

Exhibits received
at, or after, the September 17, 2008
Planning Commission hearing

Robinwood Neighborhood Association

City of West Linn

September 16, 2008

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

Dear Planning Commission Members:

At the August 12, 2008 meeting of the Robinwood Neighborhood Association (RNA), the attendees passed a motion (20 in favor, 0 in opposition), requesting that the City of West Linn Planning Commission (PC) impose a condition on the zone change and comprehensive plan map change at 18270 and 18340 Willamette Drive and 18395 Shady Hallow Way (on the 9/17/08 PC meeting agenda):

Whereas West Linn is known as a tree city, the RNA opposes any development that removes any more than 25% of tree canopy within 25 feet of the right of way of Willamette Drive. This in no way says we approve a zoning change at this time before we see the proposal.

We appreciate your time and consideration in this matter and welcome any questions you may have.

Regards,

Scott Sandie
Robinwood Neighborhood Association Secretary and Treasurer

CC: Kevin Bryck, RNA President
Bryan Brown, Planning Director, City of West Linn Planning Department
Peter Spir, Associate Planner, City of West Linn Planning Department

September 15, 2008

To the West Linn Planning Commission:

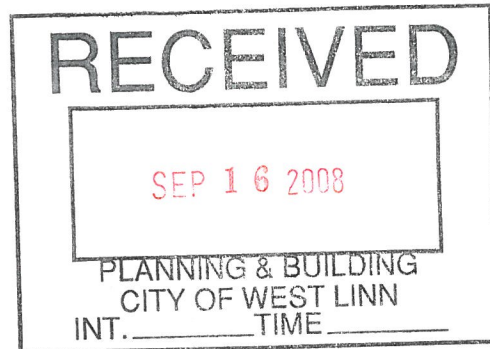
I will be out of town the 17th. I am submitting this letter to inform you of my support of the zone change requested for the property at Shady Hollow and Highway 43. This is to include the recommendations of the Planning Dept. and any you might deem appropriate.

I understand the reluctance of The Robinwood Neighborhood Association as to their stand in wanting to see what will be built there. With the Market at this time It is not practical to invest all of that at this time.

I served on the West Linn City Council when these zones were established to meet the requirements of Metro. This corner north was to protect the R 10 land. I feel this will be a good buffer between the commercial and the R 10. Knowing then what I know now I would have recommended R 4.5 or R 5 for that land.

Robert Stowell

2606 Maria Ct.
West Linn, Oregon 97068



STIVEN

Planning and Development Services, LLC.

September 11, 2008

City of West Linn Planning Commission
Chairman Michael Babbitt
Members of the Planning Commission
22500 Salamo Road
West Linn, OR 97068

RE: Case File No. ZC-08-01 / PLN - 08-06

Dear Chairman Babbitt and Members of the Planning Commission,

On behalf of David and Diana Emami, I appreciate the opportunity to appear before you in support of the Proposed Plan Amendment and Zone Change on the three properties along Willamette Drive. The Emami's and I have been working closely with the Robinwood Neighborhood Association and the city's planning staff to arrive at a satisfactory set of conditions that would allow the proposed map changes to proceed. The three conditions of approval recommended by the staff and stated in the staff report are supported by the property owners. With that understood, we sincerely hope that you will recommend approval to the City Council.

The staff report did not mention the coordination that has occurred between the property owner and the neighborhood. Prior to my involvement with the case, Mr. and Mrs. Emami met with the neighborhood association and presented them with a mixed use concept for the site, including both commercial and multi-family development. At that time the owners were contemplating a proposed Plan Amendment and Zone Change from the existing R-10 to R-2.1 with the associated Conditional Use Permits. The proposal was not supported by the neighborhood. Specifically, the Robinwood Neighborhood was opposed to commercial uses on the site. The Emami's heard the neighborhood's concerns and revised the request. I became involved with the site after the mixed use plan had been presented to the neighborhood. Based on the neighborhood's opposition to the commercial uses on the site, Mr. and Mrs. Emami returned to the neighborhood with the proposal to convert the land use designations to Residential use with the R-2.1 zoning on the original two properties, plus the addition of a third property to the north. The R-2.1 zoning would have allowed up to 43 units of housing. This proposal was presented to the neighborhood association at their regular meeting on June 10th.

At that time the neighbors made it clear that they would not support a change that resulted in the higher density. Individual neighbors indicated that a lower density and specifically the R-4.5 zoning could be supported. Therefore, the Emami's decided to proceed with the request for the R-4.5 Plan Amendment and Zone Change, which will allow a maximum of 22 units on the 2.08 acre parcel. This request was presented to the Neighborhood Association at their July 8th meeting. The minutes of both meetings are included in the application materials submitted to the city.

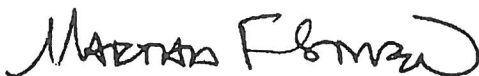
It is my understanding that at their meeting on September 9th, the neighborhood met again and approved a Resolution in support of the Plan Amendment and Zone Change so long as the approval included a plan for development. I have not had an opportunity to review the Resolution. According to Bob Stowell who attended the meeting, the concern by some in attendance was that the neighborhood was uncomfortable not knowing exactly what would be located on the site. The staff's recommended conditions of approval provide the certainty that the neighborhood wants. The 25 foot setback, the limitations on commercial use, and the restriction to units of two units or less provide clarity about what will be built. In addition, any development on the site will be subject to public review and input by the neighborhood. The staff's proposed conditions of approval and the city's process for approval provide both certainty and an opportunity for future participation in how the site will ultimately be developed.

