



CITY OF  
**West Linn**

PLANNING COMMISSION / COMMISSION FOR CITIZEN INVOLVEMENT

Minutes of November 17, 2010

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

Members absent: None

Staff present: John Sonnen, Planning Director; Peter Spir, Associate Planner; Khoi Le, Engineer; and Damien Hall, City Attorney

CALL TO ORDER

Chair Martin called the Planning Commission meeting to order in the Council Chambers of City Hall at 7:30 p.m.

WORK SESSION

**Discussion on approach to revising Water Resources Area (WRA) regulation.** This item was initially moved to later in the meeting and then postponed to a future date.

PUBLIC COMMENTS (None)

PUBLIC HEARING

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

**CUP-10-03/DR-10-03/DR-10-06/VAR-10-06/VAR-10-07/VAR-10-08/VAR-10-09/WAP-10-01 – Conditional Use, Design Review, 4 Class II Variances and Water Resources Area Protection for construction of a new primary school at 1025 Rosemont Road.**

Chair Martin opened the public hearing, which had been continued from November 3, 2010.

*Staff Report*

**Peter Spir, Associate Planner**, presented the staff report (see the revised recommended conditions of approval in the November 16, 2010 Staff Memorandum). He described the written testimony that had been submitted since the previous hearing and how those concerns had been answered as follows:

The staff anticipated the transfer of Rosemont Road would happen that month and the roadway would be built to City standards. They had studied the Santa Anita crosswalk and did not find it to be a hazard. There was a 25 mph speed limit; adequate distance separation; and

the Safe Routes to School program relied heavily on parents escorting kids to school. They proposed a condition to break up the east side of the covered play area with colored bands. They advised the CDC did not require the applicant to use permeable surfaces and a "green" roof and the City did not have the kind of equipment necessary to clean and vacuum permeable pavers. The applicant had satisfied Chapter 99 standards for a neighborhood meeting and there was a video of the meeting. The applicant provided exactly the number of parking spaces the code required. The number could not be reduced because the site was not in a transit corridor. Having that number of spaces reduced the potential for spillover into the neighborhood. Testimony had been received that Parcel J was an important access to the school and parents with kids would not be inclined to walk the extra distance to get there some other way. Parcel J was not lighted because it was intended for use during daylight hours. Parcel J provided necessary access from the east. Hidden Springs was not a good alternative. It had no sidewalks. The staff had modified the recommended conditions of approval related to landscaping to reduce the need for downstream discretionary decision-making. Bay Meadows was not a good bus entrance because of the impact on Bay Meadows residents and because TVF&R did not support that for safety reasons. Only one 95-foot wide driveway was necessary to accommodate turning buses. The east wetland was of poor quality, hard to detect and identify, and it was not on the City's wetland inventory. If the full, 50-foot transition area were required it would impair the function of a school. The protective easement for trees was measured ten feet out from the drip line of each significant tree. Many of them overlapped in the eastern part of the site and that would protect the entire grove there. The standard 50-foot buffer would be applied to the creek and wetland and the edge of the resources were mapped in the application. The applicant proposed to open the creek and restore the channel after construction of the north driveway.

During the questioning period, Spir clarified that the type of permeable surface Gary Hitesman had suggested had micro gaps that required vacuuming. Grasscrete had larger gaps that were easier to maintain, but posed an ankle hazard. Horsey and Steel asked the staff to specify which drawings the conditions of approval referred to.

#### *Proponents*

Alice Richmond, 3939 Parker Rd., asked the applicant to fence the entire perimeter.

Tracy Pyeatt, 2168 Clubhouse Dr., asked that the proposed bright colored awning be a more neutral color. He suggested reconfiguring the play area to make the drainageway buffer wider than 30 feet. He was concerned about the line of sight and speeds on Santa Anita. Le advised the speed limit there was 25 mph and there was adequate line of sight. Chair Martin agreed to the applicant's request for a five minute recess to discuss Pyeatt's concerns with him.

#### *Rebuttal*

Tim Woodley, 2755 SW Borland Rd., Operations Director, West Linn-Wilsonville School District, and Ben Vaughn, Walker-Macy Landscape Architects, indicated the applicant agreed with the recommended conditions of approval. They planned to install a fence all around the site perimeter, except along the edge of the undesignated parcel to the north and one property along Rosemont Road near the wetland. City-owned Parcel J provided an important east access to the site that kids coming from that direction would find themselves, even if it were not a designated school access. The way the City laid it out seemed reasonable, safe and adequate. The street speed limit was 25 mph. The applicant would be happy to accommodate the landscaping solutions the staff suggested. Vaughn had researched permeable pavers and found they were not recommended near wetlands or play areas because of oil from cars and because it was not a good play surface. The voids were typically filled with rock that needed to be vacuumed. He said the proposed, integrated, storm water system employed best management practices and provided an educational experience. He said the applicant would consider using play equipment colors that were more natural greens and blues. They had responded to Pyeatt's comments during the neighborhood contact process and he had told them the play equipment shown on the cut sheets was suitable. Vaughn advised the east drainageway was not a high value drainageway. The proposed design enhanced it. The play area was actually set back 50 feet, not 30 feet. The applicant had adjusted the vegetative screening elements as they talked with neighbors during neighborhood meetings.

