

**CITY OF MILWAUKIE  
CITY COUNCIL AGENDA  
APRIL 1, 2003**

**MILWAUKIE CITY HALL**  
10722 SE Main Street

**1907<sup>TH</sup> MEETING**

**REGULAR SESSION - 6:00 p.m.**

- I. CALL TO ORDER**  
Pledge of Allegiance
  
- II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**
  
- III. CONSENT AGENDA** *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*
  - A. City Council Minutes of March 18, 2003**
  - B. Abatement Lien – Resolution**
  - C. OLCC Application Recommendation to Deny – Kimmy’s Market & Teriyaki, 3141 SE Harrison Street**
  
- IV. AUDIENCE PARTICIPATION** *(The Mayor will call for statements from citizens regarding issues relating to the City. It is the intention that this portion of the agenda shall be limited to items of City business which are properly the object of Council consideration. Persons wishing to speak shall be allowed to do so only after registering on the comment card provided. The Council may limit the time allowed for presentation.)*
  
- V. PUBLIC HEARING** *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*
  - A. Downtown Design Guidelines Project -- Zoning Amendments ZA-01-03 and ZA-02-01 – Resolution & Ordinance (Kent)**
  - B. South Corridor Transit Options Locally Preferred Alternative – Resolution (Swanson)**
  
- VI. OTHER BUSINESS** *(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*
  - A. Amend Municipal Code Section 2.04.300(A) to Comply with Charter – Ordinance (Firestone)**
  - B. North Main Developer Recommendation (King)**

**VII. INFORMATION**

**Center/Community Advisory Board Minutes, January 10 & February 14, 2003**

**VIII. ADJOURNMENT**

**EXECUTIVE SESSION** -- *At the end of the regular meeting, the Council may hold an Executive Session under the authority of Oregon Revised Statutes 192.660 as needed.*

*For assistance/service per the Americans with Disabilities Act (ADA), dial TDD 786-7555.*

***The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.***

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
MARCH 18, 2003**

**CALL TO ORDER**

The 1906<sup>th</sup> meeting of the Milwaukie City Council was called to order by Council President Lancaster at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Deborah Barnes

Susan Stone

Staff present:

Tim Ramis,  
City Attorney

Alice Rouyer,  
Community Development/  
Public Works Director

**PLEDGE OF ALLEGIANCE**

**AUDIENCE PARTICIPATION**

**Art Ball**, 4960 SE Harvey St., Milwaukie, Lewelling Neighborhood District Association (NDA) Chair, updated the City Council on the neighborhood community park located at the corner of Stanley Avenue and Willow Street. He provided information on grant funding, contributions, and expenditures to give the Council an idea of how neighborhood grant funds are being spent. To date the Lewelling NDA has received a total of \$17,353.76 in grants and \$10,917 in contributions and spent \$22,712.

Funds have gone toward park design, surveying, and half street designs all of which have been very expensive. The perimeter fencing costs were negligible by comparison. Progress is being made with the park, and residents continue to be enthusiastic about working toward the goal of having a well-developed neighborhood park.

**Councilor Stone** noted a \$5,000 contribution by the City.

**Ball** said this was a Council-approved contribution and was money well spent. He announced the 3<sup>rd</sup> Annual Lewelling Neighborhood Rummage Sale on May 17 – 18 with its location to be announced. The proceeds from the sale go toward park development. He explained the park site was formerly a meth house. The City purchased the property and demolished the house, and the NDA took on the task of developing the site for park and recreation use. The park now has a split rail fence on 3 sides and a chain link fence on the north side. There are about 2 or 3 large trees on the site, and the neighborhood is considering planting a Centennial dogwood.

**Council President Lancaster** commented this is a good example of what the neighborhood grant program has done for our community. He understood some of the park design time was donated.

**Ball** said a preliminary drawing was done on donated time to give residents an idea of what could be done with the property. This service would have cost the NDA about \$7,000 and was noted as a match on the NDA's grant report.

## **OTHER BUSINESS**

### **Authorize Staff to Solicit Bids for Safeway Building Demolition**

**Rouyer** provided the staff report in which the City Council was requested to authorize the facilities department to solicit bids for phase 1 demolition of the Safeway building in anticipation of the North Main Redevelopment Project. Phase 1 will take the building down to the slab and basement with a steel plate and a fence installed to address safety issues. There are sufficient funds in the current year's budget to complete phase 1. Phase 2 will be done after the City determines what the development teams might want to propose in the future. Phase 1 will be done by the end of this fiscal year and will take about 30 – 45 days to complete. Drivers will probably experience a temporary disruption of the permit parking lot during the demolition; however, staff will work to minimize the impacts.

**Councilor Stone** understands some Budget Committee members are concerned about the aesthetic appearance of a chain link fence but realizes there are liability issues. Some have suggested a banner to keep people informed about the project so the City does not get nuisance complaints.

**Council President Lancaster** doubted an attractive sign could be incorporated into tonight's action but suggested looking for a way to fund one.

**Rouyer** said the development team selected might pick up that cost.

**Councilor Stone** thought a site drawing would be nice to display.

**It was moved by Councilor Barnes and seconded by Councilor Stone to authorize the facilities department to solicit bids for the demolition of the Safeway building and authorize the city manager to execute a contract not to exceed \$35,000. Motion passed unanimously among the members present.**

### **PERS Appeal -- Resolution**

**Ramis** discussed potential conflict of interest issues related to Council's voting on this agenda item. The first question is Council participation. Two members have, either as individuals or through family members, a connection to the PERS system. Oregon Government Standards and Practices requires that potential or actual conflicts of

interest be disclosed. The second question has to do with actually voting on the matter. In this case, there are at least 2 applicable exceptions to the usual prohibitions that would apply. First is that the class of people potentially affected by the outcome of this litigation is very large. The law recognizes that if the public official is part of a large class, he or she is allowed to vote. The second requirement is particular to Milwaukie. The Charter requires that before taking action on any item that a majority of the entire Council must act on it. With 3 Council members at tonight's meeting, all must participate to reach a decision.

**Councilor Barnes** said, in her opinion, she has a conflict of interest in that she has been employed by the North Clackamas School District for 9 years and is a member of the PERS system.

**Council President Lancaster** declared a conflict of interest in that he previously worked for the SAIF Corporation for 7 years and has a vested interest in PERS.

**Ramis** said the substantive issue has to do with whether or not the City should adopt a resolution and participate in litigation challenging the amount of the rate Milwaukie is being charged. There is a circuit court decision made by Marion County Judge Lipscomb that essentially rules that the rates were calculated based on the wrong mortality table and changes the premium amount entities would pay. PERS is charging a rate that does not reflect a change in the mortality table. The League of Oregon Cities (LOC) has organized a lawsuit challenging that PERS Board decision and raising it to the appellate court for review. Because of the way the case is organized with a number of cities participating, Milwaukie can participate for \$150. The city attorney's recommendation is to adopt the resolution and to authorize the agreement with outside counsel.

**It was moved by Councilor Stone and seconded by Council President Lancaster to adopt the resolution authorizing the League of Oregon Cities to appeal the PERS rate increase on behalf of the City through outside counsel.**

**Councilor Barnes** said for the record she is voting as an elected official representing the City of Milwaukie and its citizens.

**Motion passed unanimously among the members present.**

**RESOLUTION NO. 8-2003:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE LEAGUE OF OREGON CITIES TO COORDINATE FILING AN APPEAL ON THE CITY'S BEHALF, THROUGH OUTSIDE COUNSEL, FROM THE RATE INCREASE RECEIVED FROM PUBLIC EMPLOYEE RETIREMENT SYSTEM.**

## Other Items

**Councilor Barnes** recently attended several neighborhood association meetings, and residents have told her they would like to know more about the City's emergency plan in light of the potential conflict in Iraq. She has talked to several staff members about communicating, in layman's terms, how the City would protect the public in the event of an emergency. *The Pilot* would be the easiest way to convey the message. This could be an undertaking of the full Council, or, with the other members' permission, she would like to work on it. In addition, she suggested producing a program for the cable channel.

**Council President Lancaster** felt it was a good idea to communicate the City's emergency plan to the public. He supported Barnes if she wished to take the lead on a cable project.

**Councilor Barnes** met with the Milwaukie High School Principal Aeylin Summers last week to reopen lines of communication with the City, and Summers is excited about working with the City and involving students in Centennial activities. The principal has invited a Milwaukie representative to sit on the site council, which Barnes believes would be a good way to get the citizens from Milwaukie High School involved. She suggested Council members might rotate attending site council meetings.

**Councilor Barnes** has put neighborhood association meeting attendance on her agenda. She attended the March Lake Road NDA meeting and appreciated hearing directly from residents in the informal settings these meetings offer. She encouraged other Council members to do the same in order to get a cleaner perspective of what is going on in the community by talking one-on-one with citizens.

## Authorize City Manager to Excuse the City Attorney from a Council Meeting -- Resolution

**Ramis** provided the staff report in which the City Council was requested to adopt a resolution that would authorize the city manager to excuse the city attorney from meetings at which no legal advice was necessary. The city attorney's office concurs with this proposal, and it would save the City money. If a legal issue does come up during a meeting, his office will arrange a way to contact one of the attorneys.

**Council President Lancaster** said generally speaking many issues that come up are not that urgent, and Council can always get back to the person who has a question or concern.

**It was moved by Councilor Stone and seconded by Councilor Barnes to adopt the resolution authorizing the city manager to excuse the city attorney from attending meetings if no legal advice is needed. Motion passed unanimously among the members present.**

**RESOLUTION NO. 9-2003:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXCUSE THE CITY ATTORNEY FROM REGULAR AND SPECIAL MEETINGS OF THE CITY COUNCIL PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 2.04.120.**

**Moment of Silence for Those Serving in the Armed Forces, Our Country, State and City**

At Councilor Barnes's suggestion, Council, staff, and meeting attendees observed a moment of silence.

