

Evergreen Neighborhood Association  
Board / Coordinating Committee Meeting  
Wednesday, January 7, 2015, at 7:00 p.m.  
Our Lady of the Lake school

Minutes

Present: Board members Don Graham, Rob Mogentale, Dave Pinch, Bill Gordon, Dave Hawley, Pete Davis, Annie Meneakis, Jonathan Puskas, and Don Nash

Absent: Mary Magrath, Diane Grover, Rachel Verdick, Gerry Good, Diana Boom, Jim Stewart, Warren Bacon, and Carol Radich.

NOTE: Jan Goodwin has resigned from the board.

Chair Don Graham called the meeting to order at 7 p.m.

Minutes & Treasurer's Report Minutes of the 12/3/14 coordinating committee meeting were unanimously approved. Dave Pinch reported we have \$1253.79 in our account. The holiday party had income of \$404, and expenses of \$333, for net income of \$71.

Mayor & Chairs meeting - No meeting held

Tree removal permits - Nothing to report

Pre-app meetings - Nothing to report

Correspondence - Nothing to report

ENA plan update - Nothing to report

Holiday Party and raffle

Financial information reported above. Rob had nothing more to report. We all thanked Rob for chairing the event.

Citizen Budget Committee - Nothing to report

Code Changes - Diana Boom will send email with information.

LUBA Wizer appeal update - Nothing to report

North Anchor project LORA - Don Nash

Don reported that the city rep who was supposed to be present at the January 3rd LONAC meeting was not available. To date, LORA has purchased properties on the NE and NW corners of the intersection of 1st St & B Ave. Additional properties would be needed to make the development workable. Apparently the owners of the property at the intersection of B Ave & State St. (Hwy 43) want more for the property that LORA is willing

to pay.

There was some discussion concerning making alleys in the area into more attractive and people-friendly areas, but the grade changes that exist in the alleys when you proceed north from B Ave might make this difficult. The city will hold a community-wide meeting on Saturday, Jan. 31st. All are welcome, but you need to reserve space if you want to attend. Information was handed out to all present.

#### City Council Goals for 2015

The City Council has requested input on its 2015 goals. Discussion was held concerning ENA and LONAC goal suggestions. Seemed to be consensus that the list of the goals was too extensive. Others felt that ENA and probably other neighborhood associations were having ongoing problems with city staff.

Annie Meneakis suggested that we work with other NAs and write a letter to the Mayor, mainly because the Mayor has already set the tone for discussion on the problem by the letter that he had in a recent issue of LO Down, and he indicated that he is unaware of any problem(s). Don Nash will bring the matter up at the next LONAC meeting to see what other NAs think about the situation.

NOTE: Don Graham restated the agreed-upon comments:

- 1) Revise development codes for commercial, industrial and mixed-use zones to require development that is compatible with surrounding neighborhoods. Require transitions in building heights and address downtown parking modifiers with emphasis on their effect on adjacent neighborhoods.
- 2) Establish policy that allows the Planning Commission and Development Review Commission to apply conditions of approval when making decisions.
- 3) Review and update residential code provisions for compliance with the Comp Plan.

#### Next meeting - Wednesday February 4, at 7:00 p.m. at Our Lady of the Lake

A reminder that we are meeting the 1st Wednesday of each month. We have the meeting room reserved at Our Lady of the Lake through May 2015.

Meeting adjourned at 8:50.

Submitted by:  
Don Nash, Acting Secretary

Approved: Feb 4, 2015

Evergreen Neighborhood Association (ENA - CC)  
Coordinating Committee Meeting  
Wednesday, Feb. 4, 2015 7:00-8:45 p.m.  
Our Lady of the Lake School

Minutes

Board members present: Chair - Don Graham, Pete Davis, Dave Pinch, Bill Gordon, Dave Hawley, Warren Bacon, Carol Radich, Rob Mogentale, Don Nash, Rachel Verdick, Annie Meneakis

Board members absent: Diana Boom, Jim Stewart, Diane Grover, Mary Magrath, Jonathon Puskas, Gerry Good

Don called the meeting to order at 7:00 p.m.

**Treasurer's Report:** Dave Pinch reported a balance of \$1088.30 in the ENA account.

**Minutes of 1/7/15 CC meeting:** approved.

**Mayor & Chairs Meeting:** Don G reported that the last mayor's meeting focused primarily on the upcoming council hearing for LU 14-0019, *Clear and Objective Housing Standard Code Amendments*. Four options for the review process of developments that would use the Clear & Objective Code track were recently introduced. Options 1-3 all would classify such developments as "ministerial", thus allowing city staff to be the decision maker, even on a project as big as the Wizer development, with the only available appeal process being to the Circuit Court. Option 4 would retain the review classification, 'minor development', that such developments currently have. The many neighborhood chairs present at the meeting strenuously objected to options 1-3.

**Tree Removal Permits:** Warren reported that there was a recent permit request for two large Douglas Fir trees at the corner of 10th and Berwick (Application #499-15-00210 at 175 Berwick Rd). In his role as the ENA representative to review removal permits in our neighborhood, Warren examined the trees and found no evidence of disease. As a result, he submitted his findings to the City and recommended that a qualified arborist be consulted and unless the city arborist found disease for which there is no treatment, ENA would not support the tree-cutting. Warren explained that he had not been able to contact the property owners prior to the deadline. A motion was made, seconded, and passed to appeal the city's decision if they approve the current permit without evidence of the disease.

*Update: The original application has been denied. The applicant has hired an arborist and may resubmit their application. If so, a new sign with a new date for input will be posted.*

Don Nash noted that the Lake Oswego tree code is scheduled to be reviewed in 2015; he will send board members a link to a recent article that discusses the issue.

**Pre App Meetings:** Rachel reported that none have been scheduled for ENA.

**Correspondence - update on 5th Street Development:** Carol reported that there has been no new information sent to ENA regarding this, or any, development in Evergreen.

**ENA Plan Update:** Rachel will meet with Sarah Selden in late February or early March to discuss ENA's proposed changes to the neighborhood plan. The change would further define the 1.5 story guideline in our plan.

**Code Changes:** Don and Carol spoke for ENA at the Jan. 20 Council Meeting, submitting again the ENA subcommittee's testimony regarding LU 14-0019 and, together with many other neighborhoods, protesting the newly proposed review options (see above at discussion of Mayor's Meeting). At about 11:00 pm, after deliberations focused primarily on the 4 options, not on the content of the new code, a motion was made and passed by the Council to accept option 4. It was unclear at the time if the motion and vote was supposed to indicate approval for just option 4 or the entire code packet.

**Wizer LUBA appeal:** Gerry Good was not present but his letter regarding the appeal was read. The briefs from lawyers representing both sides have been filed and the case could be heard by LUBA as early as mid-March with mid-April being a best case scenario for a LUBA decision.

**City Budget Committee:** Gerry is a member of the city budget committee. His update was sent in a letter to the ENA board and read by Don G. at the meeting. In summary, the budget committee's first meeting will be in April; Gerry believes the draft council goals indicate plans for significant spending.

**North Anchor:** A number of ENA board members (Don G. and Don N., Bill, Carol, and Rachel) attended the Jan. 31 public meeting to discuss what the public would like to see in the development of the North Anchor site. Everyone agreed that the well-orchestrated format of the four hour meeting was very successful, though the summary of break-out groups' ideas may have lost some of their nuance. Details of output from the meeting will be posted on the City website. More public meetings will be scheduled.

**By-Laws:** Carol volunteered to coordinate ideas and draft new by-laws. She will also contact Jan Goodwin to get any changes that may have already been proposed. It was generally agreed that a draft of the new by-laws should be complete and made available for the neighborhood's approval in time for the May general meeting. Carol asked everyone on the board to read the current by-laws and be prepared to offer any suggestions for change by the March board meeting. ENA current by-laws can be found on the city website. To find any data regarding neighborhood associations, select community - neighborhoods. The link for ENA is:  
<http://www.ci.oswego.or.us/planning/evergreen-neighborhood-association>.

Carol emailed Gerry Good's proposed changes. If any board member would like to be on a subcommittee to work on the by-laws, please notify Don G, and/or Carol.

**OLL Traffic Study:** Don G. attended the Feb. 2 DRC hearing regarding the 3rd OLL

traffic study (LU 14-0073). He spoke in support of DRC approval of the OLL traffic monitoring plan, as OLL has effectively worked to maintain low vehicle counts on adjacent neighborhood streets. It was approved.

