



CITY OF West Linn

Memorandum

Date: June 1, 2023
To: Mayor Bialostosky and City Council
From: Darren Wyss, Planning Manager
Subject: AP-23-02 Public Comments

Between the publishing of the Council Packet on May 25, 2023 and 5:00pm on June 1, 2023, staff received one public comment (attached) regarding AP-23-02. The deadline to submit written comments is noon on Tuesday, June 6, 2023. Staff will forward additional written comments shortly after the deadline.

Please feel free to contact me at dwyss@westlinnoregon.gov or 503-742-6064 with any questions regarding the materials or process.

Wyss, Darren

From: A Sight for Sport Eyes [REDACTED]
Sent: Friday, May 26, 2023 6:08 PM
To: City Council; Wyss, Darren
Subject: Testimony for AP-23-02

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I am writing testimony in regards to AP-23-02. While I understand that this application is a permit to build within a WRA/Flood area, I don't believe there is going to be another application that deals with the actual design of the roadway. Thus, I feel this is the only place that these concerns can be addressed.

I understand this is a quasi-judicial decision that has to be decided upon with the relevant code. However, unlike a private party land use application, the applicant here is the City of West Linn. Thus, I feel like council does have some flexibility to add conditions to this application.

The biggest concern I have is parallel parking in a high pedestrian area, on a very busy roadway, with a new, unfamiliar traffic device (roundabout). My only ask is that the parallel parking be removed from this plan. This was the biggest ask of the residents that live and drive this road every day. Removing the parking also reduces the amount of impermeable surfaces, gives back that square footage to the park and natural areas, and prevents what I feel is a very dangerous situation putting parking next to a roundabout. I've broken down these reasons below.

- **Conceptual Plan:** For some historical perspective, staff finding #1 and 3 is correct in the [Willamette Falls Dr. Conceptual Plan](#) was added to the TSP in 2021. Note that it called a "Conceptual Plan". Planning commission, as well as the public, were told these were just "concept plans" and the design would have a public process before being implemented. An approved "conceptual plan" was not a green light by the public or Planning Commission to build these improvements. City staff promised that the community would have time to refine the initial design work on this project. This never happened. (I gave you time/date stamps of those staff promises in another email so I won't repeat them here). The purpose of the Concept Plan is to "Create a corridor that will encourage the use of alternative transportation modes and reduce reliance on automobiles". Thus, adding parking to this plan is counterproductive to the purpose of this plan.
- **No standards for parking near a roundabout:** A roundabout with high pedestrian traffic isn't commonplace in the area, and this will be new to the community. Most roundabouts we live near rarely have pedestrian traffic. Parallel parking will block visibility to the driver as they come out of a roundabout, and pedestrians trying to cross may be harder to see. I was trying to think of any roundabout in the area that has parked vehicles so close to it. I cannot think of any. In Bend they have some but the parking is in a separate island. I searched Google Images for roundabouts and couldn't find any that had parallel parking so close to the roundabout. Design standards may specifically say

parking is not allowed, but we don't want to be the first ones to test if parallel parking works near a roundabout.

➤ **Lessons Learned from the Past:** We learned with the Historic Willamette Streetscape that what is a thought to be “good design” (the 2” curb on bike lane) doesn’t always work when you mix in high pedestrian traffic. With the Streetscape design, staff likewise did not listen to the community concerns with this curb, and it took several people tripping and getting injured for the city to fix this issue. From what I understand is that the 2” tripping curb will not be used in this project because the standard was finally changed as a result of the lessons learned there. However, potential issues I see with parked cars are:

- Frustrated commuters in a rush not waiting to wait for a person to parallel park and swerving into oncoming traffic to go around them
- Vehicles, especially larger SUV’s block drivers ability to see pedestrians on the sidewalk. Kids have the tendency to jet out into the street in between cars. Parked cars makes it harder for drivers to see a pedestrian attempting to cross the street. This may result in slamming of brakes or worse a collision
- Parallel parking means car doors open into moving traffic. This means moving traffic has to again swerve into oncoming traffic to avoid hitting the door

It is just an unnecessary risk to have parallel parking in this project. We don’t want a repeat of what happened with the Streetscape and learn after the fact that this was poor design.

➤ **Design not updated after new school was approved:** When this design was originally floated to the community, there was no school being built. Thus, there may have been a need for parking then. Also, pedestrian traffic was thought to be limited towards the park, not across the busy roadway. Things have changed which is why this plan should have been changed with community involvement to reflect the additional pedestrian traffic from the school. Parking is no longer needed as there will be plenty of parking at the school across the street.