**Councilor Resignation and Interim Appointment**

**Council President Lancaster** said there is only 1 name on the May 20 ballot for Council position #3, so it is a fore drawn conclusion that community activist Joe Loomis will be the next Councilor. In the process of helping the City move forward, he received a phone call and written declaration yesterday from Interim Councilor Jeff Marshall submitting his resignation effective March 18, 2003. Joe Loomis has agreed to step forward early if the City Council wishes. Lancaster believes this is an important thing to do so the new Council can begin working together.

**It was moved by Councilor Stone and seconded by Council President Lancaster to appoint Joe Loomis as Interim City Councilor until the May 2003 election results are certified.**

**Ramis** explained the Council has specific authority in the Charter to take this action. The resignation creates a vacancy under Charter Section 18; Section 19 says the remaining Council members shall fill the vacancy by a majority vote.

**Motion passed unanimously by members present.**

**Adjournment**

**It was moved by Councilor Barnes and seconded by Councilor Stone to adjourn the meeting. Motion passed unanimously among the members present.**

**Council President Lancaster** adjourned the meeting at 6:40 p.m.

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Pat DuVal, Recorder



TO: Mayor and City Council

THROUGH: Mike Swanson, City Manager  
Michelle Gregory, Neighborhood Services Manager

FROM: Steve Campbell, Code Compliance Coordinator

SUBJECT: Abatement Lien

DATE: March 20, 2003

### **Action Requested**

That the City Council, by resolution, enter the costs of the abatement of the nuisance of the property located at 4471 SE White Lake Road in the amount of \$700.00 in the docket of city liens.

### **Background**

On February 21, 2003 the City hired a contractor to abate a nuisance at property located at 4471 SE White Lake Road. The cost of the abatement, including the clean up, administrative services, and legal fees, is \$700.00. Notice of the costs was sent to the property owners. Pursuant to Milwaukie Municipal Code Section 8.04.200, they are given ten days within which to file a notice of objection to the assessment with the City Recorder and thirty days in which to pay the assessment.

Upon expiration of the thirty days, and without notice of objection having been filed, Milwaukie Municipal Code Section 8.04.200 provides as follows:

“If the costs of the abatement are not paid within thirty days from the date of the notice, an assessment of the costs as stated or as determined by the council shall be made by resolution and shall thereupon be entered in the docket of city liens, and upon such entry being made shall constitute a lien upon the property from which the nuisance was removed or abated.”

This becomes a lien upon the property, which clouds title if any sale is proposed. Eventually, satisfaction of the lien becomes advisable. Pursuant to Milwaukie Municipal Code Section 8.04.200, the lien bears interest at the rate of six (6) percent per annum.

### **Concurrence**

The City Manager and City Attorney concur in recommending this action be taken.

### **Fiscal Impact**

The County Recorder requires a \$16.00 fee for filing legal documents. This action ensures eventual satisfaction of the debt.

### **Alternatives**

The City could continue to seek payment by demand letters, which do not have the same force as the lien.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON ASSESSING THE COSTS OF ABATEMENT OF THE NUISANCE LOCATED AT 4471 SE WHITE LAKE ROAD AND ENTERING THE SAME ON THE DOCKET OF CITY LIENS PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 8.04.200(D)**

**WHEREAS**, notice of a nuisance was issued and posted on property located at 4471 SE White Lake Road, Milwaukie, Oregon on February 3, 2003; and

**WHEREAS**, the property owner or person in charge of the property did not abate the property or file a protest to the notice of a nuisance within ten days of the posting; and

**WHEREAS**, the City abated the nuisance after first obtaining a warrant to enter the property to do so; and

**WHEREAS**, the City has maintained an accurate accounting of the costs of the abatement, including administrative overhead: and

**WHEREAS**, on February 25, 2003 the City forwarded to the owner or person in charge a notice of the abatement costs in compliance with Milwaukie Municipal Code Section 8.04.200(A) *et seq*; and

**WHEREAS**, there has been no objection filed to the abatement costs within ten (10) days after the date of the notice nor have the costs of the abatement been paid within thirty (30) days from the date of the notice.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL, CITY OF MILWAUKIE, STATE OF OREGON**, that, pursuant to Milwaukie Municipal Code Section 8.04.200(C):

Section 1. The assessment of costs for the abatement of the said nuisance, including administrative overhead, is in the amount of \$700.00.

Section 2. The above assessment of costs shall be entered in the docket of city liens.

Section 3. This resolution is effective immediately upon adoption.

Introduced and adopted by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

\_\_\_\_\_  
Pat DuVal, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Ramis, Crew, Corrigan & Bachrach, LLP



**To:** Mayor Bernard and Milwaukie City Council  
**Through:** Mike Swanson, City Manager  
**From:** Larry R. Kanzler, Chief of Police   
**Date:** March 10, 2003  
**Subject:** O.L.C.C. Application – Kimmy’s Market & Teriyaki – 3141 S.E. Harrison Street

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**Action Requested:**

Staff requests the Council deny the O.L.C.C. Application To Obtain A Liquor License for Kimmy’s Market and Teriyaki – 3141 S.E. Harrison Street.

**Background:**

Staff reviewed the Min’s application for a liquor license and recommends the City Council deny the application on the basis of Mr. Min’s previous violations of service procedures. Mr. Min was arrested in May of 2001 for serving a visibly intoxicated person and giving liquor to a minor. Based on this previous arrest I do not recommend the City Council approve the application for a liquor license.

However, as an option, I would support a performance agreement between Mr. & Mrs. Min, the City of Milwaukie, and the Oregon Liquor Commission that specifies any violations for liquor service related issues would result in the permanent suspension of their liquor license and service privileges. The agreement would be worded in such a way as to serve notice on Mr. And Mrs. Min that should the licensee violate any Oregon Liquor Control Commission rules, City of Milwaukie ordinances, or Oregon state statutes that involve the business of Kimmy’s Market and Teriyaki that as a result of those violations their liquor service privileges and liquor license will be revoked.

By taking this action the Council will demonstrate to Mr. and Mrs. Min that they will be risking their liquor service privileges should they elect not to do “due diligence” to following proper procedures and the law. Additionally, the Council will be demonstrating their concern for the welfare of our youth who might want to try and pursue the illegal purchase of alcohol at Mr. and Mrs. Min’s market.



**TO:** Mayor and City Council

**THROUGH:** Mike Swanson, City Manager  
Alice Rouyer, Director of Community Development and Public Works  
John Gessner, Planning Director

**FROM:** Kenneth Kent, Associate Planner

**SUBJECT:** Downtown Design Guidelines Project  
Zoning Amendments ZA-01-03 and ZA-02-01

**DATE:** April 1, 2003

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### **Action Requested**

1. Approval of a resolution adopting the Downtown Design Guidelines.
2. Adoption of an ordinance approving amendments to Milwaukie Municipal Code, Chapter 19.312, Downtown Zones, establishing a design review process.
3. Adoption of an ordinance approving amendments to Milwaukie Municipal Code, Title 14, Signs, amending sign standards for the Downtown Zones.

### **Background**

On February 25, 2003 the Planning Commission and Design and Landmark Commission held a joint public hearing on the proposed Downtown Design Guidelines Project. The Planning Commission and Design and Landmarks Commission voted unanimously to recommend that the City Council approve the proposed code changes and adopt the Downtown Design Guidelines.

The City Council adopted the Downtown and Riverfront Land Use Framework Plan and downtown zoning standards in September, 2000. Design guidelines and a design review process were identified as elements to be developed in the future to fully implement the plan and assure that development will be consistent with the downtown plan.

The City Council directed staff to proceed with the project in early 2001. The Design and Landmarks Commission (DLC) conducted several meetings to develop the scope of the project and held a public workshop/kickoff meeting on May 10, 2001. A second public workshop was conducted on September 27, 2001 to receive input from downtown property owners and business owners. The DLC conducted numerous meetings on the project. The Planning Commission held two work sessions on the project. Additional public outreach efforts have included the following:

- Presentation to the Milwaukie Downtown Development Association.
- Presentation to the Library Board.
- Articles published in the city newsletter, the Pilot.
- Distribution of notices and information to property and business owners.

### **Summary of Amendments**

The Downtown Design Guidelines Project consists of three elements:

- Design Guidelines
- Design Review Process
- Sign Code Amendment for the Downtown Zones

### **Downtown Design Guidelines**

The design guidelines will be used by the Design and Landmarks Commission and staff to assess how well a proposed development fits within the context of downtown. The guidelines provide design descriptions and visual benchmarks that will help property owners and designers understand the quality and character of development the city desires in the downtown. The guidelines are not intended to be rigid requirements. They are intended to provide flexibility, allowing a number of design options to meet a particular guideline.

As proposed, all new development, additions, remodels and renovations within the Downtown Zones will be reviewed against the design guidelines. Minor changes to existing buildings would be reviewed by staff, with new construction and significant remodels and additions reviewed by the DLC.

A development proposal would not need to comply with each and every guideline, but would need to demonstrate substantial consistency with the guidelines. Substantial consistency means that on the whole, a project falls within most of the applicable guidelines. The intent is

not to set a specific percentage, but to allow an applicant to demonstrate their project meets the overall intent of the guidelines. The DLC will determine how well a project meets the guidelines, considering the overall design of the project and how it relates to surrounding buildings and the downtown. Where projects do not meet a design guideline(s), the DLC would have the following options:

- Require changes to be made to meet the guideline,
- Deny the application, or
- Find that other project elements or site factors warrant approval of the project without meeting the guideline(s) in question.