**ENA request for stop sign at 10th & Evergreen:** The city responded and denied the request for the stop sign, for reasons outlined in their letter that has been sent to the board along with Gerry Good's response to the city's denial. Gerry asked that the traffic engineer visit the site at a peak traffic hour.

**P.O. Box for ENA mail:** Carol suggested that a P.O. box might be a good idea because, though ENA doesn't get a large volume of mail, what is sent is often time sensitive and if the contact (currently Carol is the contact) is out of town for several weeks, ENA could lose the opportunity to respond before the cut-off date. This would include notices for pre-app meetings, tree cutting permits, and public meetings scheduled for the neighborhood. The board supported the idea; Carol will follow-up.

**Possible ENA support for a bike/walk path along the street-car line:** Both pros and cons of this proposal were briefly discussed. Because there was no agreement, it was informally agreed not to pursue ENA support of the plan.

**Annual Meeting:** Don G. will contact OLL to reserve the church hall for the May general meeting, preferably the first Wednesday of the month. *Update: Don contacted OLL and reserved the hall for Thursday, May 7, as the 6th was already booked.*

## **NEW BUSINESS**

**Nominating Committee:** It will be necessary to form a nominating committee to determine a suggested slate of officers for next year. Warren is the only remaining board member who was on this committee in the past. At the March meeting, it will be necessary to select this nominating committee. Don Nash and Dave Pinch volunteered to be on this committee.

**Joint meeting with FAN/Forest Hills NA:** Carole Ockert, chair of that NA, suggested a joint board meeting to discuss common issues: North Anchor, by-laws, strategies for dealing constructively with city staff, etc. A motion was made, and passed, to arrange such a meeting. Don G. will contact Carole to set up the meeting.

**Neighborhood Garage Sale:** Rob reminded the board of a tentative plan to hold a neighborhood garage sale sometime in the spring. Rob and Dave P. will bring specific ideas and proposals to the next board meeting.

**Albertson's Closure:** Dave Hawley suggested that ENA discuss proposals for how the Albertson's site might be developed. He proposed that some kind of co-op, a market like City Market in NW Portland, etc. would be a good use of the site. Carol noted that a similar idea was proposed for the North Anchor site. Dave will send board members a link of ideas and asked that a related discussion be added to the agenda for our next meeting.

**Next Meeting:** Wednesday, March 4. Don G. will be absent so vice-chair, Carol, will

chair the meeting.

Submitted by:

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Carol Radich in the absence of  
Diana Boom  
ENA CC secretary

Date Approved: March 4, 2015

Evergreen Neighborhood Association  
Board of Directors Meeting  
Wednesday, March. 4, 2015 7:00-8:45 p.m.  
Our Lady of the Lake School

Minutes

Board members present: Vice-Chair - Carol Radich, Pete Davis, Dave Pinch, Bill Gordon, Dave Hawley, Warren Bacon, Jim Stewart, Don Nash, Rachel Verdick, Annie Meneakis

Board members absent: Diana Boom, Rob Mogentale, Diane Grover, Jonathon Puskas, Don Graham, Gerry Good

Carol called the meeting to order at 7:05 p.m.

**Treasurer's Report:** Dave Pinch reported a balance of \$1088.30 in the ENA account.

**Minutes of 2/4/15 CC meeting:** approved.

**Mayor & Chairs Meeting:** No meeting in February

**Tree Removal Permits:** Don Nash reported on the request for cutting down two large Douglas Fir trees at the corner of 10th and Berwick (Application #499-15-00210 at 175 Berwick Rd). Don reported that he talked to Evan in the Planning Dept. on Wed 3/4. The property owner has changed the application to removal for hazardous reasons. The city-contracted arborist disagrees with the report of the applicant's arborist, so the city has asked the state pathologist to come out. That dept. is very heavily booked, so the visit could take up to 2 weeks.

Warren reported on a new tree removal application, # 499-15-00917, located at 343 5th St. Condo #2. Warren was able to talk to both property owners. Because of the location and condition of the tree, Warren has recommended to the City that ENA would approve its removal.

**Pre App Meetings:** Rachel reported on the pre-app meeting that she and Warren attended on March 2 regarding the proposed two pairs of zero lot line dwellings at 360 Fifth St. The report she submitted to the City at the meeting listed ENA objections to the proposed design. The applicant is asking for lot coverage 63% greater than allowable; adjustments to front, side, and rear setbacks; and is proposing residences that do not meet the 1.5 story design specified in the ENA Plan.

The Board proposed that ENA send a written comment to the City stating again the ENA objections to the current design and asking that it not be approved in the RID Review process.

**ENA Plan Update:** Rachel will meet with Sarah Selden on March 17 to discuss ENA's proposed changes to the neighborhood plan. Rachel asked other board members to email to her the addresses of any homes that would be good examples of homes in the

neighborhood that do or do not match what is specified in the ENA Plan.

**Code Changes:** The City Council on February 17 unanimously approved the Clear and Objective Housing code as written by the City Planning staff. There was no discussion or deliberation of any of the suggestions that had been developed and submitted by the ENA code subcommittee.

**Wizer LUBA appeal:** The hearing is scheduled for March 18 in Eugene.

**City Budget Committee:** No update.

**North Anchor:** Results of the Jan. 31 public meeting regarding the North Anchor site are accessible on the City website. More public meetings will be scheduled.

**By-Laws:** The board considered the various by-law revisions that were distributed to the entire board earlier in the week. One new change was proposed by Warren - that in addition to a minimum number of board members (6 plus officers), a maximum of 12 plus officers be set. The board supported the change. The new by-laws were approved unanimously. Carol will send the final revised by-laws to the board and to the city for approval.

**P.O. Box for ENA mail:** Dave Hawley has asked the post office to reserve a new P.O. Box for ENA as was proposed at the February meeting. However, after discussion with other NAs for handling ENA mail when the primary contact (currently Carol R.) is away, it was suggested that instead of a P.O. Box, the contact could simply have her/his mail forwarded to someone who could pull any ENA mail that might arrive during the contact's absence. There was informal agreement with this proposal.

**Annual Meeting:** Don G. has reserved the OLL hall for Thursday, May 7 at 5:30. No new agenda items were suggested at this time.

**Nominating Committee:** Don Nash and Dave Pinch, in their role as this year's nominating committee, have received confirmation from current officers that each would be willing to serve for one more year unless someone else would be interested in taking on the role.

**Joint meeting with FAN/Forest Hills NA:** Don G. contacted Carole Ockert, chair of FAN/FH, and they agreed to schedule such a meeting in the fall.

**Neighborhood Garage Sale:** Pete and Dave Pinch, with input from Rob (who could not attend) proposed that ENA plan a neighborhood garage sale for the weekend after July 4 and ask that any neighborhood residence wanting to participate would pay ENA a nominal amount (possibly \$5 or \$10). Pete will help Rob develop the plan.

**Albertson's Closure:** Following the February meeting, Dave Hawley sent board members a link to document that described possible uses of the vacated State St. Albertson's site. Board members were generally enthusiastic about the proposed uses, somewhat similar to a Pike Place Market collection of food vendors, etc., but there is no known plan or contact for development of this property. The board will continue to keep

this as an agenda item.

**Next Meeting:** Wednesday, April 1.

Submitted by:

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Don Nash and Carol Radich  
in the absence of Diana Boom ENA Secretary

Date Approved: April 1, 2015

Evergreen Neighborhood Association  
Board of Directors Meeting  
Wednesday, April 1, 2015 7:00-8:45 p.m.  
Our Lady of the Lake School

Minutes

Board members present: Chair - Don Graham, Vice-Chair - Carol Radich, Treasurer- Dave Pinch, Bill Gordon, Pete Davis, Warren Bacon, Jim Stewart, Rachel Verdick, Annie Meneakis, Jonathan Puskas, Rob Mogentale

Board members absent: Diana Boom, Diane Grover, Don Nash, Gerry Good, Dave Hawley.

Guests: Jeff Gudman (City Councillor), Grant Johnstone

Don Graham called the meeting to order at 7:05 p.m.

**Treasurer's Report:** Dave Pinch reported a balance of \$1088.30 in the ENA account.

**Minutes of 3/4/15 Board meeting:** approved.

**Mayor & Chairs Meeting:** Don reported that at the monthly chair's meeting, the Mayor discussed a list of topics including the Neighborhood Enhancement Grant and upcoming changes to the City development code.

