

Dear Council Members:

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We are here to voice our concerns about the proposal of a twenty-unit condominium development adjacent to our Sedona Park development of single-family residences. The proposed condominiums would be sited on an extremely-fragile site with steep slopes.

Please note, in your packet, on p. 2, entitled “Proposal and Site Description”, submitted by the applicant, paragraph 3, describing the slopes along the north and east boundaries of the site as exceeding 25%. As a further visual aid we would like to submit Exhibit #1. This is an aerial photo of the site. The darkly shaded areas denote the very steep slopes. The lightly colored area along 257th avenue is the only area not encompassed by steep slopes.

Please allow us to submit the preliminary plan for this development, called Tyson’s Place Condominiums as Exhibit #2, to further explain. This plan shows the following: 1.) very steep slopes where eleven out of twenty condominium units are proposed, 2.) A “private” storm water system, which will require pumping sewage uphill, using a sanitary pump station. Who will pay to maintain the pump station, which appears to serve only the proposed development? And what about the costs of the pumping uphill of the sanitary sewer which then will require pumping into the the main sewer line ? In most cities, all costs are borne by the city and its citizens and businesses. And where will the sewer overflow “to”, if the system fails? And who will pay for the damage, if such failure occurs?

Next, does The City of Troutdale want to be liable for making a decision that will permit the disturbance of a very steep slope? As you know, in many areas in and around Portland, there have been numerous problems with apartments and/or townhouses situated on slopes, which have failed. We hope that The City of Troutdale will require a geological survey and a hydrology study before allowing any type of development on this site. And we ask that if any such studies are or have been done they be interpreted by a disinterested geological expert in strict relation to the development now proposed. So far, all the developer has submitted is a site plan with topographic lines. This is not enough.

Exhibit #3, taken from p. 12 of the applicant’s submitted proposal, describes Environmental Conditions on the parcel in question. In the second

paragraph, titled *Sensitive Lands*, “localized landslide hazards and highly erodible lands” are indicated.

See also p. 3, under *Applicable Criteria and Standards*. In Section B, the applicant states that the plan must be modified according to VECO (the vegetation corridor and slope overlay district). Yet under TDC 4-12, under VECO, in Section 4.310, under Section C, it is stated that the ***purpose of VECO*** is to “Maintain land and water quality by minimizing erosion and sedimentation, and by restricting or prohibiting development, excavation, and vegetation removal on vegetation corridors and slopes associated with primary and secondary protected water features, and on slopes of 25% or greater ...”.

Tyson’s project, based on VECO, appears to be in ***direct violation*** of a standard set forth by The City of Troutdale. Disturbing this land on this steep sloper is an accident waiting to happen. Additionally, on 4-14 under B.3. private sewage disposal systems are prohibited as are, under B.5., “... any property line adjustments that result in creating a new lot...”. Thus, again, it would appear that The City of Troutdale ***already*** has violated, in approving the 2002 lot line adjustment, which gave the developer sufficient frontage onto SW 10th street for his proposed access to Tyson’s, its own, published standard.

In the policies and goals of Troutdale’s Comprehensive Land Use Plan, the city avows its commitment to recognizing and respecting “the character of established areas.” And in Goal 2, The Plan clearly states , with reference to multiple family housing development, that “...the views and general low-density character of adjacent single-family districts should be preserved.” Permitting Tyson’s to go forward, ***once again*** would highlight The City allowing developments which have been expressly prohibited in its published plans, standards, and goals. Also in Goal 2, p.10, shortly after The City has promised to respect the character of existing neighborhoods, in its discussion of where to permit high density residential development , it cites areas where there is no “...soils subject to slippage.” Please once again look to Exhibit #3 and the description of the site upon which Tyson’s wants to build: “The subject property is uneven and covered with woods. Minor geologic constraints such as steep slopes, localized landslide hazards, or highly erodible lands were observed on the vacant parcel of land. Wetlands have been independently determined on-site. Wetlands, aquifer recharge

areas, steep slopes or geologic bodies were observed on-site. Minor and overgrown surface water bodies were observed on-site. ”

Therefore, and in conclusion, with an eye not only to Measure 37, but to further time-consuming and costly appeals, and perhaps other measures involving the liabilities which would accrue to The City, we of Sedona Park respectfully urge The City of Troutdale ***not to accept*** the future ***liabilities*** that would attend the building of Tyson’s Place Condominiums and to deny the request for variances and any permits to build.

Thank you.