

**CITY OF WEST LINN
PLANNING COMMISSION MINUTES**

Wednesday, November 5, 2008

Draft

Members present: Chair Michael Babbitt, Vice Chair John Kovash and Commissioners Shawn Andreas, Robert Martin and Ron Whitehead

Staff present: Bryan Brown, Planning Director; Chris Kerr, Senior Planner; Tom Soppe, Associate Planner; Dennis Wright, Engineering Manager; and William Monahan, City Attorney

Members absent: Commissioners Valerie Baker and Dean Wood

CALL TO ORDER

Chair Michael Babbitt called the Planning Commission meeting to order at 7:00 p.m.

APPROVAL OF MINUTES

Vice Chair Kovash **moved** to approve the Minutes of October 1, 2008. Commissioner Whitehead **seconded** the motion and it **passed** 4:0. Chair Babbitt abstained.

PUBLIC COMMENTS

Gary Hitesman, 2188 Clubhouse Drive, wanted to know when, why and how a public easement behind his house had been designated an “unimproved right-of-way.” He related that the original designation on deed records said it was an “equestrian trail.” He asked if the tract could be re-designated “equestrian trail.”

PUBLIC HEARINGS

(Note: Full copies of the staff reports and all related documents for the hearings on the agenda are available for review through the Planning Department.)

DR-08-01/VAR-08-01/WAP-08-01, Design review, Variance and Water Resource Area Protection for Holiday Inn Express at 2400 Willamette Falls Drive

Chair Babbitt opened the public hearing, explained the applicable criteria and procedure, and announced the time limits for testimony. He asked the Commissioners to declare any conflict of interest, bias, or ex parte contact (including site visits). None were declared. 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

Tom Soppe, Associate Planner, presented the staff report (see Planning & Building Department Staff Report dated October 14, 2008; and Memorandums dated October 24 and November 5, 2008). He reported that the applicant had revised the proposed plan after the staff report was issued and the staff needed more time to analyze it and ensure that issues identified by Tualatin Valley Fire and Rescue (TVFR) were worked out. He confirmed that the staff had sent the

applicant a copy of the November 5th staff memorandum, but the applicant had not responded to it.

Applicant

When called by the Chair, the applicant did not appear. The staff and the City Attorney observed the 120-day rule period would end on January 23, 2009, so there was time to continue the hearing to December 3, 2008.

Vice Chair Kovash **moved** to continue DR-08-01/VAR-08-01/WAP-08-01 to December 3, 2008. Commissioner Whitehead **seconded** the motion and it **passed** 5:0. Chair Babbitt asked the staff to contact the applicant before the next hearing to ask if they would voluntarily extend the 120-day rule period

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CDC-08-01/PLN-08-07, Transportation System Plan, Comprehensive Plan and CDC Amendment

Chair Babbitt opened the public hearing, explained the applicable criteria and procedure, and announced the time limits for testimony. He asked the Commissioners to declare any conflict of interest or bias. None were declared. 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

Chris Kerr, Senior Planner, presented the staff report (see Planning & Building Department Staff Report dated October 23, 2008 and Memorandum dated October 29, 2008). He advised that the staff recommended that the Planning Commission recommend the City Council adopt the proposed new City of West Linn Transportation System Plan (TSP); modifications of the Comprehensive Plan, Goal 12 (Transportation); and Community Development Code (CDC) amendments that would implement the TSP. He advised that the proposed changes were consistent with statewide transportation planning requirements.

Draft Transportation System Plan

Carl Springer, DKS Associates, gave an overview of the draft TSP. He said the planning objective was to have a transportation system that served the city as it grew over the next 22 years. He reported that the planners had mapped sidewalk gaps in older neighborhoods and found that transit service was very limited and inefficiently connected. He said they found that one quarter of the monitored traffic segments did not meet today's standards and would not work well in the future, when there would be about 1,000 more cars per peak hour on Highway 43, 10th Street and Rosemont Road. He said the recommendations of two prior studies, including the 10th Street Task Force, had been incorporated into the draft. He noted the city was challenged by through traffic on Highway 43; the consequences of I-205 congestion; and grade and topography limitations. He advised that a recent change in statewide planning rules meant the city had to balance improvement projects and revenue.