➤ **Parking Not in Drawings:** On [Page 6](#) of the Concept Plan, it shows “proposed cross sections”. None of these proposed cross sections show a parking lane. On Page 13, it has “parking” as “recommended”. But again, no drawings of the road actually having the parking. Again, if the public was given the proper outlet to give feedback on this project before it went to the application step, “recommended” may have become “not needed”. Per staff finding #2 and 4 the public was voting on the fact that they want to see a dedicated bike lane on this stretch of road. Residents in general welcome bike and ped improvements. But again, there are no pictures showing parking in the drawings the public saw.

➤ **CDC Chapter 28 protects Tualatin River Greenway:** How much less impact could there potentially be if all that square footage of impermeable asphalt for parking cars was removed? Since the plans approved into the TSP were just “Conceptual”, it shows on page 15 that there is no intrusion on the existing flood plain. After going through full engineering, it does look like final design encroaches slightly into this line. Thus, it seems that if we removed that 8 feet of impermeable asphalt needed for parking, the application would better meet the standards of Chapter 28 and Chapter 32 which is to protect our water resource areas. Per staff finding #33 and #36, less pavement means less impact to HCA’s potentially.

➤ **Protection of WRA (Water Resource Area)** Per Staff finding #70, again, removing the parallel parking should again reduce the impacts to the WRA with less surface area intrusion of hardscape into the WRA. The Planning Manager Decision states that the need for safety overrides the small

intrusion into the WRA and HCA Zones. While this is true of the bike lanes and sidewalks, parallel parking is not a safety improvement. As mentioned, parking, if anything, is a hazard.

- **Minimum Dimensional Standards:** CDC Chapter 28.110(L) states “Construction to the minimum dimensional standards for roads is required”. “Minimum standard” means bike and sidewalk. Parking is not required per any other part of the code, could be potentially dangerous, and the community doesn’t want it. Removing the parking lane is consistent with code.

I do want to see these roadway improvements built in order to connect the bike and ped lanes in main street, and increase multi-modal transportation for the future. If council were to approve the application with the condition that the parallel parking be removed, I believe this would be consistent with code. The purpose of both Chapters 28 and 32 is to limit, to the great extent possible, the disturbance of the HCA and WRA zones. Including the parking lane does not meet CDC 28.110, nor does it do its best to meet the purposes of Chapter 28 and 32. I understand this ask may come at a high cost to the public for re-designing. However, if staff would have lived up to their word and allowed the community to have input before putting submitting the application to build, perhaps changes to the parking could occurred earlier saving the need for a re-design.

One more final thought. Notice is only required to go to homes within 500 feet, with the park and the school as the closest property owners affected, my guess is only a handful of homes actually received notice about this upcoming decision. This is not enough public process on a decision that will affect a lot of people who use the park and the roadway here. I would like to see more public notice for projects where the city is the applicant. The city doesn’t just have to do the bare minimum that any other property developer would have to do. They should do more and involve more people. I would also like to see the proposals of again City projects have simpler, easier to understand drawings. As mentioned in previous emails, the roundabout was “hidden” in an application for the building of a school. The “Conceptual Plan” that was approved had no drawings of parking. It is only if you read the full documents (which very few of us do) that you realize this kind of minutia is in there. The public shouldn’t be required to read hundreds of pages of an application to understand what may be in it.

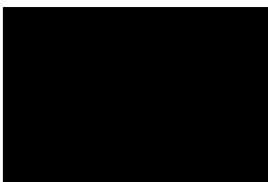
Thank you as always for your time.

Shannen Knight

A Sight for Sport Eyes

1553 11th St.

West Linn, OR 97068



[REDACTED]

From: A Sight for Sport Eyes [REDACTED]
Sent: Wednesday, May 24, 2023 5:07 PM
To: [REDACTED]
Subject: Testimony for AP-23-02

I am writing testimony in regards to AP-23-02. It is unclear to me if this is just similar to a WRA permit for the right to build in the WRA, and another application will follow with the details of the actual project, or if this is the final and only permit that is required before construction can begin. If the later, then this is my testimony. If it is the former, and another application will follow, then some of my testimony may be irrelevant as they could issues addressed in the next step of the process.

