

**From:** Cheryl Uchida <uchida.cheryl@gmail.com>  
**Sent:** Monday, April 23, 2018 3:23 PM  
**To:** Planning Commission  
**Cc:** Hamilton, Leslie; Siegel, Scot; McCaleb, Iris  
**Subject:** LGVCO Tree Mitigation for Annual Code Amendment

Thank you for allowing the continuance on this topic from your regularly scheduled public hearing held on March 12, 2018.

The manner by which the original email from Leslie Hamilton was sent to only a few individuals from the original LGVC Plan Advisory Committee soliciting input for relaxing the tree mitigation rate in the LGVC was questionable. Individuals who served on the LGVC committee representing neighborhood associations were not asked to solicit input from their own neighborhoods, but yet Mike Buck and Ken Sandblast representing the business and commercial property owners judging from their comments found in Exhibits G-2 and G-3, submitted their comments with 16 signees! I hope more weight is not given to the LGBA letter of approval. One of the signees is also a member of the Waluga Neighborhood Association board and he also serves on the LGBA Board. He reported at the Waluga NA board meeting earlier this month that he was unaware of a vote taken by the LGBA members on April 3, 2018 and was unaware of the letter sent to Leslie Hamilton, LO City Planner. Yet his name appears on the letter.

As a former member of both the original LGVC Advisory Committee representing the Waluga Neighborhood Association and a former member of the Lake Oswego Tree Code Review Committee, I learned that tree issues and concerns of all kinds often fell into two categories: Single family residential and Commercial developments. During meetings with the LO Tree Code Review Committee, we were specifically cautioned not to address tree issues that had to do with Commercial development because that was not our "charge." Plus when this committee also wanted to address the tree fund fees we were also told that this was not our "charge." In addition to this, the Council recently voted not to pursue addressing the LO tree code relating to commercial development. So my advice is to not pursue relaxing the tree mitigation rates in the LGVCO at this time. The examples that Leslie gave in her staff report of April 12, 2018 showing the projects that are new or developed sites in the LGVCO since the overlay was adopted, didn't show onerous situations. In fact 5 out of 6 developments didn't have a mitigation replacement or rate issue. The last example shown on page 2 of her memo of April 12, LU-16-0063 Mixed Use on Quarry Road was inappropriate to introduce because this land use development was still being reviewed by the DRC. In the end, Blue Dog Properties, the developer for this site, ended up agreeing to remove 7 large Douglas Firs anyway even with the current tree mitigation rates in place in the LGVCO. They fully understood that they would be paying a high fee for tree removal, since their property was too small for mitigation on site. This developer was obviously committed to developing this property behind Banner Bank regardless of the perceived "onerous for builders and developers" mentality.

Remember that the original LGVC Advisory Committee took a long hard look and came to consensus about tree removal codes found in the Overlay. We had a mix of business owner/operators, commercial property owners, and neighborhood representatives giving input on this important topic. And now the neighborhood representatives are being labeled as "relics of instinctual resistance." It seems that the "rational" planners, i.e. commercial property owners and business owner/operators only care about the characteristics of the Lake Grove business environment and not that of the residential neighbors who make up most of the surrounding properties in Lake Grove.

I saw nothing in the LGBA letter (Exhibit G-2) indicating a viable solution to this proposed code amendment relating to tree mitigation rates. Their letter mentions better solutions including incentivizing property owners and developers, but instead signees chose to simply support LO staff suggestion to reduce the tree mitigation

rates in the LGVC by amending the code overlay as presented. This is a pretty sweeping amendment suggested by staff and an easy way to further relax or change other parts of the LGVCO codes in the future. Let's have a community discussion first about the process before any changes or amendments are made to the LGVCO. We should be bringing businesses and commercial developers closer together with the neighborhood residents.

Thank you,

Cheryl Uchida  
Waluga Neighborhood Association Co-Chair