Mr. Springer explained the Master Plan contained the entire list of projects to accomplish the TSP and “Action Plans” were subsets of high priority projects. He said the pedestrian plan was primarily focused on arterials and collector streets. It called for pedestrian crossings over Highway 43 at convenient points; filling in missing sidewalk segments and installing off street pathways in strategic locations. It recommended a new signal and some crossings that would feature a median/pedestrian refuge. He referred to the bike plan, noted that terrain was a challenge, and explained the planners had focused on improving facilities going uphill and reasoned that an expert cyclist could go downhill about as fast as a car. He said the motor vehicle master plan was not like the Highway 43 corridor concept plan because it sized different street cross-sections in different segments to fit the available right-of-way, so there was less need to acquire private property. He said projects in that category were mostly modest projects to improve intersections by adding a turn lane or updating controls. He said the currently proposed TSP showed the same local street connectivity as the existing TSP, but did a better job of implementing it via the code. The anticipated local street extensions were to happen slowly and incrementally over time as property redeveloped. He suggested that the Planning Commission consider the testimony of residents who would be impacted by changing a Kapteyns Street cul-de-sac to a through street. He saw a need for further studies of how an 8th Street connection would be aligned; and he suggested the Commissioners look closer at which Sunset Avenue route should be the one in the Plan. He said the consultants saw a need schedule Transit Route 54 so it had better connections with other routes. They saw a need for programs to serve people who could not drive or use regular transit service. Mr. Springer advised that these days ODOT typically asked for a larger local contribution to build highway improvements. He related that the projected cost of the plan in West Linn was in line with other cities its size, and much less than it was in Redmond, Oregon, which was about the same size.

During the questioning period, Mr. Springer clarified that the projected increase of 1,000 vehicle trips along Highway 43 was during peak hours along the segment north of Hidden Springs, but it would not increase that much toward the south. He said the “rule of thumb” was that peak hour volume was about 10% of total daily traffic on a segment. **Dennis Wright, Engineering Manager**, agreed with Commissioner Martin that the figures that related investment level to pavement condition were confusing and should be clearer. Mr. Springer confirmed they should show that appropriate levels of investment did improve the quality of pavement. The consultant confirmed that the intent of figures in the pedestrian plan section was to indicate that the proposed TSP incorporated the same trail the Parks Master Plan envisioned. Commissioner Martin pointed out it was shown in the wrong location. Mr. Springer agreed it should be made consistent with and linked to the Parks Master Plan.

Mr. Springer clarified for Vice Chair Kovash that if the city accomplished the projects called for in the draft TSP, the levels of service at signalized intersections would stay the same as they were today, but the intersections would be handling 50% more traffic. He said delays at unsignalized intersections would get worse. Vice Chair Kovash explained he was looking for a measure of the performance the city would get for its money. He observed that the stated strategy was to reduce trips in the city by 3% while the city was seeking higher concentrations of housing. He anticipated that most of the trips generated by more housing would be via auto and that would impact Highway 43, which was already at Levels of Service D to F. He reasoned it

might be better not to increase density. Mr. Springer responded that increased density was existing city policy and planning denser nodes - rather than dispersing density all over the city - would encourage alternative modes of travel. The consultant agreed with Commissioner Whitehead that more turn lanes on Highway 43 would help traffic move at intersections that did not have signals.

Commissioner Martin suggested the draft TSP should more proactively and realistically describe how to implement the city's vision to encourage alternate modes of travel. For example, it could detail shuttle service to shopping or to light rail service in Oregon City. Mr. Springer noted that the Transportation Advisory Board had added an Action Plan item and related budget calling for a project to provide more local service. He said that would likely be dial-a-ride service. He advised that a 20-year plan did not typically go into the details of such a project, and it should be addressed in a separate process that included feasibility and funding studies. Commissioner Martin commented that it seemed the city was "planning for mediocrity" while he wanted to see the complete vision spelled out and accomplished. Chair Babbitt announced a five-minute recess and thereafter reconvened the hearing and invited public comments.

Opponents

John Sramek, 2738 Sunset Ave., had submitted a letter and photographs to show the steep topography and rural character of the area along Sunset Avenue between Parker and Cornwall. He said the TSP plan to extend Sunset needed more scrutiny and it should not be simply transferred over from the old TSP. He anticipated that the city could not ask one individual developer to fully improve the entire 1,000 feet of roadway from Parker to Sunset, so only about 100 feet of Sunset would be improved. He opined that a modern, fully developed street going past two historic houses would not be consistent with their character. He said the Lancaster to Cornwall to Sunset route was more level, and its stops and turns calmed traffic. He held the city should not extend Sunset because that would make it easier for drivers who wanted to avoid freeway traffic to cut through the city.

Gene Davis, 4340 Parker Rd., also did not want Sunset Avenue extended. He recalled he had been assured that was not necessary when the Tanner Creek Master Plan was fashioned. He said most drivers used the from Sunset/Cornwall/Lancaster/Parker Road route. He stressed that the west end of Sunset was a very narrow segment only used by local traffic and it should not be extended due to the adverse impact of more traffic. He held an engineering study should be conducted to evaluate the impacts and he said it would likely show that part of Sunset could not be engineered to be an arterial street.

