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August 4, 2014

**VIA EMAIL**

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

**Re: City of Lake Oswego Case File LU 14-0031; Application for Master Plan Approval**

Dear Chair Needham and Members of the Commission:

This office represents Goodall Knaus, LLC (the "Applicant"). This letter addresses how the Application satisfies Lake Oswego Code ("LOC") 50.06.006.3.b, "Drainage Standards for Major Developments, Partitions, Subdivisions, and Certain Structures".

**1. Status of Application.**

The Development Review Commission ("DRC") continued the public hearing on July 7, 2014 until August 4, 2014, and limited the continued public hearing to argument and evidence concerning LOC 50.06.006.3.b. No person present at the DRC meeting on July 7 objected to the continuance. The Applicant extended the 120-day period in ORS 227.178(3) by twenty-eight (28) days, the period of the continuance.

**2. The Applicant's Revised Storm Water Report is Substantial Evidence that LOC 50.06.006.3.b is Satisfied.**

The Applicant submitted a revised storm water report dated July 18, 2014 (the "Revised Report"). The Revised Report is physically before the DRC.

Mr. Todd Knepper, Engineering Program Supervisor with the City Public Works Department, Engineering Division, reviewed the Revised Report and submitted his comments to Ms. Andreades on July 23, 2014. Mr. Knepper's comments explained the changes to the proposed

storm drainage system in the Revised Report. Mr. Knepper concludes at page 2 of his comments that:

**“The engineering staff finds that the proposed storm water management design concept for the proposed development meets the provisions of LOC 50.06.006.3.b.”**

Ms. Andreades’ staff report dated July 25, 2014 finds that the Revised Report meets LOC 50.06.006.3.b. The staff report recommends deletion of original condition of approval B.2, and recommends a new condition of approval as recommended by Mr. Knepper. New condition of approval B.2 provides as follows:

**“Submit a stormwater plan for each lot to provide water quality treatment for the runoff from the impervious surface areas. The water quality facilities shall be flow-through type and shall not be infiltration facilities. The minimum setback is five feet from the property lines. The overflow from each facility shall be conveyed to an approved point of disposal. Service laterals for the overflow pipes shall be 6-inch diameter within the right-of-way with a 6-inch diameter clean-out located at the right-of-way line.”**

The Applicant agrees with Mr. Knepper’s comments, the staff report findings and new condition of approval B.2.

**3. Compliance with LOC 50.06.006.3.b.i and ii.**

**A. LOC 50.06.006.3.b.i, “Applicability.”**

This Application is a “Major Development.” Pursuant to LOC 50.06.006.3.b.i(1), this standard is applicable to this Application.

**B. LOC 50.06.006.3.b.ii, “Standards for Approval”**

**a. “(1) Inspection and Maintenance”**

The DRC can find that all drainage management measures shall be accessible at all times for City inspections. The Applicant can comply with this requirement.

**b. “(2) Stormwater Runoff Quality”**

The DRC can find that the proposed drainage system minimizes pollutants, such as oil, suspended solids, and other objectionable material in stormwater runoff.

The Revised Report's Executive Summary states at page 2: "The [roadside] swale will further treat the water by slowing the velocity of the water to allow additional sediment to fall out. The swales will be planted with species that are known to provide additional treatment of hydrocarbons, etc."

**c. "(3) Drainage Pattern Alteration"**

The DRC can find that development will be constructed so that alterations of drainage patterns will not adversely affect other properties, RC districts on adjacent property, or RP districts on adjacent property. The Revised Report at page 7, under the heading, "Downhill Conveyance," provides that "because of [the recommended] approach, it is anticipated that the downstream conveyance system will not observe any negative impacts." Additionally, the Revised Report at page 11, under the heading "Summary", states that: "two separate detention facilities will be constructed to detain all stormwater runoff from the onsite areas, (pervious and impervious) so that the 50-year post-developed release rate does not exceed the 10-year existing runoff rate."

**d. "(4) Stormwater Detention"**

The DRC can find that the Revised Report demonstrates that runoff rates will be maintained at their natural, undeveloped levels for all anticipated intensities and durations of rainfall, and will provide necessary detention to accomplish this requirement. The Revised Report at pages 7 and 11 explain how this will be accomplished.

**e. "(5) Required Stormwater Management Measures"**

The Revised Report contains drawings (*see* the Technical Appendix attached to the Revised Report) describing how stormwater management measures will meet the stormwater runoff requirements.

**f. "(iii) Standards for Construction"**

This section contains nine (9) standards for construction. The DRC can find that it is feasible for the Applicant to satisfy these standards based on substantial evidence contained in the Revised Report.

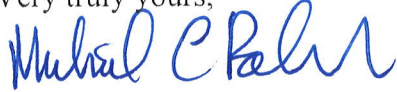
Mr. Bob Needham, Chair  
August 4, 2014  
Page 4

#### 4. Conclusion

For the reasons contained in the Revised Report, Mr. Knepper's comments, the staff report and this letter, the DRC can find that substantial evidence in the record demonstrates that the application satisfies LOC 50.06.006.3.b.

The Applicant respectfully requests that the DRC close the public hearing and record following the conclusion of testimony at tonight's public hearing, tentatively approve the application with the recommended conditions of approval, including new condition of approval B.2, and adopt the staff report as the final decision.

Very truly yours,



Michael C. Robinson

MCR:rsr

cc: Mr. Jesse Nemecek (via email)  
Mr. Andrew Tull (via email)  
Mr. John Howorth (via email)  
Ms. Deborah Andreades (via email)  
Mr. Hamit Pishvaie (via email)  
Mr. Todd Knepper (via email)  
Mr. Chris Robinson (via email)