



CITY OF West Linn

Memorandum

Date: March 15, 2017

To: Planning Commission

From: Peter Spir, Associate Planner

Subject: Response to Planning Commission questions related to traffic and safety for AP-16-02
"Chene Blanc" Reconsideration hearing

Staff received questions from Planning Commission members relating to traffic and safety on local streets and at the Arbor Drive/Willamette Drive intersection. The questions were consolidated under subject headings and responded to by the Public Works and Planning Departments. (Please note: All references are to the 2008 Transportation System Plan (TSP) since the application was vested prior to the adoption of the 2016 TSP.)

Street Classifications/Standards

- 1.) The classification of the streets to be constructed in the proposal within the Chene Blanc subdivision is a local street.
- 2.) The classification of Skye Parkway before the intersection with Hillside Drive is a local street.
- 3.) The classification of College Hill Place between Hillside Drive and Upper Midhill Drive is a local street.
- 4.) The classification of Upper Midhill Drive between College Hill Place and Arbor Drive is a local street.
- 5.) The classification of Arbor Drive between Upper Midhill Drive and Highway 43 is a local street.
- 6.) The double yellow center line on Skye Parkway; Hillside Drive between Skye Parkway and College Hill Place; College Hill Place between Hillside Drive and Upper Midhill Drive; Upper

Midhill Drive between College Hill Place and Arbor Drive, is a past practice that was intended to designate “No Passing” on those streets.

7.) Arbor Drive is not proposed to be striped with a center double yellow line. The practice of yellow striping is no longer in use. Any future overlays of local streets will not provide striping.

8.) On Arbor Drive, between Highway 43 and Upper Midhill Drive, the width of the street ranges from 22.7-25 feet.

9.) The functional classification of Arbor Drive between Highway 43 and Upper Midhill Drive will remain a local street if AP-16-02 is approved.

10.) Regarding CDC 85.200(A)(3)’s table, entitled “City of West Linn Roadway Cross-Section Standards,” there were questions as to how these street standards would be applied to nearby local streets such as Arbor Drive and Upper Midhill Drive. CDC 85.200(A) (3) standards do not apply to off-site streets like Arbor Drive and Upper Midhill Drive. Those standards only apply to internal streets and those streets immediately adjacent to the subdivision.

11.) Matt Bell of Kittleson and Associates stated that *“the relatively narrow travel way and lack of sidewalks along Upper Midhill Drive results in low travel speeds and contributes to the rural character of the roadway that drew many of the adjacent residents to the neighborhood and that many of the adjacent residents would like to maintain”*. Accepted Engineering and Street Design practices acknowledge the value of narrower streets as a way to discourage traffic speeds. (Staff notes there is no evidence as to whether the narrow, rural character of the road motivated people to move to the area.)

12.) Responding to the question why the Upper Midhill Park project did not widen Upper Midhill Drive, the Planning Commission approved the Parks Department’s request (DR-04-12) for a Class II Variance waiving the installation of standard street improvements adjacent to the park. There are no plans by the Parks Department to make any further street improvements adjacent to the park.

Arbor Drive/Willamette Drive Intersection

13.) On street parking is allowed on Arbor Drive between Highway 43 and Upper Midhill Drive. Parking on both sides is already facilitated by Arbor Drive’s 50 foot wide right of way. Most homeowners park their vehicles on the gravel shoulders and parking areas within the ROW and not on the paved street section. Those street sections over 24 foot wide provide sufficient width to meet the 2008 Transportation System Plan (TSP) cross section for a local residential street with two 12-foot wide travel lanes. (See Figure 8-5 of 2008 TSP.) If circumstances require it, the City Engineer has the authority to post “no parking” signs on

one or both sides of the street. Typically, that is done after working with the Traffic Safety Committee and with the support of adjacent homeowners.

14.) According to the March 1, 2017, Kittelson and Associates TIA, traffic counts collected in November 2016 for PM peak hour (which is the busiest period in the day) showed that 59 vehicles currently use Arbor Drive between Highway 43 and Upper Midhill Drive. (Figure 4 of Exhibit PC-5B)

15.) According to the March 1, 2017, Kittelson and Associates TIA, a projected 77 PM peak hour trips on Arbor Drive, between Highway 43 and Upper Midhill Drive, will be generated by local traffic and traffic from this subdivision at build out in 2018. (Figure 7 of Exhibit PC-5B).

16.) Regarding the interim mitigation plan to restripe Willamette Drive to create a dedicated left turn lane, plus potential refuge conflicts, the Public Works Director found that it is a question better directed to the applicant. The design has been preliminarily vetted by ODOT. Regarding potential left turn conflicts at Arbor Drive and Willamette Drive/43, this is a question for the applicant and ODOT but the proposed temporary improvement, including the refuges, is consistent with the 2008 TSP's "OR 43 Conceptual Design Plan".

