

Michael C. Robinson
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July 3, 2014

Mr. Bob Needham, Chair
Development Review Commission
City of Lake Oswego
PO Box 369
Lake Oswego, OR 97034-0369

Dear Chair Needham and Members of the Commission:

This office represents the Applicant. This letter constitutes the Applicant's final written argument for the final written argument period. It is timely submitted before the closure of the final written argument period, July 3, 2014 at 5:00 PM.

As stated in the Applicant's letters for the first and second open record periods, dated June 27 and July 3, respectively, the Applicant agrees with the staff report, the recommendation for approval, and the recommended conditions of approval.

I. Response to Testimony by Gary Willihnganz, Board Member, Forest Highlands Neighborhood Association.

a. Stormwater Memorandum

Mr. Willihnganz of the Forest Highlands Neighborhood Association ("FHNA") submitted comments, dated June 27, which enclosed a memorandum from KPFF Consulting Engineers. This memorandum reviewed and commented on the Applicant's Storm Drainage Master Plan ("Storm Drainage Master Plan"). This "peer review" recommended several additional items, which in KPFF's view, should be included in the Applicant's Storm Drainage Master Plan. 3J Consulting, Inc., the Applicant's consulting engineers, analyzed KPFF's recommendations and provided a detailed response, which is enclosed in the Applicant's submittal for the second open record period, dated July 1, 2014.

Mr. Willihnganz provided a submittal for the second open record period which was in most respects similar to his submittal for the first open record period. It included a revised KPFF

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memorandum which suggested an additional "final line of defense" strategy to accommodate stormwater discharge, including a "cut-off trench."

As discussed in the memorandum prepared by 3J Consulting for the second open record period, section 1.3.2, the Applicant has opted for a more conservative approach by not allowing infiltration but rather detention (i.e. lining the facilities) of the stormwater runoff for the impervious areas on each lot, which will alleviate the concern of modifications to groundwater flow. The suggested cut-off trench could be one possible mitigation strategy for a final defense if the stormwater facilities are not lined and located in areas where existing groundwater seeps exist. The Applicant will consider this suggestion as part of its final stormwater facility design.

Please see the enclosed letter (**Exhibit 1**) from Jesse Nemecek, Development Manager, J.T. Smith Companies, for an additional response to KPFF's additional suggestion.

The City's engineering staff has determined that the Applicant's Storm Drainage Master Plan, as proposed and with conditions of approval, meets all applicable stormwater facility design criteria. On that basis, the DRC can find that all applicable stormwater-related criteria have been met.

A. Other Concerns

Mr. Willihnganz again expressed a "keen interest" in street lighting, landscape planting, roadway speed attenuation, and neighborhood walk/bike path safety. A detailed response to those concerns was provided in the Applicant's submittal for the second open record period, dated July 1, 2014. As stated in that letter, the Application meets all applicable approval criteria, and many of those issues were addressed in the Development Agreement. The DRC can find that the Application meets all applicable approval criteria.

Please see the enclosed letter (**Exhibit 1**) from Jesse Nemecek, Development Manager, J.T. Smith Companies, for an additional response to Mr. Willihnganz's concerns.

II. Response to Testimony by Chris Robinson.

Chris Robinson also submitted brief comments recommending improvement the drainage ditches along Goodall Road and Knaus Road. Should the City prepare a reasonable request for improvement of the drainage ditches that is roughly proportional to the impacts of the proposed development, the Applicant will comply.

Please see the enclosed letter (**Exhibit 1**) from Jesse Nemecek, Development Manager, J.T. Smith Companies, for a more detailed response to Chris Robinson's comment.

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III. Conclusion

For these reasons, as well as those expressed in the Applicant's first and second open record responses, the Applicant respectfully requests that the DRC approve the Application with the recommended conditions of approval, as modified.

Very truly yours,


Michael C. Robinson

MCR:rsr
Enclosures

cc: Mr. Jesse Nemecek (via email) (w/ encls.)
Mr. Andrew Tull (via email) (w/ encls.)
Mr. Walt Knapp (via email) (w/ encls.)
Ms. Debra Andreades (via email) (w/ encls.)
Mr. Chris Robinson (via email) (w/ encls.)
Mr. Garrett Stephenson (via email) w/ encls.)



J.T. SMITH
CORPORATION



July 3, 2014

Mr. Bob Needham, Chair
Development Review Commission

City of Lake Oswego
PO Box 369
Lake Oswego, OR 97034-0369

Dear Chair Needham and Members of the Commission:

We, as the Developer of the proposed 2015 Street of Dreams project, would like to address what we believe to be specific points brought up as concerns.