Please note that the applicant is not legally allowed to submit a concurrent site plan and comprehensive plan map amendment for review. In this case, we must wait for approval of the Plan Amendment and Zone Change to submit for Development Review.

We hope that you will take into consideration the responsiveness of the applicant to the neighborhood and understand that they will continue such coordination when the time comes for the development of the site.

Thank you for your thoughtful consideration of this matter and we look forward to continuing to work with your staff and the neighborhood.

Very truly yours,



Martha F. Stiven

Cc: Mr. & Mrs. David Emami
Michael C. Robinson, Perkins Coie, LLP
Peter Spir, City of West Linn

CORRECTED VERSION



Oregon

Theodore R. Kulonowski, Governor

Oregon Department of TransportationODOT Region I
123 NW Flanders St
Portland, OR 97209 - 4037
Telephone (503) 731-8200
FAX (503) 731-8259

TO: Gail Curtis – Planner
Region 1 Planning

FROM: Doug Baumgartner, E.I.T.
Development Review Traffic Analyst
Region 1 Traffic

DATE: August 25, 2008

RE: Willamette Commons Zone Change
HWY 3 (OR 43)
Clackamas County, Oregon

Introduction

I have reviewed the Transportation Impact Analysis (TIS) for the proposed Willamette Commons Zone Change in West Linn, Oregon. The TIS is dated July 9, 2008 and was submitted by the applicant, Willamette Commons, LLC.

The zone change proposal is for three adjacent parcels on Willamette Drive currently zoned R-10 zoning (Low Density Residential) and proposed to be zoned R-4.5 zoning (Medium Density Residential). The three parcels comprise a total of 2.08 acres and currently contain single family residences on two of the three parcels. Willamette Drive (Highway 3, MP 8.31) is classified as a Statewide Highway with a maximum volume to capacity ratio of 0.99.

Based on the technical review of the TIS ODOT has the following comments and concerns regarding the findings of the TIS.

Trip Generation

The existing zoning on the three parcels would allow for three houses to be built on each lot for a total of 9 single-family homes and the proposed zoning would allow 22 single-family units. ITE Code 210, Single-Family Detached Housing, was used to calculate trip generation for all analysis scenarios. The trip generation for build out of the existing zoning would be 86 daily trips with 7 AM peak hour trips and 9 PM peak hour trips. The trip generation for build out of the proposed zoning would be 211 daily trips with 17 AM peak hour trips and 22 PM peak hour trips.

Volume Development and Capacity Analysis

The traffic count data (raw volumes) was not seasonally adjusted to reflect the 30th Highest Hour volume (30HV) which would have increased the volumes at the Willamette Drive and Shady Hollow Way intersection by 5%. However, regardless of this discrepancy the analysis shows that the intersection will perform within the standard

maximum volume to capacity ratio with the build out of the proposed zoning through the 2023 planning year.

Access Management

The TIS was based on the assumption that all three of the parcels would share a single access to Shady Hollow Way opposite of Burgerville's access. However, the TIS also included the statement that "*a site plan is not available for either development scenario as no development is proposed at this time*". On the contrary, the TIS also included the statement that under the existing zoning it is "*expected that the nine homes would have potentially up to three Accesses.*" Based on the information provided in the TIS it is unclear as to what access is proposed for the three parcels to the transportation system. Shady Hollow Way appears to front all of the specified properties and thereby is a viable access alternative to the highway and so ODOT recommends that any access to these properties be to Shady Hollow Way and not Willamette Drive. If the three parcels share one access to Shady Hollow Way, then ODOT's access spacing standards would not have to be addressed, but if access to the highway is proposed for any of the parcels with their development, then the applicant will have to apply for an access permit and go through the permitting process according to OAR 734-051.

Sight Distance

The TIS only addressed the sight distance at the location of the proposed single access for the proposed development. ODOT standards for sight distance do not apply to accesses on facilities that do not belong to the department. A site plan was not provided to verify the distances that were reported and so the traffic safety assumptions of the TIS cannot be verified without supporting data.

Traffic Safety

The intersection of Shady Hollow Way and Willamette Drive has a low accident rate of .06 accidents per MEV according to the recent crash history and so mitigations were not recommended in the TIS. ODOT does not recommend any safety mitigations for this intersection based on the accident records.

Turning Lane Warrants and Signal Warrants

The TIS included an analysis of turning lane and signal warrants and concludes that a signal is not warranted at the site access or at the Shady Hollow Way and Willamette Drive intersection, a left turn lane is not warranted on Willamette Drive, and that construction of a roadway shoulder is recommended from the right turn lane warrants for peak hour traffic under the current and proposed zoning but that the construction of a roadway shoulder is not recommended because it is not needed for intersection capacity. Further traffic analysis of site access is warranted at time of development in order to analyze the safety and operational impacts on the Shady Hollow Way and Willamette Drive intersection.

Conclusion

Based on the trip generation increase resulting from the proposed zone change and map amendment, there will be no significant effect on the transportation system. Frontage improvements to Willamette Drive should be required as a condition of the zone change and/or development approval because of the vicinity access that Willamette Drive provides. Further traffic analysis is warranted at time of development. The purpose of the

analysis would be to analyze the safety and operational impacts of the proposed accesses and the impacts on the area traffic operations and safety.

If there are any questions regarding the contents of this memorandum, please contact me at (503) 731-8225.