The guidelines address five design elements:

1. Milwaukie Character Guidelines: Milwaukie's unique "sense of place" as an All-American riverfront town that is hospitable and family oriented;
2. Pedestrian Emphasis Guidelines: Addresses the ways in which buildings and spaces may be designed to create convenient, comfortable, human-scaled environment that people will want to be in, where the pedestrian is the priority;
3. Architecture Guidelines: Promotes quality development while reinforcing the individuality and spirit of Milwaukie. Architectural criteria address such features as doors, walls, windows, silhouette and roofline;
4. Lighting Guidelines: Lighting that encourages nighttime patronage of businesses and restaurants, and creates and atmosphere of festivity and activity; and
5. Sign Guidelines: Signs that make it easy to locate and identify businesses, but not overwhelm either buildings or landscape. Signs that are of a highly graphic format that is complementary to downtown with a strong pedestrian orientation are encouraged.

In addition to the proposed design guidelines, projects in downtown are subject to the existing Development Standards and Design Standards of the Downtown Zones. Development Standards are zoning standards, such as building height, floor area ratio and street setbacks. Design Standards are zoning standards that require specific minimum dimensions and materials for walls, widows and roofs. The design guidelines are intended to work in conjunction with the Development Standards and Design Standards and will address design character, quality and consistency.

### **Design Review Process**

Design review is the process through which projects in the downtown are reviewed for consistency with the Downtown Design Guidelines. The proposed amendment to the Zoning Ordinance establishes levels of review based on the extent of change to a building. Major

projects, such as new buildings or large-scale remodels and additions will be considered at a public hearing before the DLC. Smaller changes that do not effect the architecture of a building and create an inconsistency with the design guidelines will be reviewed by staff.

The following are the key elements of the proposed design review process.

- New construction and significant changes to buildings are reviewed at a public hearing by the Design and Landmarks Commission against design guidelines.
- Minor work/projects that will not significantly alter the architectural character of a building are subject to staff review (Type I)<sup>1</sup>. Staff has the option to "kick up" the process to a Type II review, if the project has the potential for more significant change.
- DLC may grant modifications to design standards with findings, rather than through a variance. Design standards are closely tied to the architecture of a building. This provision is included to allow flexibility when an acceptable design solution meets the intent of the particular design standard as well as the design guidelines.
- DLC reviews variances to development standards. Development standards include building height, floor area ratio and street setbacks. These elements can have bearing on design and the overall context of the downtown and therefore staff believes any variation is appropriate for consideration by the DLC.
- "Stand alone" residential<sup>2</sup> development is exempt from design review. This exemption is necessary to meet state requirements that development involving "needed housing"<sup>3</sup> have the option to only be subject to clear and objective standards. The subjective nature of design guidelines and a design review process does not meet this requirement.
- Mixed-use buildings require design review for non-residential portion. Residential portion of the building only subject the design standards or may elect full design review.

## **Downtown Sign Code**

The draft downtown design guidelines include specific guidelines for signs. The Sign Ordinance is being modified to eliminate the need for design review process for signs, which add time and expense for sign approval. Only those signs that have potential to affect the design character of downtown require design review by the DLC.

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<sup>1</sup> Type I Administrative Review is a staff level decision within 10 days of receipt, without public notification.

<sup>2</sup> "Stand alone" residential is a development that is entirely residential with no mixed use.

<sup>3</sup> Needed housing under Oregon's Statewide Planning Goals and Guidelines means types determined to meet the need shown for housing within an Urban Growth Boundary. Until housing target numbers are met for in the Metro region, all new housing is considered "needed."

The following are the key elements of proposed sign code amendments to be consistent with design guidelines.

- Reduces the height and area of freestanding signs.
- Limit awning signs to first floor of building and/or no higher than 15 feet.<sup>4</sup>
- Discourage internally illuminated cabinet signs, requiring design review by DLC.<sup>5</sup>
- All other internally illuminated signs require design review by DLC.
- Backlit, individually lettered signs permitted.<sup>6</sup>

### **Membership in the DLC**

The Milwaukie Municipal Code does not currently provide for a Planning Commission member to sit on DLC and restricts appointed memberships to only one board or commission. A proposed amendment to Section 19.323.4 of the Zoning Ordinance would allow one member of the Planning Commission to simultaneously serve on the Design and Landmarks Commission.

### **Concurrence**

The City Council discussed the Downtown Design Guideline Project and provided direction on November 6, 2001 and July 16, 2001. The Design and Landmarks Commission has conducted a number of meetings and provided their input on the project. The Planning Commission reviewed the overall concept on September 25, 2001. The proposed design guidelines, design review code, and sign code changes have been reviewed by staff and the city attorney. Subsequent to the Planning Commission public hearing, the City Attorney has advised that the Design Review Code include a provision identifying City Council adoption of Design Guidelines. Section 19.312.7.C has been added to address this issue (See Attachment 3, Exhibit A).

The City Attorney has reviewed the proposed amendments and has found them legally sufficient.

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<sup>4</sup> Awning is a structural extension of a building with a minimum clearance of 8 feet, an extension of at least 3 feet and is intended for the purpose of pedestrian cover.

<sup>5</sup> Cabinet Sign is a sign in which the display face is mounted on or attached to the front of a self contained "box like" structure, which usually houses a light source that shines through the face of the sign illuminating the entire sign face.

<sup>6</sup> A Backlit sign is a sign where the letters or logo are not internally illuminated and the light source shines from behind the sign onto the wall on which the sign is mounted.

## **Fiscal Impacts**

Cost recovery for review of design review applications will be covered by application fees that will be proposed under a separate fee ordinance. The actual impact cannot be estimated since applications are driven by private sector development activity.

## **Work Load Impacts**

Additional staff time will be involved with processing design review applications for consideration by the Design and Landmarks Commission.

## **Alternatives**

The Council has the following decision making options:

1. Adopt the proposal.
2. Adopt the proposal with modifications.
3. Reject the proposal.
4. Take no action.

## **Attachments**

1. Adopting Resolution  
Exhibit A - Downtown Design Guidelines
2. Adopting Ordinance  
Exhibit A - Design Review Code, Amending Title 19  
Exhibit B - Downtown Sign Standards, Amending Title 14  
Exhibit C - Compliance with Approval Criteria

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE,  
OREGON, ADOPTING THE DOWNTOWN DESIGN GUIDELINES.**

*(Milwaukie Planning Department File ZA-01-03)*

**WHEREAS**, the City adopted the Downtown and Riverfront Land Use Framework Plan, the Downtown Zones land use designations and Design and Development Standards, and the Public Area Requirements in November, 2000, and these establish policies and standards to help guide revitalization of downtown Milwaukie; and

**WHEREAS**, The proposed downtown design guidelines are consistent with and serve to implement the Downtown and Riverfront Land Use Framework Plan; and

**WHEREAS**, The proposed downtown design guidelines provide design descriptions and visual benchmarks that will help property owners and designers understand the quality and character of development the city desires in the downtown, and will guide city staff and the Design and Landmarks Commission review of development proposals; and

**WHEREAS**, The downtown design guidelines are consistent with policies and objectives of the Comprehensive Plan Chapter 4, Land Use, Economic Base and Industrial / Commercial Land Use Element, Objective 12 - Town Center; and

**WHEREAS**, Stakeholder outreach and public information efforts have included individual notice to property and business owners, public workshops and articles in the city newsletter, The Pilot; and

**WHEREAS**, on February 25, 2003, the Planning Commission and Design and Landmarks Commission held a joint public hearing and adopted motions recommending the City Council approve the downtown design guidelines; and

**WHEREAS**, the City Council held a duly advertised Public Hearing on April 1, 2003 and otherwise complied with applicable procedural requirements;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Milwaukie adopts downtown design guidelines as shown in Exhibit 1, and incorporated herein by reference.

This resolution is effective immediately upon adoption.

Attachment 1

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on April 1, 2003.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:  
Ramis, Crew, Corrigan & Bachrach, LLP

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney

## Attachment 2

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICIPAL CODE TITLE 19-ZONING ORDINANCE, AND TITLE 14-SIGN ORDINANCE.**

*(Milwaukie Planning Department Files ZA-01-03 and ZA-02-01)*

**WHEREAS**, the City of Milwaukie desires to review, and amend its Zoning and Sign Ordinances on a regular basis; and

**WHEREAS**, the City adopted the Downtown and Riverfront Land Use Framework Plan, the Downtown Zones land use designations and Design and Development Standards, and the Public Area Requirements in November, 2000, and these establish policies and standards to help guide revitalization of downtown Milwaukie; and

**WHEREAS**, The proposed regulations are consistent with and serve to implement the Downtown and Riverfront Land Use Framework Plan; and

**WHEREAS**, The proposed regulations are consistent with policies and objectives of the Comprehensive Plan Chapter 4, Land Use, Economic Base and Industrial / Commercial Land Use Element, Objective 12 - Town Center; and

**WHEREAS**, Stakeholder outreach and public information efforts have included individual notice to property and business owners, public workshops and articles in the city newsletter, The Pilot; and

**WHEREAS**, on February 25, 2003, the Planning Commission and Design and Landmarks Commission held a public hearing and adopted motions recommending the City Council approve the proposed amendment; and

**WHEREAS**, review of the proposed land use change has been coordinated with the appropriate neighborhood groups and affected agencies; and

**WHEREAS**, the City Council held a duly advertised Public Hearing on April 1, 2003;

**WHEREAS**, public agency notice of applications ZA-01-03 and ZA-02-01 have been provided in accordance with the Milwaukie Municipal Code and Oregon Revised Statutes.