**Tree Removal Permits:** Warren reported on two new tree removal applications, #499-15-01362 at 84 Berwick Rd. and #499-15-01177 at the property owned by Grant Johnstone and his Johnstone Financial Services Company. Warren was able to talk to the property owners on Berwick. Because of the location and conditions of the trees at both locations, Warren has recommended to the City that ENA would approve their removal. The tree permit at 10th and Berwick, discussed at earlier board meetings, was denied by the city.

**Pre App Meetings:** ENA received notice of a RID review for a proposed development at 828 Ellis Ave. (LU 15-0004). The project is for enclosure of an existing carport on the site. An exception is required to the front and west side yard setback. In an earlier pre-app meeting, Rachel and Warren saw the plans and agreed with the city and the developer that the change, which would include replacing an existing driveway with landscaping, would be an improvement visually from the street. A motion to approve the plan was made and passed unanimously.

## **OLD BUSINESS**

### **360 Fifth St.**

Rachel and Warren reported last month on the proposed development of two pairs of zero lot line dwellings at 360 Fifth St. Subsequent to the March 2 pre-app meeting they had with the city and the architect, Rachel met with the architect and received updated plans. Though the newer design is an improvement, there continue to be a number of

significant code exceptions for setbacks and lot coverage that would be required. After some discussion, the following motion was made by Bill Gordon: that the proposed development at 360 Fifth St not exceed the setback and lot coverage exceptions that were granted to the development at 335, 343, and 355 Sixth Street (LU 08-0005). The motion passed unanimously.

**ENA Plan Update:** Rachel will meet with Sarah Selden on April 7 to discuss ENA's proposed changes to the neighborhood plan.

**Code Changes:** A city goal is to clarify development code. There will be ongoing meetings and opportunity for input on a variety of upcoming proposals for changes. The Planning Commission has urged neighborhoods to actively engage in the process.

**Wizer LUBA appeal:** The hearing was conducted March 18 in Eugene. A decision may be made as early as April 9.

**City Budget Committee:** Don Graham read a letter from Gerry Good outlining current issues regarding the city budget.

**North Anchor:** To date, no additional public meetings have been scheduled.

**By-Laws:** A draft of the new by-laws was sent to the City for approval. One small change was proposed and was approved by the Board. A final draft is complete and ready to be made available to the general membership for ratification at the May 7 annual meeting.

**P.O. Box for ENA mail:** No update. Carol will discuss with Diana Boom, secretary, when she returns.

**Annual Meeting:** Don G. has reserved the OLL hall for Thursday, May 7. The meeting time is 7:00. The following agenda items are as follows:

- election of officers
- by-laws approval
- neighborhood garage sale
- Wizer update
- enhancement grant ideas

In addition, Jeff Gudman suggested that we ask the Mayor to give a 'State of the City' presentation as he did recently for the Rotary group. The Board approved. Don will ask if the mayor will be available for the presentation.

**Nominating Committee:** Dave Pinch reiterated that the nominating committee has received confirmation from current officers that each would be willing to serve for one more year unless someone else would be interested in taking on the role. Board members present were then asked who would be willing to serve another year, if elected. All agreed to continue as Board members with the exception of Rachel and Jonathan who no longer reside in the neighborhood and whose Evergreen home is being sold.

**Neighborhood Garage Sale:** Rob proposed that the neighborhood garage sale be scheduled for Saturday, July 11. The Board concurred. Further plans will be presented at the annual meeting.

**Albertson's Closure:** Jeff Gudman reported that there is no information regarding future plans for the Albertson's site. Brant Williams will be the City contact person with the California-based owner. The City could possibly provide some urban renewal funds to enhance the exterior of the site.

## **NEW BUSINESS**

**Enhancement Grant:** Suggestions included benches or other 'parklike' improvements to 'Evergreen Park', cleanup of our neighborhood sign at 10th & A, a neighborhood survey, an additional neighborhood sign. It was agreed that we would ask for suggestions at our annual meeting.

**Outreach:** It was proposed that our newsletter include information regarding new residents or business owners. For example, Grant Johnstone who recently purchased the building on 3rd Street, could contribute a short information piece about his new business in our neighborhood.

## **Miscellaneous**

Bill Gordon noted that Monogram has posted a sign on the property at the corner of Lake Forest Dr. and Berwick Ct. It is assumed that the house there will be demolished and a new house built. Bill proposed that a small group of board members meet informally with the owner of Monogram to discuss our neighborhood concerns. The Board approved the proposal. Bill will setup the meeting; Rachel and Warren will also attend.

Jim Stewart reported that the rebuild and repair of the neighborhood easement is nearly complete. There will be an open house for all eligible residents and a separate open house for realtors.

Jeff Gudman commented that LO is making progress on its 10-year plan of ivy eradication. He also stated that the 9 bridges in LO will be assessed this summer.

**Next Meeting:** General Meeting - May 7, 7:00 at OLL

Submitted by:

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Carol Radich in the absence of  
Diana Boom  
ENA CC secretary

Date Approved: 4/28/15

Minutes  
Evergreen Neighborhood Assn.  
Special Board Meeting  
Tuesday, April 28, 7:00 p.m.  
at the home of Gerry Good

Present: Don Graham, Carol Radich, Don Nash, Gerry Good, Bill Gordon, Warren Bacon, Diane Grover, Jonathan Puskas, Rachel Verdick, Jim Stewart, Dave Hawley, Annie Meneakis, Dave Pinch, Pete Davis, Rob Mogentale, and Diana Boom. All were present.

Chair Don G called the meeting to order at 7:00 p.m. Don opened the meeting by stating that the purpose of this special meeting was to consider joining an appeal of the LUBA Wizer decision to the Oregon Court of Appeals.

Diane G: Although not a land-use attorney, she said that she read the LUBA decision and if she were advising a client, she would advise not to appeal. She brought up issues of liability and said that ENA should have an indemnification clause in its by-laws.

Bill: He doubts that anyone in the neighborhood has changed their minds about the project, but wonders if this is the best thing for Evergreen.

Gerry: In his conversations with land-use attorneys, he has been told that if the decision is appealed, they must convince the appeal judges that LUBA erred.

Annie: Believes that the board has a moral obligation to appeal. It is our duty to the residents to carry their opposition forward. Annie asked land-use attorney Greg Hathaway to answer questions about liability to the board, and the merits of a lawsuit. His opinion: This appeal has merit and thus would not be considered a frivolous lawsuit.

Gerry: Got the same opinion from a different land-use attorney. The only liability concern might be if this were a frivolous lawsuit, which it would not be.

Bill: In response to Annie's comments, said that ENA did its best to change/deny this project, and no one would be angry with the board if ENA did not continue.

Diana: Of the 9 neighbors she's had contact with about an appeal, 8 were in support (as long as there was no financial obligation) and 1 was opposed to the appeal.

Diana made a motion, seconded by Pete: ENA will join in an appeal to the Oregon Court of Appeals of the LUBA decision on the Wizer proposal. This will be at no cost to ENA or board members, except that the entire cost of the appeal will be borne by Gerry Good.

Rachel: There is a process for handling land-use decisions, and we should take advantage of it and continue the process. We are also making a statement to council: we do not agree with your decision and we are prepared to follow the procedures in place to appeal it.

Pete, Don N, Jonathan, Carol, Rob, Dave P, Dave H, Jim, and Warren also expressed their opinions regarding an appeal.

Don G: Has heard from a resident who believes that having one person pay the expenses makes it possible that that person will have too much power.

Gerry: For the appeal to LUBA, he and Barry Cain shared the cost, with others making large and small contributions.

Don N: Called the question.

Bill: Offered an amendment that ENA would only join an appeal if both Barry Cain and Save Our Village participated. Diana declined the amendment.

Diana restated the motion and a vote was taken: 9 in favor of joining an appeal; 5 opposed; 2 abstentions.

#### OTHER BUSINESS:

Warren: No new pre-app meetings. He did talk to Monogram who will develop lot on Lake Forest and Ellis. The plan is to bring the house over a 3-car garage on Lake Forest and follow code, no variances, so the neighborhood will not be involved in the process.

