

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, DECEMBER 9, 2003

**COMMISSIONERS PRESENT**

Donald Hammang, Chair  
Judith Borden, Vice-Chair  
Brent Carter  
Rosemary Crites  
Mike Miller  
Howard Steward

**STAFF PRESENT**

John Gessner,  
Planning Dir.  
Lindsey Nesbitt,  
Associate Planner  
Shirley Richardson,  
Hearings Recorder

**COMMISSIONERS ABSENT**

Teresa Bresaw

1.0 CALL TO ORDER

The meeting was called to order at 6:35 p.m.

2.0 PROCEDURAL QUESTIONS - None.

3.0 CONSENT AGENDA - None.

4.0 INFORMATION ITEMS - City Council Minutes  
City Council minutes can be found on the City web site at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)

5.0 PUBLIC COMMENT - None.

6.0 PUBLIC HEARINGS

- 6.1 Applicant: Hector Campbell Neighborhood Association  
Owner: City of Milwaukie  
Location: 10821 SE Home Avenue  
Proposal: Create a neighborhood park (Homewood Park) that maintains the natural elements of the site while adding passive and active recreational facilities. The plan includes a playground for children age 7 and younger, a path through the natural area, picnic tables, and park benches  
File Numbers: CSO-03-06  
NDA: Hector Campbell

**Chair Hammang** opened the minor quasi-judicial hearing for Community Service Overlay CSO-03-06 to consider approval of the Homewood Park Improvement Plan. Since he lives in this neighborhood and he has worked on this park for three years, he will be stepping down from voting on this application. He turned the chair over to Vice-Chair Borden.

**Vice-Chair Borden** stated that the purpose of the application is to allow the finalization of the plans for this park on the property located at 10821 SE Home Avenue. The criteria to be addressed can be found in Milwaukie Zoning Ordinance Section 19.302 - Residential R-7; Section 19.303 - Residential R-5; Section 19.321 - Community Service Overlay Zone; and Section 19.1011.3 - Minor Quasi Judicial Review.

**Vice-Chair Borden** asked if there were any conflicts of interest or ex-parte contacts to declare? There were none. She asked if any member of the Planning Commission visited the site; 2 hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the staff report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

#### STAFF REPORT

**Lindsey Nesbitt** reviewed the staff report with the Commission. The proposed improvements include:

- Pathway and park access
- Restoration and enhancement of native vegetation
- Picnic tables, benches, and bike racks
- Playground equipment
- Park maintenance

In June 2002, the Planning Commission approved the site for park use and adopted the Homewood Park Master Plan. This proposal is consistent with the Homewood Park Master Plan. As a condition of that approval the applicant was required to submit a Community Service Overlay application prior to improving the park.

Staff has identified that the benefits to the public will exceed any negative adverse impacts that may be associated with the use and the park will benefit the community by providing an improvement to the previous use as well as a place for active and passive recreation in a relaxed park setting, visual enhancement of the site and open space in the area.

Some negative impacts that have been expressed include:

- Noise from people using the park
- Potential for vandalism to the park, vegetation, and equipment

- Potential of gatherings that may disturb neighbors
- Potential of overnight activity from vagrant individuals

The applicant is proposing to provide landscaping to mitigate some of the negative impacts and landscaping will be designed to provide a physical screen to residential neighbors.

Staff feels that the applicant has demonstrated that the proposal is consistent with the public benefits test of the Community Service Overlay Zone and the proposal is consistent with the Homewood Park Master Plan. Staff recommends approval of the application.

**Lindsey Nesbit** introduced JoAnn Herrigel, City of Milwaukie, she is here tonight to answer any questions from the Commission.

QUESTIONS FROM THE COMMISSIONERS - None.

CORRESPONDENCE - None.

#### APPLICANT PRESENTATION

Speaking: Joann Herrigel, City of Milwaukie

**Ms. Herrigel** introduced Sarah Smith, who designed the Homewood Park Master Plan. The Plan being approved tonight is the final design plan done by a volunteer from the neighborhood, Peter Gray.

The City purchased the four properties that make up this site in 2000. The existing house that was on the southeast portion was removed in 2001. The Planning Commission approved the master plan and the zoning change in 2002. The last portion of the process is the Community Service Overlay.

The only major modification to the finished version of the master plan is the previous suggestion of an orchard in the northwest section of the park. After discussion and research of the area, it was not feasible or practical for the City to maintain an orchard. More detail has been given to what types of plants should be put in, where the plants should be located, and where the play structure will be located and what types of equipment will be used.

The path has been placed towards the center of the property to maximize the natural experience of the users and decrease the impact on the surrounding neighborhood. A planting plan has been provided for the southeastern edge of the site where the closest abutter is located to minimize the impact.

Following the approval of the Community Service Overlay, they expect to build the path through the park using Metro local share funds (\$10,000) to this project.

#### QUESTIONS FROM THE COMMISSIONERS

**Commissioner Miller** asked if there were standard city hours for parks? **Ms. Herrigel** stated that the City does not have any rules that are adopted into the code. However, in the next couple of months, the North Clackamas Park District will adopt park rules and at that point she will adopt them into the City code. They will then be enforceable by the district and city staff; their parks close at half hour after dusk and open half hour before sunrise.

