

From: Liz Martin [mailto:martinliz@me.com]
Sent: Sunday, July 19, 2015 10:57 PM
To: Siegel, Scot
Cc: Lazenby, Scott; Council Distribution
Subject: Hallinan Heights...Moving forward without a 'beat and cheat' mentality

EXHIBIT G-18
LU 15-0017

Hi Scot,

Hope you are well :)...I have some thoughts going forward.....

After over a year of trying to understand the workings of the city and its planning, I have come to appreciate how difficult it is to manage all the factors and the extraordinary development and infill that seems to have overtaken Lake Oswego's quieter existence.

At last Monday night's Planning Commission Meeting (July 13), the Commissioners' dialogue was earnest in expressing what we have been concerned about, making sure that what happened in Hallinan Heights never happen again. I know that is where you and your department have the greatest responsibility.

When Rick White of The Whitehouse Collection, the designer of all the Roger Edwards Homes on Bickner and the coming 850 Cedar Development, spoke on record that as part of his work he has to "BEAT AND CHEAT" the rules....otherwise known as code.... I hope it said as much to you as it did to us. And when questioned by Commissioner Bill Ward on his attitude about building on 13 foot Bickner, he had "no opinion"...really" ..he called it a "one lane pathway" and said it "was not the best solution". The architect indicated that he didn't care about the street or the neighborhood he was building 6 homes on and in.

If the only people who CARE are the ones it affects, then that is not a sound way for the builder or the city to work. That's where the "fight" mentality ensues...and these pushbacks are in the Neighborhoods all over town.

The video clips are below, very short, if you want to view them. It was shockingly revealing when he went on the record with something we have known from the beginning, but couldn't prove.

This exemplifies why we were, and continue to be, so frustrated with the code interpretations all along the way in this subdivision. The newest "beat and cheat" examples are the rain gardens on Cedar and Bickner in the last two homes to be finished. One owner said that as soon as her garden was approved by the city she was going to fill it with river rock. Where would she have gotten that information from? She was advised, we can only assume, by the builder....who realizes these are a problem.

They are actually not rain gardens, by the way, they are spring filled ponds, full of ground water not rain water from the roofsthey are illegal, large and dangerous.

Also, Mr. White mentioned a problem he is having, which was why he was at the meeting in the first place....Roof Heights on his 850 Cedar Flag Lot Subdivision. It has always been completely clear to us why the builder choose a flag lot subdivision, just another "beat and cheat" example of not having to try and fit nicely into the neighborhood he is infilling. We ask that you hold fast to the flag lot height limitations and re-examine the water issues on the remaining and new development.

So, Scot, as we go forward into wrapping up the current homes and into this next phase, may we ask that our neighborhood be an example of how a problem can be solved by using a new consciousness of integrity.

As Einstein so eloquently puts it.....

"No Problem can be solved by the same Consciousness that Caused it"

Thank you for your time, Scot and
I sincerely hope we can work together,
Liz

From: Siegel, Scot
Sent: Monday, July 20, 2015 1:01 PM
To: 'Liz Martin'
Cc: Lazenby, Scott; Council Distribution; Rooney, Erica; Pishvaie, Hamid
Subject: RE: Hallinan Heights...Moving forward without a 'beat and cheat' mentality

Hi Liz,

The storm water facilities (rain gardens) must comply with Engineering standards. I have asked Engineering staff to follow up on your comment regarding the rain gardens at Cedar and Bickner Streets.

With regard to Rick White's comments to the Planning Commission on July 13, his choice of words is unfortunate but the sentiment is not unheard of among developers and their consultants. The architect or designer is hired to maximize (or optimize) what can be built on a lot consistent with his or her client's expectations and code. Unfortunately, some designers view this as a game of cat and mouse with city government. That is not how I view it, and I have worked with enough cities, developers and designers over the past twenty-five years to know the difference. It is City staff's professional responsibility to explain what the code requires, apply it evenly, and not read requirements into the code that do not exist. Staff, the DRC, and City Council must apply the code as required by law. All citizens are entitled to this; it is our moral obligation.

I remember the meetings last year with you, your neighbors, and the developer of 1028 Cedar St, which preceded the subdivision at 850 Cedar. At that time we were looking for a solution for Bickner Street. The neighbors had initially requested but later decided they did not want Bickner closed to automobiles; the developer was not willing to widen Bickner; and the City had no code authority to require widening, even where infill resulted in more houses constructed on the block. When the code does not achieve the community's expectations, we (citizens, staff, policy makers) work together to change it through an open and fair public process, as we are doing now. You and your neighbors have contributed to the Planning Commission's review of the substandard lot issue, which is expected to go to City Council for a hearing after Council's August recess. City Council has also asked the Planning Commission to take up the issue of private access lanes and flag lots in a subsequent code review.

I hope we can continue to work together, and without attacks on City staff. I trust that is what you mean by the comments below.

Thank you,

Scot

Scot Siegel

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