. Mayor,

During this month's meeting of the Robinwood Neighborhood Association the topic of improvements to "sidewalks and streets" was discussed at length. The Association voted, unanimously, to seek your assistance in order to finally resolve this dilemma.

Over the years the sections of Chapter 96 of the Community Development Code have been inconsistently applied to remodel and building projects within the boundaries of the Robinwood Neighborhood. Specifically, those provisions and conditions affecting the installation of concrete curbs and sidewalks, along with street improvements, have been most controversial and problematic.

As you are aware, the majority of residents within the developed sections of the Robinwood Neighborhood have long had a strong preference to maintain the current rural fabric. They enjoy the narrow shared roadways which maximizes the natural setting and minimizes hardscape.

The current thinking of the City planners regarding the piece-meal installation of curbs and sidewalks, seems to be that some day, in the far off future, all of the individual curbs and sidewalks will miraculously all "meet-up" in our life time, is illusory. In the interim, the rationale for the installation of a series of "sidewalks to no-where" contributes little to the current aesthetics and/or individual property values within the neighborhood. Given the time it will take to complete this fancy, no account is given for the value of "undeveloped" lands. Nor, does the program take into account that residents will defer upgrades and improvements to their individual properties in light of the significant added expenses which would be incurred. As a result, the neighborhood will not benefit from the improvements, including remodeled and/or new housing normally witnessed within the growth of a typical neighborhood.

There are provisions within the code which allow for a determination to be made which allows the resident to pay for the curbs, sidewalks and street improvements elsewhere in the City; in lieu of placing same at their residence. These provisions are just onerous. The concept, usually reserved for construction of commercial properties is, in most cases, considered the cost of doing business and limited to improvements within and around the exterior of the property to be developed, not properties outside the control of the developer at other locations. Other property owners in neighborhoods within the city, who make improvements to their property, are not subject to the same financial burdens, which are not inexpensive by the way, as neighbors who do not already enjoy the amenities your planning division now find necessary. In short, the application of this development criteria and extra costs to residential units seems by many, to be ambiguous, discriminatory, overreaching, and a punitive tax on certain citizens.

The "in-lieu" program was last presented to the Neighborhood Association meeting by the former City Manager, It was not received well then, and such sentiments have produced little improvement to the muddle since.

The Neighbors are very aware there are others within the neighborhood who would find the addition of sidewalks, and improved streets desirable, particularly those residents in the newer additions, along the periphery of the existing Neighborhood Boundaries; and, there are some who would advocate viable alternatives such as an asphalt pathway along one side of some streets within the older sections of the Robinwood Neighborhood itself.

The purported thinking surrounding safety and remedies can be found on both sides of the street as equal good and bad conclusions have been advanced by both advocates of developed and undeveloped camps. In addition, we have been advised the Tualatin Valley Fire and Rescue officials may have expressed some interest in this program. Certainly their views need to be considered in any new development and accommodated to the extent practical in existing developments.

We would ask you to consider addressing these issues through the City Council and/or Planning Commission, and initiate a comprehensive and narrowly focused study; produce a neighborhood plan based upon a wide-array of Robinwood resident participation, and consider subsequent code revisions which might arise from the foregoing to address future developments and improvements to the neighborhood infrastructure (i.e. curb, sidewalks and street improvements).

Most importantly, we request you and the City Council cause a moratorium be placed into effect on those policies and procedures as described in Chapter 96 of the Community Development Code concerning the consideration of curbs, sidewalks and street improvements in the application for permits from the City, for remodeling and/or the construction of residences, within the Robinwood Neighborhood until the study, plan and subsequent code revisions are finalized.

In the past, for one reason or another, residents of Robinwood have considered these issues resolved, only to find the controversy rise once again. We believe it is time to put this dispute to a final resolution.

The active members of the Robinwood Association stand ready to assist you in this endeavor in any way that will prove helpful.

In this regard, we cordially invite you and/or your designee to address these issues at our next Robinwood Meeting on Tuesday, July 10, 2018 at 7pm. Given the importance of the points of contention we will defer all other neighborhood business to allow an appropriate amount of time for discussion and questions on these issues.

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The Honorable Russ Axelrod  
June 19, 2018

We look forward to your kind response and thank you for your continued support for our neighbors.

Sincerely yours,

/s/ Jim

James T. O'Toole  
President

Cc: The Honorable Brenda Perry  
Council President, West Linn City Council

The Honorable Robert Martin  
Member of the West Linn City Council

The Honorable Teri Cummings  
Member of the West Linn City Council

The Honorable Richard Sakelik  
Member of the West Linn City Council

Bcc: Robinwood Neighborhood Association Members

Robinwood Neighborhood Association Board Members

Jim O'Toole, President      Kazi Ahmed, Vice-president  
Jenne Henderson, Secretary      Christine Steel, Treasurer  
Sharon Pollmann, Ambassador