Carol: Planning Commission held a public hearing on proposed changes to sub-standard lots. She planned to testify, but was ill. This is important for Evergreen because we have many of these lots. The PC will deliberate at a future meeting, maybe May 11. Nothing new on the two 5th Street projects.

Minutes of April 1 board meeting were approved.

Carol will write up a summary of the important by-laws changes for the May 7 membership meeting.

Dave P: All board members, except Jonathan and Rachel have said they will continue. He has not heard from anyone else in the neighborhood about being on the board.

Submitted by:

Approved: May 7, 2015

Diana Boom, ENA secretary

Evergreen Neighborhood Association (ENA)  
General Membership Meeting  
Thursday, May 7, 2015, 7:00 p.m.  
Our Lady of the Lake Parish Hall

Minutes

Board members present: Don Graham, Diana Boom, Carol Radich, Bill Gordon, Don Nash, Gerry Good, Diane Grover, Dave Pinch, Annie Meneakis, Rob Mogentale, Warren Bacon

Board members absent: Dave Hawley, Pete Davis, Jonathan Puskas, Jim Stewart, Rachel Verdick

Attendance - people who signed in: Kate DePree, Kristy Light, Norma & Paden Prichard, Carole Ockert, Heather Radich, Bill Ward, Grant Johnstone, Mary Magrath, Louise Mengelkoch, Doug Adler, Esther Good, Caroline Wilson, Lita & Tom Grigg, Lynne Bacon, Paul Brossia, Greg Lang, Mark Hoyt, Cindy Egan, Dave Radich, Maggie Conacher, Mary Mogentale, Darryl Boom.

Present by proxy: Rachel Verdick, Jonathan Puskas, Heidi & John Boyman.

Don Graham called the meeting to order at 7 p.m.

Treasurer's Report - Dave Pinch

Account balance on 12/31/14 was \$1253. After paying expenses of the holiday party, we netted \$71. Our current balance is \$1138.31.

Approval of Minutes - Diana Boom

The minutes of the July 9, 2014, general meeting and May 28, 2015, board meeting were approved on unanimous votes.

Revisions to ENA By-Laws - Carol Radich

There has been only one previous revision to the original by-laws approved in 1976. This revision is intended to correct typos, terminology, make other minor and some more significant changes.

The major changes are: Voting age is 18 years (was 14); rules regarding board members; clarification of proxy voting; how many board members (was 10 minimum, no max; now 10 minimum, 16 max).

The revisions are similar in content and format to other city neighborhood associations, and were approved by the board and the city. The original and revised by-laws are posted on ENA website and members were notified of the proposed changes.

Lynne Bacon made a motion to approve the revised by-laws. Darryl Boom second.

During discussion Diane Grover said that there is no indemnification clause. She thinks it's important and agreed to take the lead to investigate and get back to the board for further action, if necessary. The motion to accept the revised by-laws was approved on unanimous voice vote.

#### Election of Officers and Board Members - Darryl Boom

All current officers and board members (except for Jonathan Puskas) agreed to continue to serve for another year. Darryl asked for other nominations for officers. There were none. In a unanimous voice vote, the current officers: Don Graham (chair), Carol Radich (vice chair), Diana Boom (secretary), and Dave Pinch (treasurer) were elected.

Darryl asked for other nominations for board members Diana nominated Tom Grigg. No other nominations from the floor. On unanimous voice vote Bill Gordon, Don Nash, Gerry Good, Diane Grover, Annie Meneakis, Rob Mogentale, Warren Bacon, Dave Hawley, Pete Davis, Jim Stewart, Rachel Verdick, and Tom Grigg were elected to serve for one year.

#### Neighborhood Yard Sale, Saturday, July 11 - Rob Mogentale

To promote community involvement we're planning a neighborhood-wide yard sale. This will be a coordinated effort on a single day with individual or combination sales. If there's enough interest, it could become an annual event. Should ENA charge a small fee to advertise, post signs, print maps, pick up after sales? Someone with a truck might volunteer to pick up unsold items and take to a donation site. Kids might want to set up a lemonade stand.

Grant Johnstone, who's moving his business to his building near city hall, offered his help to make maps, advertise, and said ENA can use his parking lot for a sale or staging area. He also volunteered the same type of assistance for other events.

Rob asked who might be interested in participating or helping with the event: Diane Grover, Mark Hoyt, Heather Radich, Kristy Light, Kate DePree, Mary Magrath, Mary Mogentale, Darryl Boom, and Louise Mengelkoch. Louise suggested posting on facebook, as that has great advertising potential. Carole Ockert, chair of FAN/FH NA said she will bring this up at their annual meeting next week.

#### Neighborhood Enhancement Program Grants - Don Graham

The city has broadened the scope of projects eligible for grants. Applications are due on June 30. The maximum amount per neighborhood is \$10,000, and a \$300 limit on social events. People have suggested putting benches, picnic tables, and playground equipment in Evergreen Park (the unofficial park on 3rd & Evergreen), and requesting funds for refreshments for neighborhood events (picnic, holiday party, annual meeting). The board will discuss at its June 3 meeting. Anyone with grant suggestions or who wants to help should contact a board member.

#### Evergreen Park - property at 3rd & Evergreen

During the grant discussion, someone asked about Evergreen Park. Bill Gordon explained that he had drafted a letter several months ago from the board to city council asking them to

designate the LORA (city)-owned land as a neighborhood park. At the time, the board decided to wait. This matter is still pending. What the city will do with that property is uncertain.

#### Wizer Block Update - Gerry Good

On April 28, the ENA board met to decide whether to appeal LUBA's Wizer decision to the Oregon Court of Appeals. At that meeting, a motion was passed to join in if an appeal was filed by another party. On May 5, Save Our Village (SOV) and ENA filed the appeal. SOV and ENA are represented by the same attorneys who handled the LUBA appeal: Greg Hathaway and Dan Kearns. They strongly believe there are valid reasons to appeal - that the city and LUBA erred in approving the project.

The brief by ENA attorneys will be filed with the Court by May 26. The City and developer Patrick Kessi have 21 days to file their response. The Court will consider the case and must rule by the end of August. When filed, the brief is public information.

Several neighbors raised questions about the liability of ENA. Gerry explained that he has assumed financial responsibility for ENA and has submitted a letter of confirmation of same to Don Graham. No ENA funds will be used. Contributions are being made by LONAC and by individuals throughout the City to help defray the legal costs.

The vote by the Board to appeal was also questioned. Some believe that the neighborhood should have been polled beforehand. However, it was noted that the decision had to be made quickly due to the court's filing deadline, with no time for yet another poll of the neighborhood on this ongoing issue.

#### Other business / Adjourn

ENA resident Mark Hoyt is now a member of the Parks & Rec Adv. Board. Bill Gordon is also on PRAB. Don adjourned the meeting at 8:45. Next board meeting is Wednesday, June 3.

Submitted by: Diana Boom, Sect.

Approved: May 4, 2016

Evergreen Neighborhood Association  
Board Meeting Minutes  
Wednesday, June 3, 2015  
Our Lady of the Lake

Attending: Tom Grigg, Diane Grover, Carol Radich, Diana Boom, Don Graham, Rob Mogentale, Gerry Good, Bill Gordon, and Warren Bacon

Absent: Dave Pinch, Dave Hawley, Jim Stewart, Annie Meneakis, Pete Davis, Don Nash, Rachel Verdick

Visitors: Grant Johnstone, Jeff Gudman

Don Graham opened the meeting at 7:00 p.m.

## **I. Monthly Reports**

Treasurer's report - Dave Pinch was absent, no report.

Minutes - Diana requested and received clarification of the draft minutes for the May 7 general membership meeting. She will send draft minutes to the city and post them. At the next general membership meeting they will be up for approval.

Mayor & chairs meeting - May 16 - Carol

There was a discussion about updating the city's tree code. There will be a public meeting to get citizen input. The balance of the meeting was a discussion about how NAs communicate with neighbors. Carole Ockert of First Addition/Forest Hills (FAN/FH NA) gave a presentation about a recent survey. Uplands uses Survey Monkey. Sarah Selden asked if NAs would agree to receive some City notices by email. Most favored this for certain notices.

Correspondence - Diana

ENA received an email from Jan Wirtz, Recreation Director for LO Parks & Rec, offering to meet with us or attend a meeting to introduce herself, answer questions and/or make a presentation. Board thought it would be good to invite her to a future board meeting or perhaps as a speaker for general neighborhood meeting.

