

**CITY OF ALBANY
PLANNING COMMISSION
City Council Chambers, 333 Broadalbin Street
Monday, August 11, 2008
5:15 p.m.**

MINUTES

Planning Commissioners present: Paul Davis, David Faller, Lolly Gibbs, Cordell Post, Wayne Rackham, Dala Rouse, and Scott Whitney

Planning Commissioners absent: Mark Spence and Michael Styler

Staff present: Community Development Director Greg Byrne, Planning Manager Don Donovan, Infrastructure Analyst Mike Leopard, Planner II Janet Morris, Parks Facility Manager Craig Carnagey, and Administrative Assistant Teresa Nix

Others present: Approximately 12 others were present in the audience, including the applicants.

CALL TO ORDER

Chair David Faller called the meeting to order at 5:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

APPROVAL OF THE JULY 7, 2008 AND JULY 21, 2008 MINUTES

MOTION: Commissioner Wayne Rackham moved to approve the July 7 and July 21 minutes as submitted. Commissioner Lolly Gibbs seconded the motion, and it **passed** unanimously.

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARINGS

Faller called to order a public hearing on Planning File Number VC-02-08, Vacation of Public Right-of-Way (Linn Avenue between Alco Street and Burkhart Street). The applicant is the City of Albany.

Declarations:

Commissioner Dala Rouse said she owns property abutting the subject site. She declared a conflict of interest and excused herself to sit in the audience.

Staff Report:

Infrastructure Analyst Mike Leopard summarized the written staff report. Using the overhead projector, he showed a map of the area proposed for vacation – a 66-foot right-of-way that is currently unimproved and is not open to traffic. The area is covered by trees and other vegetation. This request was initiated by the City Council at the request of the City Parks Department. The City owns the parcel to the north of the right-of-way and is proposing to develop a small park on the site. He reviewed the location of sanitary

sewer and water lines in the adjacent areas; there are no utilities in the area proposed for vacation. The Engineering Division has recommended that a public utility easement be retained over the entire vacation area in case future utilities need to be constructed. The Engineering Division believes that it is unlikely that a street would ever be improved through this section of right-of-way.

Tax Lots 1300 and 1303 are currently developed as a single home site with access to Tax Lot 1303 from Alco Street coming through Tax Lot 1300. In the future, these lots may be developed independently. Staff is recommending that an access easement be maintained over a portion of Tax Lot 1300 to ensure that Tax Lot 1303 has legal access rights to Alco Street if needed in the future.

Applicant Testimony:

Parks Facility Manager Craig Carnagey said the Parks Department agrees to the conditions in the staff report. He offered to answer any questions the Commission may have regarding the request.

Rackham asked for additional information about parking. Carnagey said five off-street parking spaces would be provided in the southwest corner of the lot.

Faller asked if handicapped parking is required. Carnagey said one ADA parking space would be provided, as shown on the site plan.

Public Testimony in Favor of the Application: None.

Public Testimony in Opposition to the Application: None.

Neutral Testimony: None.

Applicant Rebuttal: None.

Staff Response: None.

Faller closed the public hearing at 5:37 p.m.

Commission Discussion: None.

Commission Action:

MOTION: Commissioner Paul Davis moved that the Planning Commission recommend that the City Council approve with conditions the application that would result in the Vacation of Linn Avenue between Alco Street and Burkhart Street (File VC-02-08). This motion is based on findings and conclusions in the staff report and testimony presented at the public hearing. Commissioner Cordell Post seconded the motion, and it passed unanimously.

Faller called to order a public hearing on Planning File Number CU-06-08, Conditional Use to construct a neighborhood park (Eades Park) located north of Linn Avenue NE and east of Alco Street NE. Improvements include play equipment, bike and pedestrian paths, benches, and parking for bicycles and vehicles. The applicant is the City of Albany.

Declarations:

There were no additional declarations.

Staff Report:

Planner II Janet Morris summarized the written staff report. Using the overhead projector, she showed a Zoning Map of the area and pointed out the area owned by the City of Albany and the area proposed for construction of a neighborhood park. With the exception of four small trees, all trees on the property would be retained. She showed a Site Plan for the proposed park. The intent of a neighborhood park is to provide somewhat passive recreational activities for neighbors within a half block. People will predominately walk or ride a bike to the site. The applicant is proposing to provide five parking spaces, street paving improvements, play equipment, bike and pedestrian paths, and landscaping. She briefly reviewed staff findings related to the six review criteria, as detailed in the written staff report. Staff is recommending approval with the conditions in the staff report.

Applicant Testimony:

Carnagey said the proposed neighborhood park would replace a small neighborhood park that was purchased by the Public Works Department several years ago to provide for the wastewater treatment plant expansion. Most of the existing vegetation would remain, including several fairly large fir trees. Staff has met with the neighborhood on three occasions over the past year to discuss the plans and to refine the design. Staff has addressed the neighborhood concerns and all of the response at the last neighborhood meeting was positive.

