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October 7, 2009

**VIA E-MAIL**

Mr. John Sonnen  
Planning Director  
City of West Linn Planning Department  
22500 Salamo Road, Suite 1000  
West Linn, OR 97068

**Re: City of West Linn File No. CDC-09-04; Extension Ordinance**

Dear Mr. Sonnen

This office represents Jeff Smith. As you know, Jeff is the individual who asked the City Council in November, 2008 to initiate this ordinance. The City Council did so and, after several hearings, the West Linn Planning Commission recommended approval of the ordinance. I understand that you have since revised the ordinance (I have attached the revisions to this letter to clarify the revisions that I am describing) at the Planning Commission's direction.

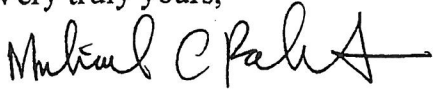
I have reviewed the revisions and believe that they are consistent with the Planning Commission's substantive intent. However, should the Planning Commission wish to make further changes, should additional comments or evidence be introduced or should any party be allowed to testify to the Planning Commission at tonight's work session, I respectfully request that the Planning Commission reopen this matter for a public hearing and allow all interested parties to testify about any proposed new language or new evidence or argument that the Planning Commission should consider. I am making this request because it is my understanding from speaking with both you and Mr. Spir that the Planning Commission's intention is not to take additional testimony tonight. However, as we all know, that might change at the meeting. Since I am unsure whether I will attend, I

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wanted to place this request before you and ask that you place this before the Planning Commission Chair as a procedural matter.

Thanks again for your attention to this ordinance and for you making me aware of the process. Unless something changes, I understand that this matter is set for hearing before the West Linn City Council on October 26, 2009 at 6:30 p.m.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael C. Robinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael C. Robinson

MCR:cfr

Enclosure

cc: Mr. Jeff Smith (w/encl.) (via email)  
Mr. Peter Spir (w/o encl.) (via email)  
Mr. Chris Kerr (w/o encl.) (via email)  
Mr. Chris Jordan (w/o encl.) (via email)  
Mr. Bill Monahan (w/o encl.) (via email)

**Spir, Peter**

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**From:** Zak, Teresa on behalf of Planning Commission  
**Sent:** Tuesday, October 06, 2009 12:26 PM  
**To:** Christine Steel; Chuck Lytle; Dean Wood; Horsey, Laura; Jones, Mike; Martin, Robert; Michael D. Babbitt (MichaelBabbitt@kw.com); Sonnen, John; Wood, Dean  
**Cc:** Spir, Peter; Sonnen, John  
**Subject:** FW: Two Year Extensions II

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**From:** Roberta Schwarz [mailto:roberta.schwarz@comcast.net]  
**Sent:** Monday, October 05, 2009 7:56 PM  
**To:** Planning Commission  
**Subject:** Two Year Extensions II

Hello Planning Commissioners.

Please place this in the public record after reading it.

Thanks very much,

Roberta Schwarz

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October 5, 2009

Dear West Linn Planning Commission Chair Babbitt and Planning Commission,

I hope that you read the Guest Opinion from the September 17<sup>th</sup>, 2009 West Linn Tidings. I would respectfully request that this current letter be submitted into the record and that I be given standing.

I would ask that you do not approve the CDC-09-04 (two year extension for approved land use decisions). The reasons are as follows:

#1. Contrary to what Mr. Babbitt has apparently stated on the blog following the Guest Opinion referenced above (you never know who really writes these entries), this CDC is being changed for developers. It was requested by a developer's attorney (Mr. Michael Robinson) for a developer (Mr. Jeff Smith). It states exactly that in the Staff Report dated March 30, 2009. If there are any private citizens who are currently falling under this need to have two more years to do something like a remodel, please state the person's name and address.

#2. When Exhibit B: Survey of Other Cities was researched and it was found that none of the similarly situated towns, including Milwaukie and Oregon City, had allowed extensions to five years, a new list was drawn up. After a review\* of those cities was conducted, it was determined that none of these cities given in the new exhibit are similar in the population, location, and tax base to West Linn. For example, Portland is twenty-two times as big as West Linn, is in a different county, and has a different tax base. Salem is six times as big as our town, is in a different county and has a different tax base. Wilsonville is

smaller than West Linn, 12 miles away, and has a far larger number of commercial and industrial buildings providing a much different tax base than West Linn. I believe that it is safe to say that none of these cities is what West Linn aspires to become and the survey done by the previous administration verifies that contention. 74% of the respondents liked West Linn just the way it was as a residential suburb with no large commercial, office, or industrial building .

#3. Economic hardship is not a reason to give developers preferential treatment. The readers of the Guest Opinion in the September 17<sup>th</sup> Tidings were told about the W.L. citizen who had his water turned off and was charged a large fee to get it turned back on. He had to use his own resources to solve his problem and Mr. Smith and the other developers who will be covered by this proposed change to the CDC should have to do the same.

#4. As stated by experts including Ben Bernanke, Dennis Lockhart, Lakshman Achuthan. 511 CMOs, and a panel of 45 leading economists recently surveyed, the economy is now beginning to revive. We have turned a corner.

\* review based on 2003 Secretary of State population numbers

Therefore please just say "NO" to this proposal before you vote to extend the already very generous 3 year land use approval time granted to the developers in West Linn for the following three reasons that are as simple as A-B-C:

- A.) It is unreasonable. No other comparably sized, located, and tax-based city named in either of the two exhibits gives developers 5 years so why should West Linn.
- B.) It is unfair. To give a developer a deal like this while still turning off the water of the average citizen who has fallen on hard times is not consistent with the stated goals of our elected officials or of the Planning Commission.
- C.) It is unnecessary. The economic recovery is upon us so these folks should just reapply and see if their land use applications can satisfy both the city codes and the neighbors three years later.

Thank you for acting in the people's interest.

Sincerely,

Roberta Schwarz