During the questioning period, Woodley explained the District's primary interest was to provide safe passage for kids using Parcel J to access the school during school hours. Since the City owned it the applicant would get permission from the City to install a gravel path, limb up trees and address vegetation and fill in gaps in the fence. To not install lighting there could help discourage people from using it after dusk. The staff clarified the City would maintain the parcel after the pathway was installed. Woodley confirmed for Horsey that the City Arborist and the applicant's arborist had examined the proposed road configuration and looked at how 10 trees there could be protected by the proposed bouldered tree wells. They recommended putting deciding whether or not to remove the three of them as potential safety hazards after the road was rough graded. They prioritized preserving two beautiful white oak trees over saving some Douglas fir trees. Steel asked if the applicant had considered using a mural to break up the covered play structure wall. Karina Ruiz, Dull Olson Weekes Architects, said the applicant had considered allowing the kids to create tiles and murals.

### *Deliberations*

Chair Martin closed public testimony and polled the Commissioners. Steel liked the design and the concept of having a school in a natural laboratory. She hoped the District would continue the dialogue with neighbors and allow them to participate in choosing external colors. Babbitt indicated he supported the application with the revised conditions of approval. Horsey supported the application with the revised conditions of approval. She liked how the project was planned to protect natural resources. She was not concerned about roadway jurisdiction and she anticipated that the City and the District could jointly determine whether lighting was

needed on Parcel J. She asked the staff to clarify which plans the conditions of approval referred to. She asked the other Commissioners if the Planning Commission should require the awnings that faced the neighbors to be natural colors. Wood supported the application. He liked the site plan and said it was a good location for a school. Chair Martin supported the application with the recommended conditions of approval. He accepted TVF&R's recommendation to have two driveways, but he was still worried that some drivers did not obey the 20-mph speed limit on Rosemont Road.

Spir advised that Condition 1 should refer to the following plans: LU 1.00 – LU 2.05 dated 6/25/10; LU 3.01 – 3.07 dated 5/3/2010; and LU 4.01 – 4.03 dated 6/25/2010. He modified Condition 14 to allow adjacent property owners who had planted ornamental trees in Parcel J to transplant them into their own yards. Removing them would create a better line of sight in that pathway corridor.

The Commissioners were concerned about safety on Santa Anita. The crosswalk was only marked by white stripes that a driver might miss. They considered adding related conditions of approval. The staff observed how far it was from the school site. It was not a "school zone." That segment was the responsibility of the City, not the applicant. But they could study it to find out what could be done to improve the safety of kids walking to school. The Commissioners considered asking the applicant to pay for it. City Attorney Hall cautioned that the City might not have any basis to enforce such a condition of approval. Babbitt and Horsey then suggested the Planning Commission recommend that the City Council research safety issues along Santa Anita and possibly even broaden the scope to nearby intersections where safety issues might be exacerbated because of the new school.

Commissioner Babbitt **moved** to approve CUP-10-03/DR-10-03/DR-10-06/VAR-10-06/VAR-10-07/VAR-10-08/VAR-10-09/WAP-10-01 with the conditions of approval listed in the November 16, 2010 staff memorandum with the following modifications:

- Condition 1 was to be modified so it specified that the project was to conform to plans LU 1.00 – LU 2.05 dated 6/25/10; LU 3.01 – 3.07 dated 5/3/2010; and LU 4.01 – 4.03 dated 6/25/2010.
- Additional language was to be inserted in Condition 14 to provide that, "where trees block the path they shall be transplanted, if possible, or cut down" and, "Reasonable notice to adjacent property owners shall be provided of imminent removal of trees to give them the opportunity to transplant said trees."

Commissioner Horsey **seconded** the motion and it **passed** 5:0.

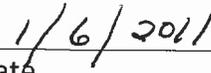
Commissioner Babbitt **moved** to authorize Chair Martin and Commissioner Horsey to draft a letter from the Planning Commission to the City Council recommending that the Council look into traffic concerns in the area of the new school. The draft was to be circulated to the other Commissioners for comment before it was sent to the Council. Wood **seconded** the motion and it **passed** 5:0.

ADJOURNMENT

There being no other business, Chair Martin adjourned the Planning Commission meeting at 9:15 p.m.

APPROVED:

  
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Robert Martin, Chair

  
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Date