Public Testimony in Favor of the Application: None.

Public Testimony in Opposition to the Application: None.

Neutral Testimony: None.

Applicant Rebuttal: None.

Staff Response: None.

Faller closed the public hearing at 5:37 p.m.

Commission Discussion: None.

Commission Action:

MOTION: Post moved that the Planning Commission recommend that the City Council approve with conditions the Conditional Use application to construct a neighborhood park (Eades Park) located at the northeast corner of Alco Street NE and Linn Avenue NE (File CU-06-08). This motion is based on the findings and conclusions in the staff report and testimony presented at the public hearing. Davis seconded the motion, and it **passed** unanimously.

A hearing before the City Council for this application has been scheduled for August 27, 2008.

QUASI-JUDICIAL PUBLIC HEARING

Rouse returned to the table.

Faller called to order a public hearing on Planning File CU-07-08, Conditional Use to relocate the school bus drop-off/pick-up area at Periwinkle Elementary School from the main parking lot to an area at the east end of the school buildings. The applicant is the Greater Albany School District.

Declarations:

Faller said he participated in an 18-month process to identify what was needed for Albany Public Schools and he is very familiar with the requirement for this request.

Gibbs said she made a site visit to familiarize herself with the area.

Rackham said his children attended Periwinkle School. He has been there many times without any real lasting impression.

Staff Report:

Morris summarized the written staff report. She showed a map of the subject site and surrounding areas and pointed out the current bus drop-off/pick-up area. There have been numerous conflicts between the buses and parents dropping off and picking up their children. The school district is proposing to relocate the bus area to reduce conflicts and increase safety. The applicant proposes to move the location of the crosswalk across 21st Avenue about 20 feet to the west and to construct a pedestrian refuge at the crossing. The City is requesting 30 feet of dedication on 21st Avenue so that all improvements are within the right-of-way.

Morris reviewed a Site Plan with the proposed improvements. The existing bus area would be restriped to include 12 new parking spaces. Parents could use this area to drop off and pick up children. There are four buses that come to the school between 8:00 a.m. and 8:30 a.m. and between 3:00 p.m. and 3:30 p.m. Buses do not idle during loading and unloading. Buses would need to idle for the brief time needed to safely turn out onto the street. There is one home immediately adjacent to the area and the home owner has expressed concern about noise impacts. The school district is proposing to add trees as a buffer to address those concerns. Lighting is not proposed. Staff is recommending approval with the conditions in the staff report.

In response to an inquiry from Gibbs, Morris said it is her understanding that two buses will go to the west and two will go to the north upon leaving the school. Gibbs asked if that is the route currently taken. Morris said she is not sure. She suggested that the applicant be asked to respond.

Applicant Testimony:

Edward Fitz-Patrick, 5541 SW Bluestem Place, Corvallis, Project Manager for the Greater Albany Public School District, said the application is being presented to address a safety issue. The current situation is fairly dangerous with kids, buses, and cars all crossing in the same area. The school district considered multiple options. One option was for buses to exit north on 22nd Avenue, but that would have required purchasing property from the City and reconfiguring the sidewalks. This would be a costly solution and would result in a traffic choke point. The school district feels that the proposal is the best plan for the site. There will be no change in the number of buses or in the traffic plan.

Public Testimony in Favor of the Application:

Elisa Stephens, 8756 NW Box Elder Street, Corvallis, said she is the Principal at Periwinkle Elementary School. Approval of this request would help alleviate the horrible congestion and add to the safety of over 400 students. There has been at least one accident every year due to backup traffic. The proposed bus loop would also assist in emergency vehicle access. The addition would be beneficial to staff, students, parents, and neighbors.

Public Testimony in Opposition to the Application:

Bonnie Anderson, 2300 20th Avenue SE, said she owns the home that borders the area of the proposed bus loop. She said she heard about this proposal from an associate. She was not contacted by the school district and she feels that the process disenfranchised the neighbors. She reviewed changes that have occurred at the school over the years and said this proposal would add additional blacktop close to her house. Deciduous trees will not really help to shield the sight of blacktop or the noise. She understands that there is a lot of congestion at the school; she plans ahead to not leave her home during the times children are being picked up. Buses will likely have to sit and idle for some time in the driveway before being able to turn out onto the street. She expressed concern that the bus loop will be used as a parking lot for people using the playground during nonschool hours, that this change will cause her property value to go down, and that there has been no communication from the school district.

Patrick Gallagher, 2473 Jackson Street SE, said he is a friend of Ms. Anderson. He is opposed to this proposal and he has some questions. He asked if there are alternatives to reduce traffic so that this change is not necessary. He recalled hearing that children who live within one mile of a school cannot ride the bus, and he asked if some of the traffic is due to the fact that kids do not have access to buses. He stated that, any time there are projects that include paving, traffic flow and the associated hazards are increased. He asked if consideration had been given to the possibility that adding trees could increase transients in the area. He agreed with Anderson that the change would reduce property values and he asked what Commissioners would do if this was proposed near their homes.

