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City of Lake Oswego
Community Development Dept.

W McLennan

LU 15-0017

EXHIBIT G-12
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Thank you for being here, for conscientiously considering this issue and for allowing me to speak tonight. Regarding the substandard lots, I would like to voice support for requiring aggregation, and for applying zoning ordinance standards. And if there is development allowed on substandard lots I support first and foremost the quantitative option. And secondarily, a compatibility qualitative review in which neighbors input is actually valued.

The Comprehensive Plan and the recent developments near and around Bickner and Cedar Street involving substandard and standard lots inform my perspective. With current Code used by city planners, serious ongoing problems in my neighborhood regarding safety of pedestrians, parking, privacy issues, emergency vehicle circulation, and soil drainage are ongoing.

I'd like to use my minutes to address the staff report.

First, the **Quantitative Option** on page 5. Assuming you are going to allow some building on substandard lots, I support this option because it makes the process objective, with measurable criteria -- rather than subjective, with ill-defined NOT measurable criteria. The quantitative proportional option is the clearest, cleanest and most objective way to work towards preserving character and livability in the neighborhoods AND allowing development on the substandard lots.

Page 5 **Staff Recommendations** Based on the new homes around Bickner which are dominating the lots and have no adequate parking, my neighbors and I believe there should be two off-street parking places required per dwelling and any garage should be considered part of

the whole square footage allowance.

Onto page 9 and 10. **Where the Report Criticizes the Quantitative Option.** "Neighborhoods continue to evolve as properties redevelop". This analysis makes the assumption that old homes will get torn down (not remodeled??!!) & new homes will be bigger taller, with ever growing footprints, and therefore substandard lot development should be able to evolve in the same way. There is a DISCONNECT here between the staff's perspective and the citizens of LO, via the approved, clearly stated, comprehensive plan's mandate: preserve and maintain neighborhood character. Their logic - in this criticism of the proportion option - serves to create and implement code that encourages the consistent tearing away of the neighborhood character and REJECT code designed to protect the neighborhood. In my mind, the arguments made here are reasons to support the quantitative option.

Onto page 10 and also Attachment 2, pg2. **The Compatibility Review Option.** Where, through code, such issues as: scale, noise, traffic, parking, the first from adjacent properties, loss of privacy, could be addressed. For starters all those terms are subjective and not measurable. Every one of us would have a different idea as to what constitutes 'significant negative impact' regarding these issues. Also please note, 'significant negative impact' is vastly different from 'maintaining and preserving character'. Quite a lower standard. When this same code was applied to the 8 home recent minor development in my neighborhood, neither the city nor the developer did ANYTHING to address the vocal and near unanimous concerns regarding these very issues. The DRC was sympathetic, but since there was nothing measurable in code to argue against, they felt their hands were tied. In short, we do not trust the review process and we have no faith in the subjective analysis of the city planners. They were the judge and the jury of these issues and they failed us.

Onto page 11 and Attachment 2, pg 2 and 3. **Lot Line Adjustment.** How is this different?

Little has changed for the protection of the neighborhoods here, in fact it might be worse. I ask the commissioners to be very cautious with what the staff is proposing. The suggested code revision still allows for ministerial decisions - with the informal, and impossible to challenge, legal interpretations; does not deal with Real Life density increase (*as opposed to theoretical 'no increase' position due to building rights on historical plated lots*); it's confusing; and it would still allow and promote same overbuilding like what took place at 1028 Cedar. In short, it seems to be undermining the intent of the aggregation of substandard lots to fit zoning standards. Bottom of page 2, attachment 2, The phrase 'lot lines may be adjusted provided that the degree of any existing nonconformity is not increased' is indeed vague and worrisome and should be studied to determine the reality of what size lots this is actually allowing.

Also on page 12: **Treating Some Lot Line Adjustments as a Minor Development** to provide for public comment and an opportunity for both exactions and mitigations. It sounds nice, but unless there are measurable guidelines to provide accountability, this is an empty promise.

Again, what we learned from the minor development in our neighborhood: city planners were loathe to make even reasonable requests of developers - because of their unchallengeable and subjective interpretation of the Dolan analysis - and although they listened to our public comments, they did absolutely nothing in response to them. It is worth mentioning that neighborhood meetings occur after the developer city engineers, attorneys & city planners have spent hours and hours and hours talking together and working on their plans. In our experience, the neighborhood meeting was a shell of a process: the meat of the project had already been determined; to such an extent that our concerns weren't even in the public record required by code.

I hope the commissioners insist lot line adjustments meet zoning standards. Period. But if you

do allow building on substandard lots through lot line adjustments, please include measurable criteria, that is, the proportion option. Neighborhoods are at the mercy of the city planners, and they have repeatedly demonstrated their astounding lack of interest regarding the integrity of existing neighborhoods.

In summary, for the sake of maintaining and preserving quality-of-life, the treasured green yards and beautiful vistas within the neighborhoods, and for the sake of having clear and objective land use standards, I encourage the planning commission to approve aggregation of lots, approve the quantitative proportional (and measurable) option for building on substandard lots and a compatibility review that is actually structured to take neighborhood character seriously.

Other points if it comes up or there's time:

1. Zoning is based on criteria: soil drainage, public services, topography, roadways, sewer, water, storm water. The engineers who determined zoning did not operate in a vacuum.
2. Pre-app meetings- hours and hours of planning before and after. All before neighbors input.
3. Appearance of a culture where staff is working for developers' interests. Tone deaf to citizens.
4. Ms. Culvers testimony re: remodel, reuse, restore Recommended Action Measure.