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:**

**Section 1.** Findings of fact in support of these amendments contained in application ZA-01-03 and ZA-02-01.

Applications ZA-01-03 and ZA-02-01 and the code amendments proposed therein are consistent with Zoning Ordinance 19.902 - Amendment Procedure and 19.905 - Approval Criteria for all Amendments and 19.1011.5 - Legislative Actions as shown in Exhibit C. The findings included in Exhibit C are adopted as the Council's findings and incorporated herein by the reference.

**Section 2.** Ordinance 1712, Milwaukie Municipal Code Title 19-Zoning Ordinance is amended as shown in Exhibit A.

**Section 3.** Milwaukie Municipal Code Title 14-Sign Ordinance is amended as shown in Exhibit B.

Read the first time on \_\_\_\_\_, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:  
Ramis, Crew, Corrigan & Bachrach, LLP

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney

**Exhibit A**  
**Amendments to Milwaukie Municipal Code**

Underlined text is to be inserted

Strikeout text is to be deleted

**TITLE 2 – ADMINISTRATION AND PERSONNEL**

Underlined text is to be inserted

Strikeout text is to be deleted

**Section 2.10.010 Applicability.**

D. ~~Historic resources commission~~ Design and Landmarks Commission (MMC 2.18).

**Section 2.18.010 Established--Purpose.**

D. Review and recommend appropriate design guidelines and design review processes and procedures to the City Council.

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**TITLE 19 - ZONING ORDINANCE**

**19.312.7 Design Review.**

**A. Purpose**

Design Review is intended to achieve the following purposes:

1. Preserve and enhance the character of Downtown Milwaukie;
2. Ensure a degree of order, harmony, and quality in the Downtown Zones, providing buildings and projects that are attractive individually yet contribute to a downtown that is unified and distinctive as a whole; and
3. To ensure that new development and alterations or enlargement of existing development are consistent with the Downtown Design Guidelines and Downtown and Riverfront Land Use Framework Plan.

**B. Applicability**

All new construction and changes to buildings and/or properties in the Downtown Zones involving exterior maintenance and repair, minor exterior alterations, and

major exterior alterations as defined in section 19.312.6.B are subject to design review in accordance with the procedures as outlined below under Section 19.312.7.E.

### **C. Design Guidelines**

Design Guidelines shall be established for the Downtown Zones and shall be considered as part of Design Review applications in accordance with the provisions of Section 19.312. The Design Guidelines shall be adopted by resolution of the City Council, in accordance with the procedures of Section 19.1011.5.

### **D. Duty to Review – Planning Director**

The Planning Director shall review each application for a building permit or other approval in the Downtown Zones. The purpose of this review is to ensure that improvements within the downtown zones maintain consistent standards of design and to ensure that development is consistent with adopted design guidelines.

### **E. Application Procedure**

Applications for Design Review shall be processed in accordance with chapter 19.1000 Type I, Type II, and Minor Quasi-Judicial procedures as indicated in this section, as follows:

1. Exterior maintenance and repair, as defined in Section 312.6.B.1, shall be processed as a Type I Review in accordance with the procedures in Section 1011.1. Exterior painting, repair, and refurbishing of existing building materials that does not require a building permit shall be exempt from Type I Review.
2. Minor exterior alterations, as defined in Section 312.6.B.2, shall be processed as a Type I Review in accordance with the procedures in Section 1011.2. The Planning Director may change a Type I review to a Type II review upon finding the following:
  - a. The work is visible from streets, courtyards, and/or public squares and significantly changes the architectural character of the building, which may include changes to exterior wall materials and changes in architectural style; and/or
  - b. The work is inconsistent with the downtown design guidelines.
3. Major exterior alterations, as defined in Section 312.6.B.3 shall be processed as Minor Quasi-Judicial Review in accordance with the

procedures in Section 1011.3. Applications for major exterior alterations shall be heard in a public hearing and decided by the Design and Landmarks Commission, except as follows:

The following major exterior alterations shall be processed by Type II Review:

- a. Additions not more than 250 square feet in floor area that do not face streets, courtyards, and/or public squares and are not designed and used for utility, HVAC, or other mechanical equipment, building upgrades as needed to comply with the Americans with Disabilities Act, or egress required by applicable fire safety or building codes.
- b. Demolition or replacement of no more than 25 percent of the surface area of any exterior wall or roof that does not face streets, courtyard, and or public squares.

4. Residential.

- a. “Stand-alone” residential buildings that do not include non-residential uses are exempt from design review, but shall be subject to the clear and objective design standards under Section 19.312.6. Applicants may elect to process a “stand alone” residential building design review.
- b. Mixed-use buildings. The residential portion of mixed-use buildings shall be subject to the clear and objective standards under Section 19.312.6. The non-residential portion of the building is subject to design review as provided in this section. Applicants may elect to process the entire mixed-use building through design review.

Any change in use of the residential portion of a mixed-use building that elected only to apply clear and objective standards, and where exterior changes to the building are proposed shall require approval by the Design and Landmarks Commission.

**F. Application**

Applications for Design Review shall be filed with the Planning Department on forms prescribed by the Planning Director. Design Review applications shall include a narrative explaining how the development considered each of the downtown design guidelines. The applicant shall demonstrate consistency with the design guidelines and compliance with applicable zoning criteria. In addition to all information specified on the “Submission Requirements” and “Site Plan Checklist” forms, each application for design review shall be accompanied by the following information:

1. Completed Design Review Checklist.
2. Written statement that describes how the proposal meets applicable design guidelines. Where a guideline is not met, the applicant shall provide justification indicating why it is not applicable or demonstrate other site or project characteristics that warrant an exception.
3. Show footprints of surrounding buildings, including driveways and pedestrian connections.
4. Location, dimension, and setbacks of all proposed buildings, structures, walls and fences.
5. Dimensioned building elevations indicating height, exterior materials, colors and details of exterior architectural features, such as cornices, windows and trim.
6. A streetscape drawing showing the relationship of the proposed project to adjacent buildings.
7. Frontage improvements in the public right-of-way per the public area requirements.

#### **G. Approval Criteria for Design Review**

The approval authority may approve, approve with conditions, or deny design review based on the following approval criteria:

1. Compliance with Title 19; and
2. substantial consistency with the Downtown Design Guidelines; and
3. submission of a complete application and applicable fee as adopted by the City Council.

#### **H. Report and Recommendation by Design and Landmarks Commission**

When an application also requires Planning Commission approval, the Planning Director for Type II reviews, or Design and Landmarks Commission for Minor Quasi-Judicial reviews, shall make a written report of its recommendation concerning the design to the Planning Commission. After receiving the Planning Director's or Design and Landmarks Commission's recommendation, the Planning Commission shall consider the design review recommendation and integrate it with the land use application process applicable to the project.

## **I. Variances to Development Standards**

The Design and Landmarks Commission may authorize variances to the Development Standards under Section 19.312.4 in accordance with procedures of Section 19.700.

## **J. Modification of Design Standards**

The Design and Landmarks Commission may authorize modification of the Design Standards under Section 19.312.6.C, in accordance with the following procedures.

A modification to a design standard may be granted at a public hearing in accordance with Section 19.1011.3 when the following criteria is satisfied:

1. The modification is integral to the overall design concept for the building;
2. The modification:
  - a. Substantially meets the intent of the design standard;  
or
  - b. In combination with other design elements of the project, the modification meets the intent of the design standard; and
3. The project is substantially consistent with the Downtown design guidelines applicable to the design standard.

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### **Section 19.323.4 Design and Landmarks Commission.**

- A. Appointment and Composition. The Design and Landmarks Commission shall have five members appointed by the City Council for three-year terms. The City Council shall have discretion to reappoint or remove commissioners. One of the members of the commission shall have demonstrated special interest, experience, training, or knowledge in the field of historic preservation or history. One of the members of the commission shall have demonstrated special interest, experience, training, or knowledge in the field of architecture, planning, landscape design or similar field. Notwithstanding Section 2.10.030.H, one member of the Planning Commission may simultaneously serve on the Design and Landmarks Commission.

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## **Section 19.700 Variances, Exceptions, and Home Improvements Exceptions.**

### **Section 19.701 Variances.**

The Planning Commission, Design and Landmarks Commission as provided in Section 19.312.7.H or Planning Director may authorize variances from the standards and requirements of this title within the limitations prescribed in Section 19.702. In granting a variance, the Planning Commission, Design and Landmarks Commission, or Planning Director may, in addition to the time limitations of Section 19.1013, attach conditions which it finds necessary to lessen the impact of the variance on nearby property, protect the general welfare of the city, and achieve the purposes of this title.

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### **Section 19.1011 Procedures.**

**19.1011.2 Type II Administrative Review.** A Type II procedure provides for an administrative decision with the option of a public hearing.

- A. Public notification. Within fifteen days of the receipt of an application, the Director will mail a notice of tentative decision. This notice shall contain a description of the request and shall describe the tentative decision made by the Director, including findings and conclusions based on the applicable criteria. It will specify the deadline for submission to request a public hearing and provide for potentially affected persons to communicate concerns to the Director, who will take them into account in reaching a final decision on the application. The notice shall be mailed to the owner, applicant, and all property owners within three hundred feet of the outer boundaries of the site. For applications in the downtown zones, notice shall also be given to the Design and Landmarks Commission. The names and addresses used for this purpose shall be those shown on the current records of the County Assessor. At least fourteen days shall be given from the date of the notice to state objections or request a public hearing. The notice shall also contain a listing of the applicable criteria upon which the decision was based.
- B. Administrative Action. If a public hearing is requested, the application shall follow the procedures of subsection 19.1011.3, Minor Quasi-Judicial Review. The Director or the applicant may immediately request a public hearing if it appears that the application has potential for controversy or there is difficulty in applying the applicable criteria. If no request for a public hearing is received by the Community Development Director, the Director may grant the application, either with or without conditions, without a hearing, if applicable criteria are met. The applicant, property owner, and all property owners within the notification area shall be renotified if a final decision is changed. If either the applicant or persons

with concerns are not satisfied with the Director's decision, they may appeal per the provisions of Section 19.1002 and the matter will be subject to the provisions of subsection 19.1011.3, Minor Quasi-Judicial Review.