Jan Doerfler, 404 Vine Street SW, said she went to the school and wrote down minute-by-minute observations of after school traffic. She said the activity and traffic lasted for only 20 minutes from start to finish. She did not see a lot of disorder or unsafe behavior and there were no incidents. She thinks consideration should be given to whether this amount of construction should be done for activity that lasts only 20 minutes at a time.

Jennifer Massie, 2312 20th Avenue SE, stated that she is against this proposal. It would not do the neighborhood any good, parents will continue to park on the streets around the school, and the change would reduce the value of homes in the neighborhood. She stated that decision makers need to think about the people who live on this block and that the residents should have a say in this matter.

Neutral Testimony: None.

Applicant Rebuttal:

Ed Fitz-Patrick referred to the concern that the bus loop could be used as a parking lot for those using the playground on weekends. He said this could be addressed with gating and the school district would be willing to do that. He referred to the concern that the proposed trees would not provide adequate screening, and he offered to meet with Ms. Anderson to discuss screening and buffering options. He said the proposed median will be a traffic calming feature and will help reduce speeding in the area. He agreed with the comment that the pick-up time only lasts for about 20 minutes, but he said this can be a dangerous time. He said he thinks there is a school district policy that children who live within one mile of the school do not have access to buses, but he does not think that traffic will increase or decrease with this proposal.

Davis asked if the chain link fence on the north side of the playground could be slatted. Fitz-Patrick said there is a lot of vegetation on the property owner side, but slats could be added if so conditioned.

Rouse asked if the change would allow for clear vision down 20th and 21st Avenues, which has not been the case in the past. Fitz-Patrick said that is correct. Rouse noted that, since there are only four buses for 475 children, most of them must either walk or be driven to school. Fitz-Patrick said that is correct.

Gibbs asked if the median is of sufficient size to serve as a traffic calming device. Fitz-Patrick said the median would be raised from the street and would be 6-feet wide.

Post asked for confirmation that the school district would be amenable to adding a gate to prevent use of the bus loop during nonschool hours. Fitz-Patrick said yes.

Staff Response:

Morris drew attention to written testimony at Commissioners' places from Jennifer Massie.

Faller closed the public hearing at 6:13 p.m.

Commission Discussion:

Faller stated that he spent 18 months as part of a team tasked with the responsibility of identifying school district needs for the bond measure that was approved by the voters. The team identified the need for bus loops at several schools and Periwinkle Elementary was identified as one with the most serious problem. He feels that the school district and the design team have come up with a good plan.

Post asked about the possibility of adding a condition to require additional landscaping to address Ms. Anderson's concerns. Morris said this could be done, but landscaping should be done selectively to avoid creating additional problems.

Commission Action:

MOTION: Post moved that the Planning Commission approve with conditions as modified (the modification being the addition of a condition of approval that would require a gate to close off the area after hours so that it is only used by buses) Conditional Use application File CU-07-08 to relocate the school bus drop-off/pick-up area for the Periwinkle Elementary School to the east side of the school buildings as shown on the site plan. This motion is based on the findings and conclusions in the staff report and testimony presented at the public hearing. Rouse seconded the motion.

Gibbs proposed a friendly amendment to require representatives from the school district to meet with Mrs. Anderson to resolve her concerns. Post said he does not think that a requirement to resolve concerns provides concrete direction. He does not agree to the friendly amendment. Brief discussion followed.

Gibbs proposed a friendly amendment that school district representatives be required to meet with Ms. Anderson to discuss her concerns. Post and Rouse agreed to the friendly amendment.

Planning Manager Don Donovan expressed concern that it may be difficult to determine that this condition has been met. He noted that Ms. Anderson might decline to meet with school representatives.

Faller reopened the hearing at 6:19 p.m.

Bonnie Anderson said she would be happy to meet with school district representatives to discuss screening and buffering options.

Ed Fitz-Patrick said he would meet with Ms. Anderson at her convenience to discuss her concerns. Post asked if this needs to be in the form of a condition of approval. Fitz-Patrick noted that his statement is in the public record.

Faller closed public hearing at 6:23

Gibbs withdrew her friendly amendment.

The main motion **passed** unanimously.

A person with standing may appeal this decision to the City Council by filing a completed Notice of Appeal application with the Planning Division within 10 days from the date the City mails the Notice of Decision.

ACTIVITY UPDATE

Donovan said the City Council has directed a review of part of the City's Sign Code to determine if there are any recommended changes related to temporary signs. A Planning Commission hearing on this matter is tentatively scheduled for September 15, 2008.

NEXT PLANNING COMMISSION MEETING DATE

The next meeting of the Planning Commission is tentatively scheduled for September 15, 2008, 5:15 p.m.

ADJOURNMENT

Hearing no further business, Chair Faller adjourned the meeting at 6:27 p.m.

Submitted by,

Signature on file

Teresa Nix
Administrative Assistant

Reviewed by,

Signature on file

Don Donovan
Planning Manager