## **II. Old Business / Updates**

Tree removal permits - Warren

There have been 2 new requests. At the corner of 5th & Evergreen, Joel West is planning an addition to his home. A fir tree on the property line has damaged roots, so there's a risk of falling. It's a good-sized tree, but it needs to be cut. The other request is on Berwick, at Robert Rowzee's home. Warren has been unable to reach him to talk about request.

Three large fir trees were cut down on Lake Bay Court. Carol and Warren will follow up on this. (After the meeting, Dave Hawley also got involved in trying to find out what happened.)

Pre-app meetings - Carol

Rachel attended the RID pre-app meeting for 360 - 5th Street. So far nothing has happened; the developer did not want to make any changes; Gerry has an attorney lined up in case we need help with

this. The city seems to be watching this closely. The existing 4-plex has not been torn down.

Development at 342 - 5th Street - Rachel

The house was demolished on May 13. The city approved a partition for 2 lots instead of 3 25' wide lots. This means that the city allows partitions or lot splits for substandard sized lots. Stoneridge developers John and Matt Tercek attended our November meeting and discussed their plans. It appears now that Stoneridge has sold the lots to Silver Oak, with plans for a single family home on each lot.

ENA plan update - Rachel

Rachel will meet with Sarah and invite her to our July meeting to discuss amendments to our plan.

Comp Plan & Code changes, incl. substandard lots - Carol

The Planning Comm. made its recommendations as to how the Comp Plan compares to code and where should code be updated. LONAC formed a committee to review this. Carol is on the LONAC committee.

Wizer - Court of Appeals - Gerry

The appeal brief was filed on May 26 and the court has scheduled oral arguments, giving 15 minutes to each side. The appeal will be heard by a three-judge panel, and the judges are expected to take about 6 weeks to rule. The appeal documents are public for anyone who wants to read it. The appeal cites sections to the law that LUBA and/or the city did not follow.

City budget committee - Gerry

Budget committee held their final meeting on May 7; last night the city council approved it. No major changes to anything except that street maintenance got a total of \$1.5 million. The intention is to continue that level of spending for the next 6 years to bring the PCI (pavement condition index) up to level 70. The work on Iron Mountain was all done with Tigard/LO water project money. There are two vacancies on the budget committee: David Berg; Charles Collins

North Anchor update - Carol

The city is preparing an RFP to go to wide group of developers asking for their plans and vision for the city-owned property. May require a zone change. City will ask for additional public parking, and there is a continuing discussion among City Council/LORA with property owners adjacent to North anchor block properties.

Sale-A-Rama - Yard Sale Saturday July 11 - Rob

Rob has 12 committed committee members, and more participants. He asked for feedback for hours of operation, suggesting 8 - 2 or 3 to pick up traffic from the Farmers Market. Discussion about fee - will ask for \$10, participants can give more voluntarily after the sale. We will use Grant Johnstone's lot as staging area. Grant reported that his business will hold an open house in September, when ENA can participate. Diana will send email to ENA list to publicize sale.

Neighborhood grant - Carol & Diana

At a minimum, we will ask for \$300 for events. Other ideas discussed: emergency preparedness. Discussion points: emergency prep is really an individual responsibility. As a neighborhood assn. we can only provide people with info and leave it up to them to participate and take action. The city is also putting out a lot of info about this, so people should be aware of its importance. Board decided to put on future agenda; perhaps form a subcommittee. Probably best way to get people to take action is to suggest small ways for people to take responsibility for their own. Maybe we should integrate some of

this into a grant request next year. The board unanimously agreed that ENA should apply for \$300 grant for events & outreach for 2015-16, and do more work on emergency preparedness project, perhaps apply for a grant next year.

ENA annual meeting and election - Diana

Diana sent each board member a new board list, and posted the new bylaws and board info on ENA website.

Pre-App Training - Don G

Don Nash has signed up to attend training.

Bylaws - Diane

She checked on the indemnification issue. An insurance company can issue a policy, but we have to be a non-profit. ENA is not a non-profit organization. No further action.

Meeting adjourned at 8:30 p.m.

Submitted by:  
Diana Boom, ENA Secretary

Minutes approved: September 2, 2015

ENA Board Meeting Minutes  
Wed, Sept 2, 2015, 7:00 p.m.  
Our Lady of the Lake School

Present: Carol Radich (vice chair), Diana Boom (sect), Dave Pinch (treas), Bill Gordon, Dave Hawley, Diane Grover, Gerry Good, Pete Davis, Rob Mogentale, Don Nash, Rachel Verdick

Absent: Don Graham, Warren Bacon, Annie Meneakis, Jim Stewart, Tom Grigg

Guests: Gary Stein, LO Review; Sarah Selden, city planner; Caroline Wilson; Paden & Norma Prichard

Carol Radich, acting in Don Graham's absence, called the meeting to order at 7pm. The board agreed to change the order of the agenda so that Sarah Selden could go first. NOTE: The board did not meet in July or August.

**Old Business - ENA plan update - Rachel Verdick and Sarah Selden, neighborhood planner**

The residential zone of Evergreen is R7.5. In addition to the city's R7.5 code, ENA has specific code (an "overlay") to help ensure that new and remodeled homes adhere to the 1.5 story height of most older homes in the neighborhood.

Sarah briefly summarized the process ENA followed when the plan was adopted in 2005, and when the overlay was adopted in 2008 (LO development code §50.05.002 Evergreen R-7.5 Overlay District). The city helped develop code language for the overlay. The key piece is the front setback plane concept (Item 4c). The city has a similar front setback plane, but the city allows up to 20'. Evergreen has a 16' height limit.

Sarah handed out copies of the code section and 3 pages of photos of neighborhood homes which compared newer, larger homes with older, smaller, shorter homes. Height limit in ENA is 28'. The reason for pursuing a revision is because of concerns that some of the newer homes are complying with the overlay, but don't meet our expectations of what we wanted to accomplish.

Sarah also mentioned a problem with height of front setback planes on corner lots. A 16' height limit on both street sides of a corner lot would fix this. The board agreed that this should be corrected with whatever other changes we recommend.

Sarah's handout included potential amendments which were discussed. Motion by Pete that the board go forward with amending the ENA overlay as discussed: Adding a side setback plane requirement to match the 16' height of the front overlay; and changing the overlay exception 4.c.ii.(2) to 1/3 of the width, rather than 1/2 of the width. Motion was seconded by Dave H, passed 8-2.

Further discussion. This will take a lot of work and communication with neighbors. We can use the survey to get the word out and can include questions in the survey. We need a committee. Rachel is very willing to help, even though she's no longer on the board. Paden Prichard offered to share his

ideas about heights since he was very involved in the overlay. Once we have neighborhood consensus and support, the Planning Comm and City Council will schedule study sessions and public hearings. The city would send notices to all property owners.

### **Monthly Reports and Updates**

Resignation of Rachel Verdick - Rachel no longer owns property or lives in Evergreen, so she is resigning from the board, but will help as she's able. She previously offered her help with the overlay. Thank you Rachel!

Treasurer's report - Dave Pinch - ENA account balance is \$1138.31. No change from last month.

Approval of minutes - Diana - board minutes for June 3 were approved.

Mayor's & Chairs meeting - Saturday, Sept 19. Neither Don nor Carol can attend. Gerry or Don Nash will take Don's place.

#### Tree removal permits

When Sarah was at the meeting she said the city is working on getting the tree permits sent out by email. It will take a while to make the change, but this will happen.

*Lake Bay Court:* Dave Hawley reported that 3 tall trees were removed between the RR tracks and Lake Bay Court. There apparently was an application, but the city did not send it out, nor could they locate a copy when Carol and Dave called them. Code enforcement officer Bill Youngblood told Dave the trees in question were dead or hazardous.

*160 5th Street:* There is a new request to remove one tree at 160 5th Street. As the tree is destroying the garage foundation, ENA has not objected to the permit.

*342 5th Street:* Silver Oak Custom Homes requested removal of 2 large trees: a 40" oak and a 46" cedar. In his eloquent response for ENA, Warren wrote "These two trees are magnificent specimens both in size and character that anywhere else in the city would have been nominated as Heritage Trees. They were not, but should be treated with that kind of respect." Warren asked that the city and the developer consider saving the oak, suggesting it could add value to both of the proposed homes, and enhance the outdoor living spaces. ENA does not support cutting them both.

