

CITY OF
West Linn

PLANNING COMMISSION

Minutes of January 6, 2010

Members present: Vice Chair Robert Martin and Commissioners Laura Horsey, Michael Jones, Christine Steel and Dean Wood

Staff present: John Sonnen, Planning Director; Peter Spir, Associate Planner; Khoi Le, Public Improvement Program Manager; and William Monahan, City Attorney

Members absent: Chair Michael Babbitt and Commissioner Charles Lytle

CALL TO ORDER

Vice Chair Martin called the Planning Commission meeting to order at 7:00 p.m. in the Council Chambers of City Hall.

APPROVAL OF MINUTES (October 7 and 21, November 4 and 18, 2009)

Jones **moved** to approve the Minutes of October 7, 2009. Wood **seconded** the motion and it **passed** 5:0. Jones **moved** to approve the Minutes of October 21, 2009. Horsey **seconded** the motion and **passed** 5:0. After Martin changed the draft to correct the size of a pipe Jones **moved** to approve the Minutes of November 4, 2009. Steel **seconded** the motion and it **passed** 4:0. Wood abstained. Horsey **moved** to approve the Minutes of November 18, 2009. Steel **seconded** the motion and it **passed** 4:0. Jones abstained.

PUBLIC COMMENTS (None)

ELECTION OF OFFICERS

Wood **nominated** Dr. Robert Martin to serve as Chair of the Planning Commission. Steel **seconded** the nomination and Chair Martin was **elected** by a 4:0 vote. Martin abstained.

Steel **nominated** Mike Jones to serve as Vice Chair of the Planning Commission. Wood **seconded** the nomination and Jones was **elected** Vice Chair in a 4:0 vote. Jones abstained.

PUBLIC HEARING

(Note: The staff reports and all related documents for the hearings are available through the Planning Department.)

DR-09-05, Class II Design Review for exit driveway and lights at Rosemont Ridge Middle School, 20001 Salamo Road

Chair Martin opened the public hearing and explained the applicable criteria and procedure. He asked the Commissioners to declare any conflict of interest, bias, or ex parte contact. Jones declared that he served on the School District Long Range Planning Committee. Horsey declared that her child attended Rosemont Ridge. They each declared they could decide the matter without bias. Wood, Horsey, Jones and Steel each reported a site visit. None of them had discussed the case with anyone they met there. Martin reported he had talked to two school bus drivers when he visited the site. They told him parents were concerned when a bus was even five minutes late and the drivers were concerned about how safe it would be to pull onto Rosemont Road as oncoming drivers crested the hill and started down toward the proposed bus exit. When invited by the Chair, no one in the audience challenged the authority of the Planning Commission or the ability of any individual Commissioner to hear the matter.

Staff Report

Peter Spir, Associate Planner, presented the staff report (See Planning & Building Department Staff Report dated January 6, 2010). The West Linn Wilsonville School District proposed to install athletic field lights and a driveway for school buses to use at Rosemont Ridge Middle School. The purpose of the driveway was to separate school bus traffic from parent traffic. He used aerial photographs to point out the locations of the two houses and the Senior Center that abutted the school property; the proposed route of the driveway; and the proposed location of athletic field lights. He pointed to where a proposed retaining wall would bounce noise back and away from abutting property. He pointed to a space between the wall and the school that had almost no surveillance opportunities. Spir referred to photographs taken at the Rosemont Road exit and advised the applicant proposed more than sufficient line of sight there. The posted speed was 20 mph during school hours. That required a 200-foot line of sight. But the 450-foot line of sight there was so generous it would give a driver going 35 mph sufficient time to see a bus turning out and stop. The applicant had just submitted a noise study. They would agree to not use the dedicated bus lane between 7:00 p.m. and 7:00 a.m. so they could not violate noise standards. Spir reported the applicant had just told him the light poles would be taller than what the staff had previously reported. He recommended approval of the application subject to the conditions of approval in the staff report.

During the questioning period, Spir clarified the two abutting houses were in the county and likely zoned future urban 10-acre minimum lot size. When asked if the applicant and the staff had explored alternative bus routes, Spir recalled the staff had initially been skeptical about the proposed route, but they became less skeptical after they visited the site and after the applicant brought in plans showing the grade would work. It was around 5%. But they had not looked for other ways in and out of the site because they knew the site was very constrained. He clarified for Horsey that Engineering Department staff had reviewed the proposal and were satisfied that the applicant could achieve an internal circulation plan that worked, but they were not prepared to discuss what the full range of transportation system impacts might be at the hearing. Wood was concerned there would not be sufficient airflow along the retaining wall to effectively disperse fumes from idling buses waiting in line to exit onto Rosemont Road.

Spir clarified that buses were to load elsewhere, and then move through that area. He clarified for Jones that the conditions of approval called for that corridor – including the hard-to-monitor area – to be illuminated. Police patrols would be able to use it. Spir explained for Horsey that the staff had written Condition 4 to call for mitigation measures as necessary to address the noise standards. But the applicant had subsequently submitted a study that showed they could meet the standards, so no mitigation was necessary because they proposed to stop bus activity on the driveway between 7 p.m. and 7 a.m. they also agreed to turn the field lights off at 9:00 p.m. He advised that the Municipal Code exempted crowd noises associated with a sporting event from the noise standards.