17.) Per Kittelson's November 2016 TIA, the current LOS (prior to development) is "F". (Figure 4/page 57 of Exhibit PC-5B). The TIA anticipates a LOS of "D" after mitigation and "build out" of the subdivision (Figure 8/page 61 of Exhibit PC-5B). LOS "D" is considered to be acceptable.

Nexus/Proportionality for Off-Site Exactions

18.) Off-site improvements can only be required after the City has shown (a) the street improvements are required by the TIA, (b) the bicycle and pedestrian improvements are identified in the TSP, and (c) after the City has provided an individualized and defensible nexus and proportionality analysis per 85.200(A) (22) (below) and consistent with case law.

CDC 85.200(A) (22) LAND DIVISION:

Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC 85.170(B)(2) that are required to mitigate impacts from the proposed subdivision. The proportionate share of the costs shall be determined by the City Manager or Manager's designee, who shall assume that the proposed subdivision provides improvements in rough proportion to identified impacts of the subdivision. Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP.

Proportionality is defined in CDC Chapter 2 “DEFINITIONS”:

Rough proportionality. The allowed relationship between an exaction imposed to comply with a City code standard and the impact of the proposed development that is alleviated through imposition of the exaction. The measure of rough proportionality involves the following steps:

- 1. Identify the public problem caused or exacerbated by the proposed development which the proposed exaction is designed to address.*
- 2. Measure the impact of the proposed development upon the identified public problem.*
- 3. Analyze how the proposed exaction solves or alleviates the identified public problem.*
- 4. Analyze the proportionality of the proposed exaction to that part of the problem created or exacerbated by the proposed development.*

19.) All of the applicant’s proposed off-site improvements, (interim and long term Highway 43 improvements and sidewalks on Hillside Drive) were volunteered by the applicant so no nexus and proportionality test was required either in the original staff report for SUB-15-03 or for this reconsideration. If the City intends to impose exactions, (e.g. off-site local street improvements) then the Planning Commission must prepare and adopt nexus and proportionality findings.

Street Maintenance

20.) The City of West Linn Public Works Design Standards and Standard Construction Specifications for the technical engineering design standards were referenced. Those local street standards only apply to internal streets and those streets immediately adjacent to the Chene Blanc subdivision. They do not apply to road maintenance projects for local streets outside the subdivision.

21.) Regarding existing pavement damage outside the subdivision, the Public Works Director finds that it is not applicable to this land use application. Street maintenance of existing roads is not part of the application process but is a function of city revenue and expense/budget priorities.

22.) Regarding gross axle weight, the Public Works Director finds this is not applicable to this land use application. Maximum axle weights are set by the state, not locally. Street design isn’t based on maximum axle weight.

23.) Regarding coring streets, the City Public Works Director finds that this is not applicable to this land use application. ODOT is only requiring coring for shoulders of Highway 43 being converted to travel lanes. The city has no such requirement for existing streets. City street issues are a result of lack of maintenance funding common throughout the city.

Pedestrian Safety

24.) Regarding pedestrian crossings across Willamette Drive at Arbor Drive, all pedestrian improvements along Willamette Drive are included in Table 5-2 of the 2008 TSP. Safety of pedestrians is likely a question of law enforcement. Oregon state law gives pedestrians the right of way at all intersections regardless of marking. Vehicles are required to stop for pedestrians showing intent to cross. If vehicles are not stopping, law enforcement should be called to issue citations. This issue is outside of the land use application and subject to ORS 811.028.

25.) Rather than direct pedestrian and bicycle traffic to an existing AM/PM peak hour failed intersection, the applicant's TIA points out that separated and relatively safe pedestrian and bike facilities are already available for the project area in that pedestrians and cyclists may use the sidewalks along College Hill Place-Marylcreek Drive to access the traffic lights on Willamette Drive at Marylbrook Drive. (That route is 600 yards from this subdivision, the same distance from the site to Arbor Drive and Willamette Drive).

26.) Regarding pedestrian and bike facilities on local streets, Finding 6 of the Staff Report for the Reconsideration hearing states that: "The approval criteria of 85.200(A) (22), for off-site sidewalk and bike lane facilities, limits off- site improvements as follows: '*...Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP.*' The 2008 TSP Pedestrian and Bicycle Plan (Figure 5-1 of the 2008 TSP) does not require sidewalks or bike lanes on any nearby local streets including Arbor Drive or Upper Midhill Drive. Therefore, this criterion and associated off-site improvements do not apply.

TVF&R

27.) TVF&R participated in the pre-application conference and review of the application and are aware of the projected increase in traffic on local streets if AP-16-02 is approved. TVF&R has not requested any off-site improvements.

28.) TVF&R standards require at least two points of ingress/egress into the subdivision. By providing two access streets, this TVF&R standard is met and adequate egress for emergency vehicles is provided with or without mitigation measures on Willamette Drive.