#### Pre-app meetings / New development

*Princeton Prop Mgmt, Lake Oswego Apts, 258 Evergreen* - had a pre-app meeting regarding upgrades to the building facades. We did not receive notice in time to attend the meeting. No other information.

*Silver Oak, 342 5th Street* - applied for tree cutting permits (see above), but no construction has begun. No notice of pre-app meetings. The previous owner/developer, Stoneridge, said they planned to build a single family residence on each lot. Still have for sale signs on both lots.

*Dillavou Properties, 360 5th Street* - Sarah said the city received the application. It is incomplete,

but she brought a copy and gave it to Don Nash. ENA will review it. Gerry Good offered to hire an attorney to represent ENA.

Pre-app training - Don Nash, Warren Bacon and Carol Radich have had the training. We need someone to take Rachel's place for ENA.

### **Old Business / Updates**

Disaster Preparedness - Diana reported that Darryl Boom will continue to attend meetings of the LO Prepares group and report back to the board. The Red Cross and other agencies recommend that all households have a plan and everything they need to get by without public services for at least 3 days.

Comp plan, Code changes, Substandard lots - Carol said the council will hold study sessions for code amendments (LU 15-0011) and substandard lots (LU 15-0017) at its Sept. 15 meeting. Further code changes will continue to be worked on.

#### Wizer update - Gerry

The court of appeals affirmed LUBA's decision without a written opinion. The next step would be to petition the Oregon Supreme Court. The deadline is September 9. There was a discussion about ENA joining Save Our Village in the petition. Carol said that while she is opposed to the Wizer development, she believes the neighborhood should have been polled to determine whether or not they want to continue to pursue the legal case; with a deadline one week away, there isn't time now to get neighborhood input. No motion was made, but in a straw poll, there were 4 who favored taking further legal action and 6 opposed.

Gerry said that the LORA development agreement calls for Kessi to provide financial information before any permits are issued, and the city told him they have not received this. Gary Stein said that Kessi applied for permits on August 18.

Budget committee - Gerry said the city re-appointed Charles Collins and Dave Berg.

North Anchor update - Carol said RFPs were due Aug 31. The city will hold a meeting on Sept. 30 regarding East End development and possibly go over the proposals.

Sale-A-Rama - Rob said ENA earned \$250. Suggestions for next neighborhood-wide yard sales would be to have a preview viewing for neighbors and a Facebook page to show items and advertise.

Holiday Party - Rob agreed to coordinate as he did last year. Thank you Rob. He will contact the Heritage House to confirm Saturday, Dec. 5. Diane, Pete and Gerry offered to help.

Neighborhood grant - Diana said the city approved ENA's request for \$300. We will use the money for the holiday party.

**New Business**

Johnstone Open House - Grant reported that Johnstone Financial will hold an open house and anniversary party on Sept. 18 from 3:30 - 7:30. Everyone is welcome. They'll have a band, bounce house, cotton candy and pizza cart.

Neighborhood survey - Carol led a discussion about ENA doing a survey. We can incorporate information and questions about the overlay. Carol will coordinate. Bill, Don Nash, Dave Hawley and Diana will help.

4th Street repaving - The city intends to repave 4th Street. Pete will contact the city to ask what they plan to do and if there is a possibility of incorporating bump outs on the corners of 4th & Lake Bay Court in conjunction with the repaving. ENA has advocated for traffic calming on 4th Street and Lake Bay Ct.

Meeting adjourned at 9 p.m. In Don and Carol's absence, Gerry will chair the next meeting - Wednesday, October 7.

Submitted by: Diana Boom

Approved: October 7, 2015

ENA Board Meeting Minutes  
Wed, October 7, 2015 - 7:00 p.m.  
Our Lady of the Lake

Present: Gerry Good, Diana Boom, Dave Pinch, Rob Mogentale, Tom Grigg, Warren Bacon, Don Nash, Dave Hawley

Absent: Diane Grover, Carol Radich, Jim Stewart, Annie Meneakis, Pete Davis, Bill Gordon, Don Graham

Guests: June and Steve Boyle, Marie Pinch, Jeff Gudman

Acting chair Gerry Good opened the meeting at 7:00.

### **Monthly Reports and Updates**

Treasurer's report - Dave Pinch - ENA account balance is \$1258.31, added \$220 from yard sales.

Approval of minutes - board minutes for Sept. 2 were approved on unanimous vote.

Mayor & chairs meeting - Sept 19 - Don Nash attended for ENA and gave a report on the meeting. The mayor gave an update on the Wizer project. The West End Bldg. is now occupied by the new owners, so Parks & Rec personnel have moved to Palisades school and Luscher Farm. The maintenance workers moved to 2 trailers on Jean Road where the city is building a new maintenance facility, at a cost of \$13 million. The building next to City Hall was purchased by the city for use as a police annex. The city plans to tear down the existing building and use LORA (Redevelopment) money to construct a new building. The rest of the meeting was about stormwater management, followed by a presentation about "depavement," which has to do with removal of cement and other impervious surfaces to reduce stormwater runoff. For example, removing asphalt on school yards and replacing it with gravel or other pervious material. The next meeting will be Oct. 17. Don will attend with Gerry as substitute.

#### Tree cutting permits - Warren

*159 Fifth Street:* Request to remove 2 trees: a 16" cedar near front of property and a maple on property line on north side of house. Warren has been working on it. The maple removal is probably okay - the space is way too small for the tree, and appears to be on property line. The cedar is another matter. Warren needs more information.

*160 Fifth Street:* This house is across the street from 159 Fifth, owned by Mary Magrath. The tree is a forked cedar pushing against the garage; it needs to be removed.

(\* See 342 Fifth Street - Silver Oak under *Old Business* for a discussion about notification of city's tree cutting decisions.)

Pre-app meetings - nothing to report. Don Nash, Warren and Carol have taken training and can attend meetings.

Correspondence - nothing to report

### **Old Business / Updates**

ENA plan overlay update - Discussion about whether overlay needs revision. Gerry thinks we should leave as is because we don't have a problem and no one really cares about this issue and it will be very difficult to explain. Warren disagreed about no one caring. He explained that when the neighborhood worked on the plan and overlay an amazing number of people responded positively - over half of the neighborhood saying they wanted the plan. There were very few objections. The overlay has worked for a few years and simply needs to be tweaked.

Warren asked Paden Prichard (who did most of the work on the overlay) to take a look at some of the proposals we discussed with Sarah at last month's board meeting. Warren volunteered to chair a committee to look at the overlay and work with Sarah to draft language to first present to the neighborhood, and then take forward if that's what neighbors want. Gerry said his main concern was that it will be difficult to communicate this information, and thought that the variances currently allowed by code are what have caused the greatest negative impacts in the neighborhood. The board agreed that Warren will work on the overlay as he offered to do.

Emergency Planning - Prep LO - Diana reported that Darryl Boom will put together a list of basic household supplies and this will go in the ENA newsletter.

Comp Plan & Code changes, incl. substandard lots - The city is moving ahead with this. Council hearing will probably be in November.

Wizer update - Gerry reported that he made a public records request for the final and binding commitment letter that is supposed to be filed by the developer. According to the agreement with LORA, the developer must prove that he has sufficient financing. Gerry was told that the letter has not been filed. In September, Save Our Village petitioned the Oregon Supreme Court to hear the case. Although there is no news on whether the court will accept the case, something unusual did happen last week: the court allowed the SOV attorney to reply to a filing by the respondent. The justices meet once a month to discuss petitions. The court may decide as early as mid-November whether to take the case.

North Anchor update - tabled until next month

Holiday Party - Rob has contacted Heritage House to reserve Sat. Dec 5. ENA will pay and request reimbursement from the city grant, along with other costs, up to the \$300 limit.

360 Fifth Street - Dillavou RID development update - Gerry said that the city sent an incomplete letter outlining what needs to be done. Gerry gave the information to land use attorney Dorothy Coffeld who said that there are some pretty significant things to be dealt with. When the application is complete, Gerry, Diana, Don Nash will work on it.

342 Fifth Street - Silver Oak - Diana said that there is nothing new on city's website - just the lot line adjustment from 3 lots to 2, and the tree cutting request. After ENA submits a response to a tree cutting app, we never hear the results. Jeff Gudman was asked to check on the possibility of city notifying the neighborhood associations of the city's decision. Or perhaps post to city website. Are the tree cutting requests posted to city site? Jeff said he would check into this.