Martin had paced the distance up the hill and away from the school driveway on the sidewalk along Rosemont to a point where he could no longer see the proposed driveway. He estimated it was about 300 feet to that point. He reasoned that if the reported average speed of vehicles on Rosemont Road was 47 mph some vehicles were going even faster. The proposed bus exit might meet the 200-foot sight distance for 20 mph traffic, but it would not give drivers going 55 to 60 mph the necessary 376-foot stopping distance. He held the proposal should take speeding drivers into account. He clarified the traffic engineer had reported the sight distance was 450 feet, which was well in excess of the required minimum of 200 feet.

Applicant

Pat McGough, Facilities Manager, West Linn Wilsonville School District, and Karina Ruiz, Dull Olson and Weekes, 907 SW Stark, Portland, Oregon 97205, explained the proposed design addressed a circulation problem at the school that had needed to be addressed for some time. The proposed new driveway would alleviate congestion and conflicts between parent vehicles and buses in the parking lot.

During the questioning period, they clarified for Horsey that during the design process the applicant had sought input from a design committee composed of representatives of the administration, teachers and the parent community, but not the PTO. There was no requirement to meet with the PTO. Horsey suggested that would be a good idea. McGough explained the applicant had considered alternatives, but the proposed plan was their best and sole achievable remedy. The site had physical constraints related to topography, existing improvements and the amount of land that was available.

Horsey observed that staff, volunteer flaggers and police patrols would have to monitor the bus loop and the less visible space too, to ensure children did not go there. That was a significant time commitment. She indicated she would prefer to hear a more comprehensive solution. She asked if they had considered making the proposed bus lane a parent pick up and drop off area instead. Buses could continue to use the turnaround they currently used and there would be less congestion there. That would also solve an air quality problem created by parent vehicle idling on site. The applicant's representatives explained school staff would supervise bus loading. The bus company's policy was that buses were not allowed to idle while they were

parked. The applicant had reconfigured the onsite traffic flow several times in the past and currently had two parent loading lanes onsite in order to get cars onsite more quickly and shorten the queue on Salamo Road. They explained there was not sufficient available land and the traffic volume was too great to make the proposed bus route the parent pickup and drop off instead. There was a bioswale there, too. McGough pointed out a 340-foot long area where the buses would load and explained they would already be loaded when they exited past the less visible area behind the building.

The representatives clarified for Steel that the photographs the applicant had provided demonstrated the type of field lighting that was typically used to light an athletic field, but it did not show the specific shielded fixture the applicant would use. Jeff Jackson, PAE Consulting Engineers, explained how the fixtures the applicant would use would contain the light on the field and limit light trespass to the sky or outside the field. He had calculated there would be very little spillover at the property line.

McGough acknowledged the District had not considered a shared parking arrangement with the church. He suggested asking the PTO to take up that issue rather than imposing it as a solution to a driveway. Ruiz advised even if parent vehicle loading was off site there would still be a congestion problem on Salamo. The applicant's traffic engineer had recommended the best possible solution to that was eliminating commingling and having parents and buses use two separate exit points. When Horsey asked if they had considered installing a traffic signal at the Salamo access, McGough explained that he would have to research why the decision had been made not to install one at the time the school was built.

Martin suggested an alternative plan for internal circulation that involved removing landscaped islands in the existing parking lot to make room for a bus lane to Salamo. He thought there could be room for that. He had observed during his site visit that the parking lot was large enough to accommodate the normal amount of parking and some large construction vehicles. Using that plan, the applicant could avoid the expense of the retaining wall and the potential problem associated with speeding drivers coming down the hill at the Rosemont Road exit. Such a plan might require a variance and moving the water quality facility, but it might be a safe, practical, solution to the problem. Ruiz advised that would affect compliance with CDC standards related to the required number of parking spaces, landscaping; and bioswales along Salamo. To put a dedicated bus lane though the existing parking lot would not completely solve the commingling problem. Horsey recalled that during times when there were multiple events at the school overflow parking parked on the roadways. For that reason she did not believe a proposal to remove some onsite parking would be acceptable to the community.

Martin related that bus drivers wanted to know how the applicant would keep parents from using the bus exit to load. McGough explained the District would install a gate and lock it every night like they did at other schools. Their experience was that when they configured a dedicated bus loop, installed signage and educated the parents the parents learned quickly not to use it. He clarified for the Commissioners that the 20 mph speed limit expired at 5:00 p.m. and the last bus typically left the site about 15 minutes after the last class, which was usually

3:45 p.m. He confirmed the gate would be locked by 5:00 p.m. He explained the proposed bus lane was for transport to and from school. Any activity bus that accessed the site later in the day would not use the dedicated bus lane.