Gary Hitesman, 2188 Clubhouse Dr., held the local street connectivity plan did not make sense, had no merit, and should be removed from the TSP. He said the plan to extend Kapteyns Street might be appropriate because it would connect neighborhoods. However, he assumed that other connections shown on the TSP were to serve future development, rather than enhance current neighborhood cohesiveness. He said those were not the places to spend city funds. He recalled a proposal to connect Miles Drive had been discarded due to neighborhood opposition to it. He explained that his experience as a bicycle commuter was that the steep Hidden Springs grade was not a viable a place to make pedestrian improvements because it was not safe and it

was not healthy to breathe vehicle exhaust. He suggested instead extending the existing trail through park open space to the river, or improving a pedestrian way along Pimlico. He said the TSP fell short because it did not address sustainability. He explained that higher density should be encouraged along Highway 43 because that was where people were most likely to use alternative means of transportation.

Proponents

Troy Bovert, 2790 Lancaster St., said the city should hold a public workshop when it was ready to fund improvement of Lancaster and Sunset. He stressed those streets featured very narrow right-of-way. He said until a few years ago drivers tended to use Lancaster and Cornwall, but after development at the Lancaster/Parker Road intersection city engineers decided part of Parker Road should be a one-way street for safety reasons. He suggested not putting all modes of transportation on only one street. He cautioned that there were conflicts to work out between residents who parked their cars along the downhill side of Sunset Avenue and bicyclists.

Commissioner Martin related that he had visited the area. He said it did not make sense to improve Sunset Avenue because the houses there were so close to the road. He suggested removing this connectivity project from the TSP. Chair Babbitt asked the Engineering Manager to respond. Mr. Wright said the street would serve as an arterial link between Salamo and Willamette Falls Drive, and to remove that link from the TSP would mean that some other route would have to be selected to replace it. He said the plan was not to make all the improvements now, but to wait for redevelopment to accomplish that. He explained city engineers had decided to require one-way segments when the Parker Crest development was built because the graveled roadway at a tight downhill curve at the Davis property was dangerous. He said they anticipated they could open the roadway to two-way traffic when the Davis property redeveloped. He confirmed to Commissioner Martin that the Lancaster segment was able to handle current traffic coming from Parker Road. He said the 2000 TSP called for straightening the road and eliminating two turns along the Parker/Sunset connection. He clarified that the purpose of an arterial street was to facilitate orderly movement of traffic and that meant taking out turns and stop signs. Commissioner Martin worried that straightening the street would encourage more traffic to use it, and he reasoned that not improving the Sunset segment would mean turns and stops on the alternate route would calm traffic and the city would not have to spend that money. Mr. Wright advised the connection improvement would create better traffic flow. He said traffic calming was not typically put on an arterial street. He anticipated that as the properties with houses so close to the roadway were redeveloped, the character of that end of Sunset would change. Commissioner Andreas related that he had also visited the area and he believed that safety and traffic flow needed to be improved whether or not the properties redeveloped. He said the city should not eliminate that planned connection because it was a natural route for traffic. He said he saw no advantage to the Kapteyns Street extension.

Vice Chair Kovash pointed out the transit policies section of the plan called for changing zoning to higher density along transit corridors. He said that might make sense from a planner's, or Metro's, perspective, but it did not make sense in West Linn where the transportation system service level was already between D and F, and where opinion surveys showed the citizens did not want increased density. He said the Planning Commission should recommend that the City

Council strike references to higher density. Chair Babbitt agreed that the proposed bike path along Hidden Springs should be relocated to along Pimlico. He agreed the draft plan should be consistent with the Parks Master Plan and he specified that the Pavement Conditions section should be reworded to make it more understandable. He related that he could not support the draft as written because it was a plan to maintain the status quo, rather than implement the city's vision, and it did not address sustainability. When Commissioner Whitehead asked, Mr. Kerr confirmed that the draft Sunset Neighborhood Plan was about to be considered by the City Council. He reported that it contained an action measure calling for the City Council to examine the neighborhood roadways and find solutions.

The Commissioners considered how to proceed. Some of their concerns were fairly broad based, and involved incorporating the city's vision and sustainability plans into the TSP. Some were more specific, such as linking the trail in the Parks Master Plan with the TSP. Vice Chair Kovash wanted references to increased density along arterials removed, but he was not sure that was a consensus. The staff asked for more specific direction. They related the City Council wanted to adopt an updated TSP by the time the current Council's term ended, and the city would need to adopt it to participate in the regional transportation funding pool. Chair Babbitt saw the present as an excellent time to start to use the TSP to coordinate all the city's plans and the Imagine West Linn vision. Commissioner Martin did not want to rush to adopt the TSP as drafted and then wait another ten years to update it. He stressed it offered an opportunity to implement every goal in the city's vision statement. Chair Babbitt wanted more time to review Imagine West Linn and the sustainability plan and consider how they might be incorporated into the TSP. He said other adopted plans should also be incorporated so they would finally be implemented. Mr. Brown said the staff would examine the Comprehensive Plan to see if it called for intensifying density along arterial streets. The Commissioners and the staff agreed to go over the other plans and then discuss the matter at a future work session. Chair Babbitt announced a ten-minute recess and thereafter reconvened the hearing.