Neighborhood survey - tabled until next month

Fourth Street repaving - The work is nearly finished. It appears this was just a paving project, with no other street, pedestrian or traffic upgrades.

### **New Business**

Welcome Committee - Discussion about committee to welcome new residents to Evergreen.

Suggestions that we could put together a welcome packet that might include coupons from local businesses and city info. Gerry will ask a real estate agency if they might have some way to help us identify new residents. Rob said that about a third of ENA is in the easement and that might also be a source. Rob thought Kristy Light might be a good person to start with. He will talk to her.

Next Door - Gerry suggested that the website Next Door might be useful for ENA. Next Door connects people within existing neighborhoods. When you register, your address automatically links you to the correct neighborhood. Next Door is also used by LO Prepares. Dave Hawley will send a link to Diana so she can include in the next ENA newsletter.

Joint meeting with FAN/Forest Hills - Discussion about having a joint meeting with First Addition / Forest Hills NA to discuss development downtown and in our neighborhoods. Diana will contact Carole Ockert, chair of FAN/FH.

Next meeting - Board meeting - Wednesday, November 4

Pending items

- \* Evergreen Park - Bill
- \* Home demos? Lobby w/LONAC to have city notify NAs of demos?

Submitted by: Diana Boom

Approved: November 4, 2015

ENA Board Meeting Minutes  
Wed, November 4, 2015 at 7:00 p.m.  
Our Lady of the Lake

Present: Don Nash, Gerry Good, Carol Radich, Diana Boom, Warren Bacon, Pete Davis, Dave Pinch, Diane Grover, Rob Mogentale

Absent: Dave Hawley, Jim Stewart, Annie Meneakis, Tom Grigg, Don Graham, Bill Gordon

Guests: Anne Adler, Paden and Norma Prichard, and Grant Johnstone

### **MONTHLY REPORTS**

**Treasurer's Report** - Dave Pinch - Current balance is \$1158.32 (\$150 paid to Heritage House).

**Minutes** - October 7 board meeting minutes approved

**October 17 Mayor & chairs meeting** - Don Nash

Ad Hoc Tree Committee report by Mike Buck vice chair and planner Jessica Numanoglu. The committee has 24 members. The goal is to maintain the city's tree canopy, searching for balance in development and tree code. There is consensus that all parties need to have good communication and to remember that the city's development code is not the tree code. The committee will discuss penalties for violations of the tree code. You can learn more about committee and its work on city website.

<http://www.ci.oswego.or.us/planning/pp-15-0003-2015-tree-code-review>

There was a discussion about the new Stormwater Management plan. Some believe that the city is going too fast and does not need to implement these changes.

Jan Castle spoke about emergency preparedness. Her group (LO Prepares) has offered to give preparedness presentation to city groups and NAs. Several NAs have already participated and are working on this. LO city and schools should make sure that new buildings are earthquake safe. Several NAs are concerned that the flood management maps being used are outdated. The next meeting is set for Saturday, November 21. Don can attend.

**Tree Cutting Requests** - Warren

Warren and Bill Gordon will follow up on city decisions, on appeals and mitigation.

*644 Ellis Ave*: New application to remove 2 trees. One is evergreen tree with roots that got into the sewer line so they want to remove the tree, and replace it with one in back of the house. Another tree described as a Hemlock is actually a Dawn Redwood - an old, rare species. Warren talked with the owners, who had no idea it was a rare tree, but it did damage their driveway. In his response to the city, Warren has recommended that the pine tree can be removed, but not the Redwood. There may be some way to repair the driveway without cutting

the redwood. Warren asked for and received unanimous support from the board to appeal the city's decision if the city agrees to cut the Redwood.

172 Fifth Street: New application, just received. Warren will report next month.

**Pre-app meetings** - Don Nash - nothing to report

### **Correspondence**

Diana talked to Carole Ockert FAN/FH chair about how they handle tree cutting requests, and possible joint FAN/ENA meeting in the spring.

ENA received notice from the city regarding city tours. Beginning in December the city will start "Get to Know LO" a series of monthly tours and information about city structure and how departments function. Dave Pinch, Pete, Don Nash, and Diana agreed to 'share' the tours. Diana needs more information and will report back to the board by email.

### **OLD BUSINESS**

#### **Substandard Lots**

Warren asked Paden Prichard to speak to the Board about the Planning Commission's recommendations to the city council regarding substandard lots (LU 15-0017). As Paden explained, the PC proposal would set a 22' height limit for any new or remodeled homes on substandard lots. While a large number of lots in our neighborhood are substandard, many of those are very close to the standard size lot of 7500 square feet. Paden believes that the code recommended by the PC would make it difficult to develop and remodel in Evergreen. While the PC's recommendations would be appropriate for neighborhoods with lots that are substantially undersized, the one-size-fits-all approach would be unfair to property owners in Evergreen.

Paden testified at a council work session and suggested using a sliding scale which would incrementally increase the allowed roof height from 22 to 28 feet. A 5000 square foot lot (in the ENA R7.5 zone) would be capped at 22' but a lot closer to the standard size would be allowed a commensurate higher roof height. This incremental increase would also apply to roof extensions (currently 6 feet for standard lots), from 0 to 3 feet on substandard lots.

In addition to the roof heights, LU 15-0017 contains several other recommendations that would apply to substandard lots and could be unduly punitive for the many lots in Evergreen that are only minimally below the 7500 square feet. Variances, for example, would be prohibited for any new or remodeled homes on these lots.

After discussion, 2 motions were made by Gerry Good, seconded by Don Nash, and passed unanimously:

***Evergreen does not agree with the Planning Commission's recommendations regarding substandard lots (LU 15-0017) because they would have a negative impact on Evergreen***

*neighborhood.*

*Evergreen recommends that for substandard lots, the city should use a sliding scale based on lot size for both: Roof Height (instead of a 22' maximum) and Roof Height Exceptions, with a maximum 3' roof height exception.*

### **ENA plan overlay amendments**

Warren is working on this with others and will come back to the board with more info. For tonight, the board agreed on one proposed amendment to the Overlay. The following motion passed on unanimous vote:

*The amendments to the Evergreen Overlay should include a provision to cap roof height exceptions at 3 feet rather than the current 6 feet allowed by code.*

### **Holiday Party - Rob**

Saturday, Dec 5 from 6:00 to 8:00 p.m. at Heritage House. Anne Adler, Rob & Mary Mogentale, Carol & Dave Radich, Diana and Pete will arrive at 5:15 to set up. Clean up: Darryl & Diana Boom, Dave & Marie Pinch, Carol & Dave Radich. Greeters: Diane Grover & Kristy Light. Rob will talk to Kristy. Diane will make name tags. Diana will work with city to mail invitations, and also send email invite. Rob will contact Whistling Ridge to set up wine tasting. Each board member who attends will bring appetizers or dessert for 10-20 people. Rob will send email reminders to everyone.

Discussion about auction or raffle. Gerry will donate 3 bottles of wine. Diana will donate holiday candy. Rob will talk to local restaurants (St. Honore, Tucci, Zeppo) about purchasing gift cards, maybe with discount or donation. Gerry will contact Barry Cain about 5 Spice gift card. If we sell \$5 raffle tickets and everyone buys one ticket, we can cover some of the cost of gift cards. As party coordinator, Rob will decide details.

### **New construction updates**

360 Fifth St. - Dillavou - RID development - nothing to report.

342 Fifth St. - Silver Oak - Trees were cut down, 2 houses under construction.

708 Berwick Ct / Lake Forest Dr - Monogram - under construction. Concern about height.

**Neighborhood survey** - Carol - nothing to report this month.

### **Hospitality Committee**

Rob talked to Kristy Light and she's willing to be hospitality chair to welcome new residents to Evergreen. We need to decide how this will work, how will we get names of new people, contact info? Should we have a welcome packet? What would we include? Who will help? One person alone can't do this. Everyone should think about it and we'll discuss at December meeting.

Gerry wrote a blurb about Nextdoor.com that Diana will include in next newsletter. It's a great resource, but you get lots of emails.

### **Home demolitions**

Diana talked to Carol Ockert (FAN/FH). Carole met today with Planning Dir. Scot Siegel. Scot had some ideas on how neighborhoods might be notified about demos. He will discuss with the council at Dec. 1 meeting. Reasons for wanting to be notified are to let neighbors know of disruption, to take pics, and to contact owner about removing plants or other items that might be destroyed during demo.