**Mike Miller** asked if the maintenance will be done by volunteers and neighbors? **Ms. Herrigel** stated that for the short-term maintenance will be done by volunteers. In the event it is added to the Intergovernmental Agreement with North Clackamas Park District, they would be agreeable to maintaining it.

**Commissioner Crites** asked how they plan to police the park from the homeless? **Ms. Herrigel** stated that the City has a number of policemen who will canvass the site. When an neighbor identifies a problem, the police department will note this as an area to watch. If there becomes a problem, security will be heightened. Neighbors will be notified as to whom to call in the event they see something that needs to be investigated.

**Commissioner Carter** noted that the soils report indicates quite a slope. He asked if there was any natural drainage provided in that area. **Ms. Drake** stated that she has never seen any standing water in that area. A lots of saplings have been planted; there is possibly one tree that may have to be removed.

**Commissioner Carter** asked for the percentage of deciduous versus evergreens. **Ms. Drake** stated that most of the trees are in the natural area. There is approximately 20% coniferous, 10% evergreen, an Oregon grape and evergreens. The path goes through a natural area, which will not be groomed or maintained. The northeast section, where the play structure is located, will need grooming. In addition to the neighborhood volunteers, the City facilities department will provide maintenance on a regular basis. They will make sure that it is safe and clean.

#### TESTIMONY IN FAVOR

Dave Aschenbrenner, 11505 SE Home Avenue, Milwaukie

**Mr. Aschenbrenner** stated that he is the Chair of the Hector Campbell Neighborhood Association. He has been working on this park along with others for several years now. Staff has done a wonderful job; there is a dedicated group of people who have consistently worked on this project that have done a wonderful job. He is in favor of this

project; it is a wonderful addition to the City. This is a walk-to park, not a destination park (no basketball hoops, organized sports, etc.).

#### QUESTIONS FROM THE COMMISSIONERS

**Commissioner Miller** asked Mr. Aschenbrenner if he was the one to call with maintenance issues. **Mr. Aschenbrenner** stated that he is the one to call and he will call the others in the group and they will go and deal with it. They are anxious to get started on this project. A lot of the parents are looking forward for a place their kids can go.

**Commissioner Steward** asked how long it will take to achieve the park objective? **Mr. Aschenbrenner** stated that they are hoping to have a couple of parts of the objective done relatively soon. They would like to get started on the play structure soon. By this time next year, the park will be open and completed; however, maintenance and some improvements will be ongoing.

**Commissioner Miller** asked what material will be used for the path? **Mr. Aschenbrenner** stated that the pathway will be woodchips and the pathway from the street to the play structure will be concrete.

QUESTIONS OR COMMENTS- None.

TESTIMONY IN OPPOSITION - None.

ADDITIONAL COMMENTS FROM STAFF - None.

QUESTIONS REGARDING CLARITY - None.

APPLICANT'S CLOSING COMMENTS - None.

#### DISCUSSION AMONG THE COMMISSIONERS

**Vice-Chair Borden** closed the public testimony portion of the hearing and opened it up to discussion among the Commissioners.

**Commissioner Miller moved to approve application CSO-03-06, Homewood Park Improvement Plan and adopt recommended findings and conditions in support of approval. Commissioner Carter seconded the motion. MOTION CARRIED 5-0. Ayes: Carter, Crites, Miller, Steward, Borden; Nays: None.**

Chair Hammang returned to the deices.

#### 7.0 WORKSESSION ITEMS

8.0 DISCUSSION ITEMS - None.

9.0 OLD BUSINESS

10.0 OTHER BUSINESS / UPDATES

10.1 Matters from the Planning Director

**John Gessner** reported that Tri-Met has withdrawn their application for the park-and-ride at the Southgate Theatre site pending resolution of condemnation issues. Staff is not sure when the application will be formally resubmitted; possibly a couple of months. Staff will continue to work with Tri-Met on some of the technical problems identified during the review to date to make it a better application when it is resubmitted.

**John Gessner** updated the Commission on the transit center relocation project. A new alternative is being discussed which involves moving the transit center onto the Kellogg Lake site. There would be no standing buses on the downtown streets.

The working group has been spending a great deal of effort on this option. At the next meeting there will be discussion about refining the field of alternatives on the table and taking a closer look at the Kellogg Lake site.

There will be a city-wide open house on January 15, 2004. Staff will keep the Commission up to date on the progress of this group.

10.2 Design and Landmark Commission Report

**Commissioner Carter** reported that a year-end meeting will be held Wednesday, December 10th to have an overall discussion of what was achieved this year and forecast for next year. Other issues to discuss will be policies in regards to houses (i.e., Marino House) and future worksession discussions.

11.0 NEXT MEETING - January 13, 2003

11.1 Continuation of Discussion on Code Amendments

**Commissioner Miller** moved to adjourn the meeting of December 9, 2003. **Commissioner Carter** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 7:10 p.m.