- C. Public Hearing. If any interested person or notified property owner responds and requests an opportunity to testify at a public hearing, a hearing shall be scheduled according to the "Public Hearing Schedule" outlined by the Community Development Department and shall follow procedures outlined in subsection 19.1001.3, Minor Quasi-Judicial Review. For applications in the downtown zones, a Design and Landmarks Commissioner may request the application be set for public hearing before the Design and Landmarks Commission.

**19.1011.3 Minor Quasi-Judicial Review.** A minor quasi-judicial procedure requires a public hearing in front of the Planning Commission or the Design and Landmarks Commission, as specified in this section. The Design and Landmarks Commission shall consider downtown design review, variances to developments standards in the downtown zones, and historic resource review. The Planning Commission shall consider all other minor quasi-judicial matters.

- E. Decision. The Planning Commission or Design and Landmarks Commission shall conduct the public hearing and render a decision on the matter including findings, conclusions, and conditions, if necessary, based on compliance with the applicable comprehensive plan goals and policies and other applicable implementing ordinances. Community Development staff shall notify the applicant, the property owner if different, and any individual who testified, either in person or in writing, at the hearing, within five days after the final decision.

**19.1011.5 Legislative Actions.** Legislative actions provide for the establishment and modification of legislative land use policies and plans. This includes, but is not confined to a zoning ordinance or comprehensive plan text amendment, adoption of a neighborhood plan or area design guidelines, or establishment of a plan district.

- A. Public Notification. Notice of a hearing shall be published once each week for two consecutive weeks in a newspaper of general circulation in the city, of which the second publication shall not be less than five days prior to the date of the hearing. Preliminary neighborhood meetings or other public meetings may be held, as appropriate, prior to the public hearing.
- B. Decision. The Planning Commission, or Design and Landmarks Commission as provided in section 19.3.12 shall conduct a public

hearing and shall make a decision based on compliance with the applicable goals and policies of the comprehensive plan. The Planning Commission or Design and Landmarks Commission shall prepare a recommendation to the City Council. If the commission denies the proposal, and it was the initiator of the proposal, the matter shall be terminated. If the proposal was initiated by the City Council and the commission denies it, the proposal shall be forwarded to City Council with a report and recommendation of denial. If the proposal is approved by the commission, a report and recommendation, including findings and conclusions, shall be forwarded to Council. The City Council shall conduct a public hearing. Public notification of this hearing shall be given as per subsection A above. (Ord. 1762 (part), 1994)

**Section 19.1012 Recess of hearing.**

The Planning Commission, ~~or~~ City Council or Design and Landmarks Commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to resume shall be announced.

**Exhibit B**  
**Amendments to Milwaukie Municipal Code**  
**Title 14 – Sign Ordinance**

*(Milwaukie Planning Department File ZA-02-01)*

**Underlined text is to be inserted**

**Strikeout text is to be deleted**

**Section 14.04.030 Definitions.**

“Downtown Zones” means the DS, Downtown Storefront; DC, Downtown Commercial; DO, Downtown Office; DR, Downtown Residential; and DOS, Downtown Open Space zones as defined in the zoning ordinance.

Sign, Cabinet. “Cabinet Sign” means a sign in which the display face is mounted on or attached to the front of a self contained “box like” structure, which usually houses a light source, and is affixed to a building or other structure.

Sign, Pole. “Pole Sign” means a freestanding sign in which the display face of the sign is supported on a base which may be tubular, columnar or rectangular in shape and which any portion of the base or support structure has a width that is less than the width of the display surface of the sign.

Sign, Hanging. “Hanging Sign” is a sign that is suspended below a canopy, awning, or other portions of a building and typically oriented perpendicular to pedestrian or vehicular travel.

Sign, Kiosk. “Kiosk Sign” means any sign with multiple display surfaces for view by pedestrians, that illustrate the layout of a development and lists tenants and/or businesses in a specific area.

Sign, monument. “Monument Sign” means any sign affixed to a base which has a width that is equal to or greater than the width of the sign.

**Section 14.12.020 Prohibited signs.**

O. Pole signs in the downtown zones.

**Chapter 14.16 SIGN DISTRICTS**

**Section 14.16.020 Residential-Office-Commercial Zone.**

No sign shall be erected or maintained in an R-O-C ~~or~~ R-1-B ~~or DR~~ zone, except as allowed under Section 14.12.010 or as otherwise noted in this section.

### Section 14.16.040 Commercial Zone.

No sign shall be erected or maintained in the C-L, ~~DS, DC, DO, DOS~~, C-G and C-CS zones, except as allowed under Section 14.12.010 or as otherwise noted in this section.

#### A. Freestanding Sign.

1. Area. The maximum permitted display surface area of a freestanding sign shall be computed on one and one-half square feet of area per lineal foot of street or highway frontage for the first one hundred feet of such frontage, plus one square foot of area for each foot of frontage over one hundred feet, but not exceeding three hundred square feet of sign area per display surface for each sign, or a total of one thousand two hundred square feet for all display surfaces as authorized in Section 14.16.040A4.
2. Height and/or Clearance. The maximum height of any portion of a sign or sign structure shall be twenty-five feet from ground level at its base regardless of location. The minimum clearance below the lowest portion of a freestanding sign and the ground below shall be fourteen feet in any driveway or parking area. ~~In the DS, DC, DO, and DOS zones, properties without frontage on McLoughlin Boulevard are limited to a maximum freestanding sign height of seven feet.~~

#### E. Awning Sign.

1. Area. The maximum permitted display surface of an awning sign which is painted onto, attached to, or affixed to the surface of an awning is twenty-five percent of the surface of the awning measured in vertical distance times length. For a sign hung or suspended underneath an awning, the sign shall not exceed in area one square foot per one lineal foot of awning length.
2. Height and/or Clearance. An awning sign may not extend higher than the point at which the roofline intersects the exterior wall, regardless of the existence of a parapet wall. The minimum clearance below an awning on which signage is hung or displayed is eight feet from the sidewalk or ground level to the lowest portion of the awning, or suspended sign, whichever is lowest.
3. Number. One awning sign per frontage per occupancy is permitted.
4. ~~4. Illumination of Awning Signs. Awning signs shall have external illumination only in the DS, DO, DR, and DOS zones. Internal illumination is prohibited in these zones.~~

## **Section 14.16.050 Downtown Zones.**

No sign shall be erected or maintained in the DC, DS, DO, DR and DOS zones, except as allowed under Section 14.12.010 or as otherwise noted in this section.

A. Freestanding Sign. In the downtown zones, freestanding signs shall be monument type only. The sign face shall be no less than sixty percent of the total area of the monument. Pole signs are prohibited.

1. Area. The maximum permitted display surface area of a freestanding sign shall be computed on one square foot of area per lineal foot of street or highway frontage.

a. In the DO Zone the maximum area shall not exceed forty square feet per display surface and eighty square feet overall.

b. In the DR and DOS Zones the maximum area shall not exceed thirty two square feet per display surface and sixty four square feet overall.

2. Height and/or Clearance.

a. In the DC, DS and DO Zones, freestanding signs are limited to a maximum height of seven feet. Properties with frontage on McLoughlin Boulevard may have freestanding signs with a maximum height of fifteen feet and shall only be located along the McLoughlin Boulevard frontage. Freestanding sign height shall be measured from the top of the sign to the lowest finished grade within a six feet horizontal distance from the sign.

b. In the DR and DOS Zones freestanding signs are limited to a maximum height of six feet above grade.

3. Number. One freestanding sign is permitted on a street or highway frontage.

B. Wall Sign.

1. Area. The maximum permitted area of a wall sign shall be twenty percent of the building face.

a. In the DR and DOS Zones the maximum permitted area of a wall sign shall be sixteen square feet.

2. Height and/or Clearance. No wall sign shall extend above the roofline at the wall or the top of a parapet wall, whichever is higher.

3. Number.

a. Dictated by area requirements.

b. In the DR and DOS Zones one wall sign is permitted in addition to one freestanding sign.

4. Location. Limited to the building surface or surfaces facing the public right-of-way only.

C. Awning Sign.

1. Area. The maximum permitted display surface of an awning sign which is painted onto, attached to, or affixed to, the surface of an awning, is twenty-five percent of the surface of the awning measured in vertical distance times length. For a sign hung or suspended underneath an awning, the sign shall not exceed in area one square foot per one lineal foot of awning length.
2. Height and/or Clearance. An awning sign may not extend higher than the point at which the roofline intersects the exterior wall, regardless of the existence of a parapet wall. An awning sign may not be located higher than the first floor of a building or 15 feet, whichever is less. The minimum clearance below an awning on which signage is hung or displayed is eight feet from the sidewalk or ground level to the lowest portion of the awning or suspended sign, whichever is lowest.
3. Number. One awning sign per frontage per occupancy is permitted.

D. Daily Display Sign.

1. Area. The maximum permitted area of a daily display sign shall be eight square feet per display surface and sixteen square feet overall, with a maximum height limit of six feet above ground level.
2. Number. One daily display sign per business is permitted.
3. Location. A daily display sign must be located on the premises with which it is associated, but not within required landscaped areas, except that a daily display sign may be allowed within the public right-of-way or off the premises, subject to the standards of Section 14.20.040.