Stormwater Generally:

3J and JT Smith have worked extensively, both with the neighbors and the City, to prepare an outline for replication of the natural drainage patterns that will not only mimic the natural conditions of an open field that has both runoff and infiltration, but also meet and exceed the City of Lake Oswego's standards for Stormwater Management. We believe that the City Engineering department would confirm this statement.

Stormwater capacities in the Ditches along Goodall & Knaus:

The proposed ditches along our projects frontage will be widened by at least double their current size and will be professionally maintained by a home owner's association. The existing ditches are narrow, and until recently have been under the maintenance provisions of Clackamas County, or not at all. The on-site detention and infiltration systems will ensure that the ditches along the frontage convey even less water than they do today, ensuring capacity.

Stormwater cut-off trench:

As Todd Knepper with the City's Engineering department pointed out, the proposed sanitary sewer line that will be installed deeper than any other utility in Knaus road, and will be backfilled with gravel, it will act as the cut-off trench that has been requested.

Landscape Planting:

As we have shown in the original application with the full blown landscape plan (so densely planted that you can not tell trees from shrubs) and in the additional rendered exhibits showing only the trees, we have shown that we are installing an open-space buffer of plantings of various sizes that will not only act as a visual break at higher tree canopy elevations, but also at mid-level as well. Coupled with the vast amount of shrubs to be planted, and as many existing mature trees that can be retained as possible, we believe that the visual break we are providing is far more than could be expected of most developers, and on par with a Street of Dreams.

Street Lighting:



J.T. SMITH
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The City has defined the locations of required street lights numerous times, as being only in three locations. One at each intersection. The City has also defined a pole type that is not only an energy efficient LED, fixture, but also a decorative acorn style that the neighborhood has asked for. We have agreed with the City and have no plans to deviate from that.

Roadway speed attenuation:

We have an agreement in place with the neighborhood association that we would work together with them to prepare a plan to submit to the City's Transportation Engineers to request speed attenuation devices. We have started these discussions with the City. The first step will be a petition from the neighbors, and as we have requested that the neighborhood association champion that effort, we assume that they are working on it, and we have agreed to pay for them. However, it should be noted, that while the neighbors would like these measures to be installed, our traffic engineers have determined that they are not warranted, and should have no bearing on this application.

Neighborhood walk safety:

As agreed with the Neighborhood and the City, we are addressing pedestrian safety where we can, to the extent that we can. We are proposing pathways along both of our frontages that are separated from the vehicular travel paths. These are proposed to be constructed of asphalt, in accordance with the requests of the neighbors, and agreed to by the City.

I also want to point out that while we have a separate agreement with the Neighborhood Association where we have offered a substantial sum of money for their use to improve stormwater facilities elsewhere in the neighborhood (above and beyond what is required of us, and above even the conservative approach we are proposing). I need to ensure that our application not be confused with a venue for the applicability for some of those funds.

We strongly believe that we have met or exceeded the code criteria, and the overall requests by the neighbors, and that we are bringing a strong compliment to the neighborhood that we will all be proud of.

Sincerely,

Jesse Nemec
Land Development Manager



July 2, 2014

To: Gary Willihnganz
Forest Heights Neighborhood Association

Josh Lighthipe, PE
KPFf Consulting Engineers

The Highlands Master Plan - Response to the Summary of Storm Drainage Master Plan Peer Review and Comments

Dear Gary,

3J Consulting, Inc. appreciates the concerns, comments, and recommendations regarding the proposed stormwater design for The Highlands. This letter hereto has been prepared in order to respond to KPFf's Josh Lightpipe's revised comment dated July 1, 2014.

KPFf's Recommendations	3J's Response
1.4.6 As a final defense strategy, install a continuous subdrainage cut-off trench beneath the SW Knaus Road north of the ditch/swale line.	As discussed in our response dated July 1, 2014 (1.3.2), we have opted for a more conservative approach by not allowing infiltration but rather detention (i.e. lining the facilities) of the stormwater runoff for the impervious areas on each lot which will alleviate the concern of modifications to groundwater flow. The suggested cut-off trench would be one possible mitigation strategy for a final defense if the stormwater facilities are not lined and located in areas where existing groundwater seeps exist.

We appreciate the concerns that you have for the proposed development; they are our concerns as well. We are confident that the final stormwater management system design for the proposed development will meet your expectations.

Sincerely,

Kathleen Freeman, PE
Water Resources Project Manager
3J Consulting, Inc.

John Howorth, PE
Principal Engineer
3J Consulting, Inc.

copy: Gary Willihnganz, FHNA
Jesse NemeC, JT Smith Companies
Todd Knepper, City of Lake Oswego