Comprehensive Plan and CDC Amendments

D. J. Heffernan, Angelo Planning Group, discussed proposed Comprehensive Plan and CDC amendments. He said the consultants and the staff had audited the Plan and Code to ensure they complied with state and regional transportation planning requirements. He added that was important for financial reasons, too, because conformance was necessary if the city was to receive transportation funds for major system improvements. He said some changes were necessary to conform to recently adopted Oregon Transportation Rule requirements. He explained one of those new requirements stemmed from a court decision that required the analysis of traffic to be done at the time of a zone change (not at the time of a development application) to ensure future development would be consistent with the TSP. He said some changes had been generated by citizen input. Those were bicycle and pedestrian standards and the recommendations of the 10th Street Task Force. He clarified the draft documents did not modify street classifications, but just reorganized them. He advised that the consultants had used "tried and true," tested, language for regulating things required by transportation planning rules.

Mr. Heffernan recalled the Commissioners' earlier discussion about the TSP. He stressed that it should clearly link the trail in the Parks Master Plan with TSP implementing code because that

would allow the city to require trail improvements. He cautioned the city to distinguish TSP-required trails a developer would be required to build from recreational trails in the Parks Master Plan. He said other proposed changes clarified when a traffic impact analysis was required, and how to regulate access on higher classification streets. He pointed out an important code change would permit outright, in all zones, public works facility improvement projects listed in the TSP. If they were in the TSP there was no legal basis for opponents to argue they were not allowed in the zone.

During the questioning period, Chair Babbitt asked what Comprehensive Plan policy was the basis for amendments calling for shared driveways. Mr. Heffernan explained they implemented city policy to minimize the number of accesses on higher classification streets. The amendments would authorize the city to impose a shared driveway as a condition of approval. He advised the language could be made stronger and clearer if it said the city was to reduce conflicts on higher order streets for the purpose of public safety.

The Commissioners discussed how to cross reference different plans in the TSP and avoid redundancy by only having one trails map. Mr. Heffernan explained the difficulty with that was that different plans got out of sync with each other over time until they were inconsistent with each other. He recommended identifying Parks Master Plan trail elements that the City wanted to implement in the TSP and adding a footnote on the small scale map in the TSP that advised a developer to look at the Parks Master Plan to verify whether a trail affected their site. Commissioner Martin recalled past conflict when one plan called for installing a utility line through a park. He did not want that kind of conflict of plans to happen again without proper review. . Mr. Heffernan explained that a plan that was not listed in the TSP would be required to go through the conditional use permitting process. Those that were listed in the TSP would be permitted outright. Commissioner Martin was not sure any project should be allowed without a scrutinizing process. Mr. Heffernan observed there were many other compliance requirements and permits that had to be obtained before proceeding with a project. For example, a road itself might be permitted outright, but related environmental and design issues might be subject to public review. He said the code would allow TSP-listed projects that were part of planned growth and had been vetted in the TSP planning process to be implemented in an expedient manner. When asked, Mr. Kerr clarified that the updated TSP tightened existing code language related to when a traffic analysis was required and it required more information. When asked, he confirmed this section was consistent with other sections of the code.

Vice Chair Kovash explained that he was just as concerned about the proposed CDC amendments as he was about the draft TSP. Mr. Kerr advised that even if the TSP did not exist, the proposed code changes that strengthened traffic impact analysis and access requirements were good ideas anyway. Mr. Heffernan indicated the other city plans and city vision statement could be linked to the TSP, and the related CDC amendments would tie city policy to the development review process. Chair Babbitt related that he could agree to all the CDC changes except the requirement for a shared driveway. He added that he did not want to lose the current opportunity to use the TSP to implement other plans that had been adopted and then “shelved.”

Chair Babbitt **moved** to continue CDC-08-01/PLN-08-07 to December 17, 2008. Vice Chair Kovash seconded the motion and it **passed** 5:0.

ITEMS OF INTEREST FROM STAFF (None)

ITEMS OF INTEREST FROM THE PLANNING COMMISSION (None)

ADJOURNMENT

There being no other business, Chair Babbitt adjourned the Planning Commission meeting at 10:20 p.m.

APPROVED:

Michael Babbitt, Chair

Date