E. Projecting Signs.

1. Area. Projecting signs shall not exceed in gross area twenty percent of the face of the building to which the sign is attached or on which the sign is maintained. However, if a projecting sign is located on the same building face as a wall sign, the total of all sign surfaces shall not exceed twenty percent of the face of the building.
2. Height and/or Clearance. No projecting sign shall extend above the roofline at the wall or the top of a parapet wall, whichever is higher. No projecting sign shall project more than five feet from a building. Overhead clearance and projection into public rights-of-way shall be maintained so that no sign shall project within two feet of the curb nor beyond the distances specified in the following table:



Section 19.312.7.F. All other illuminated signs may be permitted subject to the following:

1. Backlit or "Halo" illuminated signs with individual letters are permitted as illuminated signs.
2. Par spot or reflective type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets.
3. Awning signs shall not be illuminated, either internally or externally unless approved by the Design and Landmarks Commission.
4. Sign illumination shall be directed away from, and not be reflected upon, adjacent premises.

## **Chapter 14.32 VARIANCES**

### **Section 14.32.010 Authorization to Grant or Deny Variance.**

- A. The Planning Commission may authorize variances from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship. In granting a variance, the Planning Commission in addition to the time limitations of Section 14.32.040, may attach conditions which it finds necessary to protect the welfare of the city and otherwise achieve the purposes of this chapter.
- B. In the downtown zones the Design and Landmarks Commission is the review authority and may authorize variances from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship. In granting a variance, the Design and Landmarks Commission in addition to the time limitations of Section 14.32.040, may attach conditions which it finds necessary to protect the welfare of the city and otherwise achieve the purposes of this chapter.

### **Section 14.32.020 Variance procedure.**

The following procedures shall be followed in applying for and acting on a variance:

- A. A property owner may initiate a request for a variance by filing an application with the City Manager, using forms required by the City Manager or duly authorized agent. The application shall be accompanied by a site plan drawn to approximate scale showing the condition to be varied and the dimensions and arrangement of the proposed sign, support structure, buildings and real property. The Planning Commission review authority may request other drawings or material essential to an understanding of the variance request.

- B. The ~~Planning Commission~~ review authority shall hold a public hearing per the provisions of Ordinance 1712, the zoning ordinance, Section 1011.3, Minor Quasi-Judicial Review, for any variance request which is twenty-five percent or more of the required standard. Variance requests of less than twenty-five percent from the standard required shall be reviewed by the Community Development Director per the provisions outlined in Section 1011.2, Administrative Type II Review, of Ordinance 1712, the Zoning Ordinance. Within five days after a decision has been rendered with reference to a request for a variance, the City Manager or duly authorized representative shall provide the applicant with notice of the decision of the ~~Planning Commission~~ review authority.

**Section 14.32.030 Circumstances for Granting Variance.**

The ~~Planning Commission~~ review authority shall consider and make findings with respect to each of the following:

- A. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the sign ordinance;
- B. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district;
- C. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
- D. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
- E. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**Section 14.32.040 Time Limit.**

- A. Authorization of a variance shall be void if the building or work approved by such variance is not commenced within six months of the date of approval.
- B. The ~~Planning Commission~~ review authority may, upon receiving a written request from the applicant prior to the variance expiration date, extend the variance for a period not to exceed one year.

**Section 14.32.050 Appeals.**

Appeals of Planning Commission or Design and Landmarks Commission decisions shall follow the procedures of Section 1000 of the Milwaukie Zoning Ordinance.

## EXHIBIT C

City Council April 1, 2003

### Downtown Design Guidelines Project

#### Compliance with Approval Criteria for Zoning Text Amendments

Consistency with Zoning Ordinance Section 900 - Amendments

1. Section 901 Initiation of Amendments

An amendment to the Milwaukie zoning map or to the text of this title may be initiated by the city council, by the planning commission, or by the application of a property owner.

*The proposal was initiated by the City Council and is therefore consistent with the above.*

2. Section 902 Amendment Procedure

Section 902.1 The following application and review procedures shall be in effect for all proposed amendments:

- A. The planning commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after the application has been determined to be complete by the director. Zoning map amendments shall follow the procedures outlined in subsection 19.1011.4, Major Quasi-Judicial Review. Zoning text amendments shall follow the procedures outlined in subsection 19.1011.5, Legislative Actions.

*The Planning Commission conducted a public hearing on February 25, 2003 in accordance with Section 1011.5.*

- B. Notice to Metro. The planning department shall provide notice to metro of any proposed amendment to the comprehensive plan or zoning ordinance, subject to Milwaukie zoning ordinance subsection 19.1011.4, Major Quasi-Judicial Review, and 19.1011.5, Legislative Actions. Any copy of notice required pursuant to subsections 19.1011.4 and 19.1011.5, and provided to Oregon Department of Land Conservation and Development (DLCD) pursuant to ORS 197.610 or 197.615, shall be sent to metro's executive officer at least forty-five days before the final hearing on the adoption of any amendment. Notice to metro shall include the same content as notice to DLCD pursuant to ORS 197.610 or 197.615 and, if available, shall include

analysis demonstrating that the proposed amendments are consistent with the metro urban growth management functional plan. If the analysis demonstrating consistency with the functional plan is not included in the initial notice, a report containing the analysis shall be delivered to metro no later than fourteen days before a final hearing.

*Notice was made to the Oregon Department of Land Conservation and Development on January 8, 2003 and to Metro on January 9, 2003 in accordance with the procedures above.*

- C. Denial of the proposed amendment shall be final unless it is appealed to the city council as provided under Section 19.1002 of this title.

*The above provision does not apply at this time.*

- D. Upon approval of the proposed amendment by the planning commission, the director shall provide a report of the commission's recommendation to the city council within forty days after the hearing.

*Action on the application will be consistent with the above following Commission action.*

3. Section 903 Requirements for Zoning Map Amendments

*Not applicable to this proposal.*

4. Section 904 Approval Criteria for Zoning Text Amendments

- A. Applicable requirements of Section 19.1003.

*Section 1003 specifies submission requirements for all applications. This application is consistent with Section 1003.*

- B. Reasons for requesting the proposed text amendments.

*The request is made in accordance with City Council direction to adopt regulations that will ensure development in the downtown is consistent in design and quality with the Downtown Plan.*

- C. Explanation of how the proposed text amendment is consistent with other provisions of this title.

*Other sections that apply to this action are 19.1003 and 19.905. Explanation of compliance is provided herein.*

- D. The approval criteria of Section 19.905.

*See Section 905 below.*

5. Section 905 Approval Criteria for All Amendment

- A. The proposed amendment must conform to applicable comprehensive plan goals, policies, and objectives and be consistent with the provisions of city ordinances, metro urban growth management functional plan, and applicable regional policies.

*By supporting the revitalization of the downtown through by established procedures and criteria assuring development consistent with the Downtown and Riverfront Land Use Framework Plan, the proposal is consistent with the Comprehensive Plan, Chapter 4 – Land Use, Economic Base and Industrial / Commercial Land Use Element, Objective 12 - Town Center.*

*The only Metro Urban Growth Management Functional Plan element that applies is Title 8 reporting requirements, which have been met for the proposed amendments.*

- B. The anticipated development must meet the intent of the proposed zone, taking into consideration the following factors: site location and character of the area, the predominant land use pattern and density of the area, the potential for mitigation measures adequately addressing development effects, any expected changes in the development pattern for the area, the need for uses allowed by the proposed zone amendment, and the lack of suitable alternative sites already appropriately zoned for the intended use or uses. The planning commission and city council shall use its discretion to weight these factors in determining the intent of the proposed zone.

*This criterion applies to development in association with a rezoning and therefore does not apply to the proposed amendments.*

- C. The proposed amendment will meet or can be determined to reasonably meet applicable regional, state or federal regulations.

*The only Metro Urban Growth Management Functional Plan element that applies is Title 8 reporting requirements, which have been met for the proposed amendments. The proposed amendments are consistent with Statewide Planning Goals 1, Citizen Involvement and 2 Land Use Planning. There are no applicable Federal regulations.*

- D. The proposed amendment demonstrates that existing or planned public facilities and services can accommodate anticipated development of the subject site without significantly restricting potential development within the affected service area.

*This criterion applies to development in association with a rezoning and therefore does not apply to the proposed amendments.*

- E. The proposed amendment is consistent with the functional classification, capacity, and level of service of the transportation system. A transportation impact analysis may be required subject to the provisions of Chapter 19.1400.

*The above provision does not apply to the proposed amendments.*



**To: Mayor and City Council**

**From: Mike Swanson, City Manager**  
**Alice Rouyer, Community Development and Public Works Director**  
**Michelle Gregory, Neighborhood Services Director**  
**John Gessner, Planning Director**

**Date: April 1, 2003**

**Subject: South Corridor Transit Options**  
**Locally Preferred Alternative**

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### **ACTION REQUESTED**

Adopt a resolution in support of both (1) the South Corridor Policy Committee Locally Preferred Alternative (LPA) and (2) considerations for design and mitigation recommended by the Planning Commission. The Planning Commission recommendations, with which staff concurs, will not negatively affect Phase 1 implementation, and the issues posed may be considered and resolved within the time constraints imposed by Phase 2.

The short-term benefit to the City of Milwaukie is the development of a park-and-ride at the Southgate site, removal of the transit center from downtown Milwaukie, and relocation of the transit center to the Southgate area—all within Phase 1. In the long-term, a light rail line connecting downtown Milwaukie to downtown Portland will be constructed in Phase II. Phase II will require development of a finance strategy that in all likelihood will require voter approval of regional funds to finance a federal grant match.

### **KEY ISSUES**

1. The South Corridor Policy Committee recommended a two-phase light rail project based on findings of an environmental impact statement and public input. There are two phases as follows:
  - Phase 1 is construction of an I-205 Light Rail alignment and relocation of the current Milwaukie Transit Center from its present downtown location to the Southgate area.