On the decision staff finding #1 and 3 states that the improvements were adopted with the 2016 Transportation System Plan (TSP). However, the designs for the TSP at that time in 2016 were only 30% designs. Planning commission as well as the public were told these were just "concept plans" and the design would have a public process before being implemented. Just because the TSP was approved, does not mean that design as currently constituted in this application was approved by the planning commission or the public. Of biggest concern to the neighbors is the parallel parking. If parallel parking was removed, this would narrow the amount of roadway (and impervious surfaces) by I'm guessing 6-8 feet. This is a significant savings in hardscape and would preserve that amount of space for the park. This is my biggest issue with the plan. When the 30% design was brought to the WNA, this was our biggest concern to staff. This is when staff told us that we would have time to adjust the plan. I think the fair thing to do since we were promised by staff that this would be something that could be reviewed, is to take the time now to listen to the neighbors request to have that parallel parking removed. I understand this may come at a cost for re-designing, but staff really should have either adjusted the design when the neighbors first had issues with this, or it should not have gone through to the application process until the design was taken back to the neighbors for final approval.

Staff finding #2 and 4, I agree with the vote, and I'm not disagreeing with the need to expand the bike lane in this area. I think there is a general consensus from the neighbors that we do want a bike lane. The disagreement again is with the extra hardscape needed for parallel parking spaces, and maybe if a sidewalk is needed the entire stretch since there is a sidewalk that runs parallel to the street. The goal per any construction project near a park and a river should be to limit the hardscape to reduce runoff and protect the natural environment. The ask is simply to reduce the hardscape by reducing the extra parking that is not needed most of the year. Per staff finding #33 and #36, is it not true that if the design did not have the parking there would be even less impact on HCA's? Reducing the total surface area that needs to be paved will further reduce the impact to HCA's.

Per Staff finding #70, again, removing the parallel parking should again reduce the impacts to the WRA with less surface area intrusion into the WRA by reducing the width of the roadway needed to complete the safety improvements. Parallel parking is not a safety improvement. The safety improvements are the bike lane and sidewalk. There is nothing "safety" related with the parking. Parking, if anything, is a hazard. Parallel parking reduces visibility of pedestrians. A pedestrian that comes out from behind a big parked SUV is harder to see than one that steps off the curb with no vehicle obstruction. With increased traffic on the road, drivers may also be frustrated by a person trying to parallel park and go around them, again, potentially not seeing a pedestrian in the roadway as they cross the center lane to go around a car trying to parallel park. There are just many disadvantages of parallel parking in this area near a park and a school, when parking is not needed as there will be plenty of parking at the new school. Getting rid of the parallel parking in this design will go a long way to satisfy the neighbors concerned about this construction. There is just no need for it.

While I understand that the roundabout is part of another project already approved, the crossing of the street at a roundabout is not commonplace here in Oregon. I understand the Planning Commission did require the flashing light to help drivers realize there are pedestrians. But the nature of a roundabout is such that it is designed so people don't have to stop. They can slow down which is better than no traffic control system at all. But drivers usually, if they see no cars, continue right through the roundabout without stopping. My concern is that again kids will be using these crosswalks to get to the school or from the school to the park. The school has no baseball fields so my assumption is that the students will use the baseball fields at Fields Bridge park, and thus go from the school to the park. Many of the drivers using this stretch of road will be commuters avoiding I-205 traffic (or tolling in the future). Thus, we can't always expect drivers to know there are kids crossing here. And again, it is not commonplace for drivers to see many pedestrians crossing a roundabout. This is why I truly believe if we add parallel parking to the mix, where we have an added barrier of a large SUV blocking drivers from seeing a pedestrian, that we are going to see a serious pedestrian accident. It won't be until someone is seriously injured until we then look at whether parallel parking near a roundabout and alongside a school and park is a good idea or not.

We learned with the Historic Willamette Streetscape that what is a thought to be "good design" (the 2" curb separation of the bike lane) doesn't always work in other scenarios where pedestrians are involved. It took several people tripping and getting injured for the city to fix this issue. Parked cars here are just going to create more problems with car doors opening into a busy roadway, creating barriers to see pedestrians, and maybe even flying baseballs taking out a car window of a parked car. It is just an unnecessary risk to have parallel parking in this project.

While I understand this is a quasi-judicial decision that has to be decided upon with the relevant code, the applicant in this case is the City itself. Thus, the city, as the applicant also has the ability to change their application with recommended conditions of approval by council. If council were to approve the application with the condition that the parallel parking be removed, this, I believe, would be in their purview both as a quasi-judicial body, and as essentially the applicant. This is my only ask in this appeal.

Thank you as always for your time.

Shannen

A Sight for Sport Eyes

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