Martin stressed that the applicant should try to achieve maximum safety instead of relying on traffic study calculations that assumed drivers were going to obey the speed limit. Even the formula that prescribed 376 feet of stopping distance for a vehicle going 60 mph assumed the driver was paying attention - not distracted by a cell phone or weather conditions. He had observed a school bus going faster than the reported average speed of 47 mph on Rosemont Road. Ruiz explained the applicant had been concerned about that too and that was why they ordered a professional traffic study. They would never propose a solution that was unsafe. They relied on the consultant's conclusion that the sight distance was 450 lineal feet and that was more than double the required stopping distance in the school zone during school hours when the speed was posted and enforced. Jones recalled the school did a good job of educating parents. 47 mph might be the average speed on Rosemont Road but not in the area of the site. He had never observed anyone going 60 mph past the middle school. Martin explained Salamo had enough intersections to slow drivers down as they approached the school, but not Rosemont. If 376 feet of stopping distance was necessary for a driver going 55 mph under ideal conditions, 450 feet might not be enough. The risk increased if the oncoming driver was not familiar with the road and because there would be 14 buses using that exit. Wood and the applicant's representatives recalled the traffic study had not looked for an accident history at the Senior Center driveway.

Ruiz confirmed that the applicant had met with the Rosemont Neighborhood Association and Association members agreed there were significant congestion issues that could be addressed by providing a separate access for buses. They could stagger parent vehicle loading times, but the proposed solution was the best physical solution for separating car and bus traffic they could accomplish. When asked to describe physical site constraints McGough explained the softball field was below the grade of Salamo Road and other circulation alternatives required eliminating sports fields or making major modifications to water detention facilities that had been shaped and precisely located to meet storm water detention requirements. When Steel asked if the applicant had considered putting a looped pick up area in the Salamo setback Ruiz explained code provisions related to the separation of driveways would not allow that. Horsey asked if traffic-calming measures, such as speed bumps, could be installed at the Rosemont approach. Le clarified the City had the authority to approve flashing yellow school zone signs during active times but it would not allow speed bumps on Rosemont Road because it was a minor arterial. In addition to that, TVF&R would also have to approve speed bumps because the road served as a fire road. When asked if the project could be accomplished during non-operating months, Ruiz explained it would take longer than that. The applicant would require the contractor to keep construction vehicles outside the parking lot during pick up and drop off hours and stage all materials in a fenced area outside the lot.

Proponents

Alice Richmond, 3939 Parker Rd., opined the congestion problem could be reduced if parents who picked up their kids had them use the school buses or picked them up somewhere else. There was no other public testimony.

Discussion/Motion

The Commissioners observed they had just received a study from the applicant. They had agreed during their work session to continue the hearing so the public had a change to read and comment on new information.

Horsey **moved** to continue the hearing for seven days and keep the record open only for written testimony related to the newly received study. She explained that was the proper process that the Commissioners had previously agreed to. Steel **seconded** the motion and discussion followed. The code allowed noise from the ball field but limited the hours of other noise. Jones observed the applicant had taken action to close the road during the period there could be a noise violation by bus activity, eliminating the possibility of noise violation, so the issue was moot. Wood agreed and recalled they would close the gates by 5:00 pm., which was before the 7:00 p.m. start of the time period they could be in violation. Horsey and Steel urged the Commissioners to follow the process they had agreed on. It was a procedural issue. They had not made the process contingent on the content or relevancy of new information. They just wanted to allow time to digest new information. Jones said he would abide by that agreement but he thought the action was not necessary. He indicated he believed it was reasonable to ask an applicant if they had looked at alternatives, but the Commissioners should not be brainstorming a new plan, especially when what they suggested violated the CDC. **The vote was conducted and the motion passed 5:0.** Martin directed the staff to place the hearing on the January 20th agenda. The public could obtain a copy of the study from the staff and public comments were to be accepted until close of business January 13th. The Planning Commission would hear the applicant's rebuttal at the hearing. Unless the rebuttal presented new information at the hearing it would be closed to addiotnal testimony and the Commissioners would deliberate.

ITEMS OF INTEREST FROM STAFF

Sonnen reported the City Council had heard the appeal of the Suncrest PUD decision and affirmed the Planning Commission decision with some refinements of the conditions of approval. He asked the Commissioners to review the proposed Planning Department work plan and priorities. The Council had deferred taking action on it so the Planning Commission could offer input. Sonnen related there were three applicants for the two vacant Planning Commission positions.

ITEMS OF INTEREST FROM THE PLANNING COMMISSION

Jones asked the Commissioners to review the Planning Commission rules and procedures and email any suggestions for changes before the next meeting. Martin and Sonnen agreed to work together to fashion the upcoming schedule. It would include a CCI meeting. When asked the staff agreed to email copies of the answers and advice about procedure that Monahan had given them at their work session. The Commissioners wanted to be able to review findings documents before the Chair signed them.

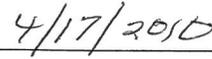
ADJOURNMENT OF PLANNING COMMISSION

There being no other business, Chair Martin adjourned the Planning Commission meeting at 9:30 p.m.

APPROVED:



Robert Martin, Chair



Date