### **NEW BUSINESS**

#### **Proposed new code for Stormwater Management**

Gerry reported that this approach represents a significant change in the city. It shifts responsibility from the city to property owners for stormwater management and could result in a financial burden to many. In a joint PC/DRC study session, many people expressed concerns about the new rules, which do not include estimates of implementation costs to the city or residents. There is supposed to be a public briefing. Diana will get info about briefing and PC hearing and email to ENA. The Planning Commission hearing is Nov. 23. City contact is Anne McDonald in Engineering Dept. (*Update: There is no informational meeting prior to Nov. 23.*)

**Next meeting** - Regular board meeting Wednesday, Dec. 2

Meeting adjourned at 9:10 p.m.

Submitted by: Diana Boom

Approved: 12/2/15

ENA Board Meeting Minutes  
Wed, December 2, 2015 - 7:00 p.m.  
Our Lady of the Lake

Present: Carol Radich, Don Nash, Rob Mogentale, Dave Pinch, Diana Boom, Diane Grover, Bill Gordon, Dave Hawley, Warren Bacon. Warren left the meeting early.

Absent: Jim Stewart, Gerry Good, Tom Grigg, Annie Meneakis, Don Graham, Pete Davis.  
(Update: On Dec 3, Pete Davis resigned from the board.)

Guest: Kristy Light

### **MONTHLY REPORTS**

**Treasurer's Report** - Dave Pinch - Current balance is \$1158.32.

**Minutes** - November 4 board meeting minutes unanimously approved

**Mayor & chairs meeting** - Don said they did not meet in December; he will attend the January meeting.

### **Tree removal requests**

Warren received a message from city arborist Morgan Holen, that the request to cut the Spruce and Dawn Redwood trees on Ellis is on hold until the property owners decide if they want to remove the redwood from the request. The city tentatively approved cutting the spruce, but not the redwood. The owner can submit more info about the redwood which would be part of the public record. No one is sure what that info might be, but the owner said that it would be several weeks before they decide what to do.

Since Hamid is retiring, Warren will follow up to find out who will be the new contact regarding tree cutting requests.

Bill Gordon and Warren are continuing to work on the process of tree cutting requests - how and when neighborhoods are notified after a decision is made, and the appeal process.

**Pre-app meetings** - Don Nash said there is nothing to report.

### **Correspondence**

Diana said that she has not heard back from FAN/FH about a joint meeting. FAN suggested March, but April would work better for us. Diana will follow up with Carole Ockert.

### **ENA meetings**

The board unanimously agreed to cancel the January board meeting due to people being out of town and no pressing issues. If anything comes up that needs the board's attention, we will communicate by email.

The board also agreed to hold the Annual Membership meeting on Wednesday, May 4 at 7:00 p.m. Diana will contact Our Lady of the Lake to reserve a meeting room. The annual meeting agenda and a

possible speaker or presentation will be discussed at the February board meeting. The board meeting will follow the general membership meeting.

### **Hospitality Committee**

Kristy Light has been looking into and talking to city employees and local businesses to find out how ENA can identify and welcome new residents to the neighborhood. At the city's Citizen Information Center, Diana Smith-Bouwer said that she would be happy to provide brochures and info for a new resident packet. The LO Review would give a free 4-month subscription to the paper. Other local businesses (including Accessories from the Heart, Zeppo, Manzana, Lucky Me) were also supportive and would give coupons and discounts.

Nearly all businesses said that they wouldn't be able to continue to provide this after the Wizer apartment complex was occupied, due to the large number of new residents.

The leasing agent at Uptown Apts (47 units) will provide Kristy with new resident info. The local title companies said there are about 20 homes a year sold in Evergreen. The title companies now provide new resident info to Kristy for the Lake Bay Easement and would also do this for the entire neighborhood. Bill Gordon said he will notify Kristy when someone moves into Oswego Village Townhomes.

Kristy is willing to collect the information and make up welcome packets. She will let us know if she can continue to do this and/or needs help. Carol will finalize the document, drafted by Gerry, of the ENA letter to be included in the new-neighbor packet.

### **OLD BUSINESS / UPDATES**

#### **Substandard Lots**

Carol testified in writing and in person at the city council hearing on 12/1, presenting the ENA board's input regarding LU 15-0017 (refer to minutes of 11/4). After considerable public input at the hearing, the council rejected all the recommendations of the Planning Commission and neighborhoods, and did not offer any revisions or suggest changes related to substandard lots. Findings will be on the agenda for the next council meeting.

Because ENA's proposed code changes for substandard lots were not adopted by the Council, the ENA board unanimously approved the following motion: ***The amendments to the Evergreen Overlay should include a sliding scale for roof heights, depending on lot size.***

ENA already has voted on limiting roof extensions for the overlay revisions. Carol and Don Nash will bring the sliding scale up at Saturday's LONAC meeting to see if there is support from other neighborhoods.

#### **ENA Plan overlay revisions**

Warren said that Paden, Sarah Selden and Carol Goss will help with overlay revisions. It may take a while due to everyone's schedules. The board asked if they could be ready with recommendations for the May general meeting. We could have a presentation and vote at that time.

**North Anchor** - Carol - nothing to report

### **Holiday Party**

Rob said over 60 people have rsvp'd. Anne Adler, Rob & Mary Mogentale, Carol & Dave Radich, Diana and Pete will help set up. Clean up: Dave Hawley, Diane Grover, Dave & Marie Pinch, Carol & Dave Radich, Darryl & Diana Boom. Greeters: Diane Grover & Kristy Light. Raffle tickets will be \$5 each. Raffle items: Barry Cain donated a \$100 gift card to Five Spice. Molly Reeves donated artwork. Gerry donated 3 bottles of wine. Whistling Ridge may need ENA to pay for wine tasting. All board members will bring appetizers. Rob will send email reminders to everyone.

### **New construction update**

360 - 5th Street - City planner Johanna Hastay said that Mr. Dillavou has not yet responded to the request for more information, but he would be doing so in the next couple of weeks. Gerry has contacted land use attorney Dorothy Cofield to help ENA evaluate and respond to the application. ENA would not be obligated to pay any legal fees. On a 7-1 vote (Diane Grover voting no) the following motion was approved:

*ENA will sign the contract with Dorothy Cofield for her assistance in evaluating and responding to the application after it is deemed complete by the city.*

### **Legal fund**

Bill Gordon proposed that ENA might want to raise money for a legal fund for future situations where we need assistance. It might be especially difficult to raise money without a specific issue. The board agreed it would be good to have such a fund, but took no action.

### **Planning Commission 2016 Goals**

Carol testified in writing and in person at the November 23 PC meeting on behalf of ENA. ENA and FAN/FH both asked the PC to include the following in their agenda items for 2016: revision of downtown parking codes, reducing downtown density, notifying neighborhoods when a home demolition has been approved, and requiring 2 on-site parking spaces for new residential development. City staff recommended 9 goals, which included three of the FAN/FH and ENA goals, but did not include the issue of residential parking spaces. The PC voted to include two of the recommended ENA goals (downtown parking codes and demolition notification), but declined to include downtown density until they receive more direction from City Council.

### **Neighborhood Survey**

Carol is heading this committee. She will meet for a brainstorming session with Bill, Diana, Dave Hawley and Dave Pinch next week.

### **City Tours**

Diana, Dave Pinch and Don Nash will each attend some tours and report back to the board. We still need people to attend December (City Hall), March (Planning & Building) and May (Public Works) tours.

### **Proposed Stormwater Regulations**

City staff have proposed new stormwater regulations that would increase the responsibility of citizens to mitigate runoff. (refer to LU15-0050 on the city website). During the public hearing on 11/23, the Planning Commission heard several hours of testimony; the majority of speakers expressed concern regarding the financial impacts on citizens doing minor home improvement projects. The possible need for a city capital project to help manage stormwater runoff was also discussed. The public hearing will be continued at the 12/14 PC meeting, but the public comments section has been closed.

**NEW BUSINESS**

Don Graham, ENA chair has offered to resign because it may be a while before he can resume his duties as chair and as a board member. There was unanimous consensus that we do not want him to resign.

**Next meeting - Board meeting - Wednesday, February 3**

Submitted by: Diana Boom

Approved: February 3, 2016