- Phase 2 is construction of a Milwaukie Light Rail alignment. This assumes the development of a finance package that captures significant federal funding. Matching local funding will in all likelihood require the successful passage of a general obligation ballot measure in 2004 or 2006.
2. The proposed Milwaukie alignment follows Main Street and crosses over to the Tillamook Branch north of Hanna Harvester Drive.
  3. This report details staff recommendations for consideration of design issues and mitigation to ensure that potential impacts of future light rail in Milwaukie are managed.
  4. Final selection of a locally preferred alternative will be made by the Metro Council on April 17, 2003.
  5. Once Metro adopts the Locally Preferred Alternative, a final environmental impact statement will be prepared in response to issues raised in public comments on the Supplemental Draft Environmental Impact Statement.
  6. Project staff from Metro will be available at the April 1, 2003 Council meeting.
  8. The Planning Commission considered this matter on March 11, 2003 and adopted a resolution recommending to the City Council considerations for future design and mitigation.

## **Background**

On February 13, 2003 the South Corridor Policy Committee<sup>1</sup> adopted a two-phase light rail package as the locally preferred transit alternative (LPA) including the I-205 Light Rail Alignment (Phase 1)<sup>2</sup> and a Milwaukie Light Rail Alignment (Phase 2). Details of the LPA selection are found in the attached South Corridor Locally Preferred Alternative Report.

Study options not selected are Bus Rapid Transit and a dedicated Busway. Other jurisdictions considering the LPA include Multnomah and Clackamas Counties, Oregon City, and Portland. TriMet is scheduled to consider the LPA on March 27, 2003. The Milwaukie City Council will consider the LPA report at its April 1, 2003 meeting for the purpose of forwarding a recommendation to Metro. Metro Council will consider the matter on April 17, 2003

Adoption of the LPA by the Policy Committee was based upon information and analysis contained within the South Corridor Project Supplemental Draft Environmental Impact Statement and regional public involvement and previous South Corridor studies.

The I-205 segment is to be constructed first, with the Milwaukie segment to follow once funding and issues about the Willamette crossing are resolved. The rationale for the I-205 selection includes high ridership, travel time savings, minimal displacement of

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<sup>1</sup> The Committee is comprised of various agency staff and elected officials from the region including Milwaukie Mayor James Bernard.

<sup>2</sup> Phase 1 also includes relocation of the Milwaukie Transit Station to the Southgate Theatre site.

business and lower acquisition costs. It is understood that the Milwaukie segment would most likely not be started until 2010.

In order to ensure that Milwaukie receives something concrete early in the process, Phase 1/I-205 as proposed includes a commitment to eliminate the current transit center in downtown Milwaukie and to relocate it to the Southgate area. Funding for the Milwaukie alignment in Phase 2 will require a general obligation bond, which will, in turn, require a regional vote in either 2004 or 2006.

The Milwaukie Light Rail Alternative was selected by the Policy Committee based upon the highest potential ridership, fastest travel time, community support, opportunities for transit-oriented development, and other reasons that are detailed on page 18 of the attached LPA report.

The Portland Segment of Phase 2 includes:

- Downtown Portland station at Main Street and 1<sup>st</sup> Avenue.
- New Willamette River Crossing at Caruthers Street.
- OMSI Light Rail Station.
- Station at Clinton and 12<sup>th</sup> Avenue.
- Holgate Boulevard Station.
- McLoughlin alignment.
- Bybee Station.

The Milwaukie segment of Phase 2 includes<sup>3</sup>:

- Tacoma Station with a 600 space parking structure located at the Goodwill site.
- Close Moores Street at northbound McLoughlin.
- Eliminate two Thomason buildings north of Ochoco Street.
- Shift Main Street to the east.
- Reconstruct the intersection of Main and Beta streets.
- 600 car parking structure and transit center at Southgate.
- “Crossover Alignment” from Main Street east to the Tillamook Branch.
- Harrison Street Station behind Waldorf School with a “quick drop” along Harrison Street.
- Lake Road Terminus Station at 21<sup>st</sup> Avenue, with the option of an interim lower cost terminus at Waldorf School.
- 275 Space Park & Ride with 17,000 square feet of retail at Washington & Main Street that will serve the Lake Road Station.

### Public Comment

A number of interested parties testified before the Planning Commission. These included area business operators and landowners, neighborhood leaders, and staff. Property owners in the North Industrial area expressed concerns about traffic, loss of parking, future intersection design, and impacts to freight movements.

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<sup>3</sup> The “crossover” design was selected in favor of the Tillamook alignment due to higher ridership, better access to jobs, increased park-and-ride capacity, and reduced capacity for transit operations.

Michelle Gregory, Neighborhood Services Manager delivered a memorandum from the Neighborhood Leadership, which is found in Attachment 2. See also Attachment 4, Commission meeting minutes.

### Planning Commission Recommendation

Attachment 1 contains specific considerations adopted by the Planning Commission at its March 11, 2003 for referral to the City Council. The Planning Commission also wished to convey its strong support for the creation of a Neighborhood District Association for the North Industrial Area.

A summary of key issues addressed by the Planning Commission that are included in its recommendation follow. Full details are found in Attachment 1:

1. The transit center should be relocated from downtown as soon as possible.
2. Future intersection and access design at the McLoughlin/Milport intersection must be included in the Locally Preferred Alternative and a design that protect businesses and the ability to move truck freight easily.
3. Impacts to area businesses including loss of parking should be minimized in locations along Main Street and around the proposed transit center.
4. Impacts to neighbors around Harrison Street and Lake Road stations should be minimized.
5. Future public outreach efforts should be strengthened.

### **CONCURRENCE**

City staff from the City Manager's Office, Neighborhood Services, Planning and Community Development Departments all contributed to the analysis of the Locally Preferred Alternative. The Planning Commission reviewed the LPA on March 11, 2003.

### **FISCAL IMPACT**

No City funds have been committed to these projects. It is anticipated that relocation of the transit center will be financed from federal and regional funds. The proposed Milwaukie light rail alignment local share is unfunded at this time.

### **ALTERNATIVES**

1. Adopt the Locally Preferred Alternative as proposed by the Metro Policy Committee, attaching the proposed findings, observations and considerations as recommended by the Planning Commission in Attachment 1.
2. Amend the Locally Preferred Alternative and Planning Commission recommendation to consider issues not addressed by the Policy Committee and Planning Commission.

3. Adopt a different alternative than recommended by the Metro Policy Committee.
4. Take no action.

#### **ATTACHMENTS**

1. Proposed Resolution with Findings, Observations, and Considerations for Future Design and Mitigation.
2. NDA recommendation on the South Corridor Locally Preferred Alternative
3. South Corridor Project Locally Preferred Alternative Report.
4. March 11, 2003 Planning Commission Meeting Minutes.
5. Milwaukie Crossover Segment Light Rail Alignment Plans.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE,  
OREGON ENDORSING THE RECOMMENDED LOCALLY PREFERRED  
ALTERNATIVE FOR THE SOUTH CORRIDOR PROJECT**

**WHEREAS**, the South Corridor Supplemental Draft Environmental Impact Statement (SDEIS) addressing potential transit improvements in the southeast metropolitan area was published on December 20, 2002; and

**WHEREAS**, the SDEIS evaluates a No-Build Alternative, a Bus Rapid Transit Alternative, a Busway Alternative, A Milwaukie Light Rail Alternative, an I-205 Light Rail Alternative, and a Combined Light Rail Alternative including bus and light rail improvements; and

**WHEREAS**, the public was invited to comment on the study alternatives and the SDEIS through an extensive process, including the public comment period that ran from December 20, 2002 through February 7, 2003; and

**WHEREAS**, the City of Milwaukie has participated in the preparation of the SDEIS; and

**WHEREAS**, after consideration of public comments, on February 13, 2003 the South Corridor Policy Committee concluded that a phased Light Rail option was the preferred alternative to serve the future transit needs of the South Corridor; and

**WHEREAS**, the South Corridor Policy Committee concluded that construction of the I-205 alignment would be accomplished during Phase 1, together with the construction of a park and ride at Southgate and relocation of the transit center from downtown Milwaukie to the Southgate area; and

**WHEREAS**, the South Corridor Policy Committee concluded that construction of the Milwaukie alignment would be accomplished during Phase 2; and

**WHEREAS**, on March 11, 2003 the Milwaukie Planning Commission considered the Locally Preferred Alternative (LPA) as adopted by the South Corridor Policy Committee; and

**WHEREAS**, the Planning Commission recommended approval of the LPA together with certain considerations for future design and mitigation measures for the Phase 2 Milwaukie alignment attached as Exhibit A and incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON.**

Section 1. That the City Council adopts the South Corridor Locally Preferred Alternative recommended by the South Corridor Policy Committee on February 13, 2003 as the City's preferred alternative and recommends its adoption to the Metro Council.

Section 2. That the City Council requests that the Metro Council adopt the design and mitigation measures for the Phase 2 Milwaukie alignment as set forth in the attached Exhibit A.

Section 3. The resolution becomes effective upon its adoption.

Introduced and adopted by the City Council of the City of Milwaukie on the 1<sup>st</sup> day of April 2003.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

\_\_\_\_\_  
Pat DuVal, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Ramis, Crew, Corrigan & Bachrach, LLP

## EXHIBIT A

### Recommended Findings, Observations, and Considerations for Future Design and Mitigation as Adopted by the Planning Commission.

1. Relocate the transit center from downtown Milwaukie as soon as possible.
2. A public involvement strategy that includes affected property owners and business operators that ensure adequate and thorough participation should be implemented.
3. TriMet is strongly encouraged to work with the Oregon Department of Transportation to commit to satisfactory transportation solutions in the North Industrial Area at McLoughlin intersections, including but not limited to the McLoughlin/Milport intersection. Satisfactory transportation solutions shall include, but not be limited to:
  - a. Protection of truck access.
  - b. Intersection capacity and stacking distance.
  - c. Preservation and enhancement of cross movements on McLoughlin Boulevard.
  - d. Protect and improve, where possible, access to the interior of the industrial area from McLoughlin Boulevard.
4. The light rail project should be designed to minimize adverse impacts on area businesses.
5. TriMet and Metro should form a Milwaukie working group for the Transit Center and Park & Ride relocation effort, so that representatives of the community, its residential neighborhoods and its industrial/commercial districts, can be involved in the interim and final designs of this transit center.<sup>1</sup>
6. Milwaukie is concerned that property owner decisions made between now and the time at which final Phase 2 light rail design issues are resolved, may result in design changes to the presently proposed alignment and related facilities.
7. The Main Street alignment has potentially significant impacts to area business and therefore may not be the best alignment considering that the Tillamook alignment has far fewer potential impacts. Successful mitigation efforts, as outlined throughout this document, must be implemented in order to address the strong North Industrial Area business concerns expressed about the Crossover alignment.
8. The Milwaukie North Industrial Area is an important regional warehousing and distribution center that is supported by highway and freight rail service. In addition, Milwaukie is presently evaluating development potential of the area under a grant from the Transportation and Growth Management Program. Highway and local access is important to the continuing and future economic vitality of the area and Milwaukie's jobs and tax base. The Milwaukie Crossover has the following elements that warrant further design considerations and

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<sup>1</sup> This item was adopted from the March 10, 2003 Memo of Michelle Gregory, Neighborhood Services Manager on behalf of the Neighborhood leadership.

mitigation prior to construction. It is noted that some of the issues below may already have been addressed in the Supplemental Draft Environmental Impact Statement.

- a. The closure of Moores Street reduces access options to northbound McLoughlin Boulevard and will add additional vehicle loading to the Ochoco/McLoughlin Boulevard intersection. Consideration should be given to ensuring adequate capacity at Ochoco Street intersection needed to accommodate the closing of Moores Street.
  - b. The redesign of the Beta Street intersection with Main Street as shown on Drawing C15C203 (South Corridor Transit Study, Milwaukie Max Alignment) is incomplete. The Beta Street intersection is an important access for nearby warehousing and distribution firms. Any redesign should minimize operational impacts to freight access.
  - c. Light rail construction will take more than 80 parking spaces along Main Street. This count excludes the Iridio site just north of the theatre, which also lose parking. Future design consideration should minimize the loss or parking and ensure the future success of businesses by replacement of parking displaced by light rail and related facilities.
  - d. The intersection of Mailwell Drive and Main Street serves major warehousing and distribution businesses and other commercial uses. Inbound and outbound traffic movements at this intersection should be protected to ensure the continued viability of area businesses.
  - e. The proposed site design at the Southgate Park & Ride and Transit Center should be reconsidered due to its impact on the Milport/Main and Milport/McLoughlin intersection. Additional stacking length is needed to ensure proper intersection functioning and adequate access to and from the industrial area.
8. Considerations for future design and mitigation at the Harrison site include the following:
- a. Visual and noise barriers to protect nearby residential properties.
  - b. Traffic impact analysis at the site and at Harrison Street intersections with McLoughlin Boulevard and Expressway 224.
  - c. Replacement of any loss of Waldorf School parking.
  - d. Neighborhood parking management including means to offset the cost of city parking enforcement.
9. Recommended considerations for future design and mitigation at the Lake Road and Washington Avenue sites include the following:
- a. Visual and noise barriers to protect nearby residential properties.
  - b. Neighborhood parking management including means to offset the cost of city parking enforcement.
  - c. Avoidance and mitigation of Water Quality Resource impacts to Kellogg Lake.



To: Planning Commission

Through: John Gessner, Planning Director  
Michelle Gregory, Neighborhood Services Manager

From: Milwaukie Neighborhood Leadership

Subject: NDA recommendation on the South Corridor Locally Preferred Alternative.

Date: March 10, 2003

### **Action Requested**

Consider this correspondence from the Neighborhood leadership as you make your recommendation to the City Council regarding the Locally Preferred Alternative for the South Corridor Project.

### **Background**

The South Corridor project began in 1999 as a regional effort to look at non-light rail alternatives to solving congestion problems within the south corridor. The project has culminated in a dual light rail alignment that would be implemented in the I-205 corridor first, and then in the McLoughlin corridor. The neighborhoods support the project at this stage. Throughout the study, Milwaukie neighborhoods have been involved in the research, design, community involvement and alternatives selection process. They support the Locally Preferred Alternative that has been recommended by the Policy Group with the following caveats and recommendations:

The Combined Light Rail Alternative should make progress for the City of Milwaukie by ensuring that the transit center is relocated as an immediate component of Phase I of the project. The neighborhoods prefer to see this occur accordingly:

- The Milwaukie neighborhoods favor an interim location and operating design for the transit center, if such is needed to resolve existing and anticipated design or property acquisition issues within the area of the Southgate Theater.
- They suggest relocation of the current Milwaukie on-street Transit Center and any associated TriMet park and ride facilities from the downtown blocks of Main St., 21<sup>st</sup>, and Jackson St. to the southern vicinity of the North Industrial Area by the end of 2003.

- The Milwaukie neighborhoods request that Trimet and Metro form a Milwaukie working group for the Transit Center and Park & Ride relocation effort, so that representatives of the community, its residential neighborhoods and its industrial/commercial districts, can be involved in the interim and final designs of this transit center.
- The Milwaukie neighborhoods support a final design for the North Industrial area, that accommodates all-vehicle access into and out of the District. They especially encourage designs that will preserve truck and auto access, while also allowing for rail and bus access.
- The Milwaukie neighborhoods support an alignment, transit center and park and ride design that will preserve and support the reuse of historic resources in the North Industrial area, specifically, the ODOT building and grounds. They feel that the community should have an opportunity to learn about and weigh in on ODOT's future plans for the property.
- The Milwaukie neighborhoods want to support the property owners, business owners and occupants of the North Industrial area through South Corridor process and the North Industrial Land Use Study. However, they are concerned that until the North Industrial stakeholders organize to form an officially-recognized district, it will be very difficult for Milwaukie neighborhoods to unite around the best economic development and transportation plans this area of the community.

These concerns were discussed at the February 27<sup>th</sup> Neighborhood Leadership Meeting. Five neighborhoods were represented and those in attendance requested that the Neighborhood Services Manager draft a memo articulating their concerns in time for the Planning Commission meeting.

# DRAFT

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, MARCH 11, 2003

## COMMISSIONERS PRESENT

Donald Hammang, Chair  
Teresa Bresaw  
Judith Borden  
Brent Carter  
Rosemary Crites  
Howard Steward  
Mike Miller

## STAFF PRESENT

John Gessner,  
Planning Director  
Alice Rouyer,  
CD/PW Director  
Michelle Gregory,  
Neighborhood Services D  
Gary Firestone,  
Legal Council  
Shirley Richardson,  
Hearings Reporter

## COMMISSIONERS ABSENT

None

### 1.0 CALL TO ORDER

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

### 2.0 PROCEDURAL QUESTIONS -- None.

### 3.0 PLANNING COMMISSION MINUTES -- February 11 and February 25, 2003

**Teresa Bresaw** moved to approve the Planning Commission minutes of February 11, 2003 as presented. **Brent Carter** seconded the motion. MOTION CARRIED 4-0.

Ayes: Bresaw, Carter, Crites, Hammang; Abstention: Steward; Nays: None.

**Teresa Bresaw** moved to approve the Planning Commission minutes of February 28, 2003 as presented. **Howard Steward** seconded the motion. MOTION CARRIED 4-0.

Ayes: Bresaw, Carter, Crites, Hammang; Abstention: Steward; Nays: None.

### 4.0 INFORMATION ITEMS

4.1 City Council Work Session Minutes

4.2 City Council Minutes

### 5.0 PUBLIC COMMENT -- None.

### 6.0 PUBLIC HEARING -- None.

**Mike Miller** voiced concern of letters requesting a public hearing on the South Corridor Transit Recommendation. **Alice Rouyer** stated that there will be a public hearing with the City Council hearing.

7.0 WORK SESSION ITEMS

7.1 South Corridor Transit Recommendation

**Chair Hammang** reported that the South Corridor Policy Committee has issued a recommendation on the locally preferred transit alternative which includes light rail projects in Portland, Clackamas County, and Milwaukie. This evening City, Metro staff, and the public will have an opportunity to give input for consideration of a recommendation to be forwarded to City Council. City Council will take up this matter on April 1, 2003.

Staff has recommended that the Planning Commission support the locally preferred alternative subject to a number of conditions of future design and mitigation along the light-rail segment.

Metro Presentation

Speaking: Kristin Hull, Public Involvement Planner, Metro, 600 NE Grand Avenue, Portland

**Ms. Hull** gave a presentation that gives an idea of what the South Corridor Project is looking at, the key decisions and the next steps. This South Corridor project is an outgrowth of the South/North Project. The South Corridor study began with some listing posts held by elected officials throughout the region. One thing that came from the citizens was to look at some other options besides light rail. Light rail was added later as a result of significant community support and a lot of that support was from neighborhood leaders here in Milwaukie.

Alternatives studied were river transit, commuter rail, passing lanes, bus-ways, and bus rapid transit. These alternatives were narrowed to bus-way and bus rapid transit. During the public process, southeast Portland and Milwaukie leaders repeatedly asked for light rail. Light rail was added again to the study process and analyzed in the environmental impact statement along with the bus rapid transit and bus-way options.

In 2001/02, Metro staff and Tri-Met prepared a Supplemental Draft Environmental Impact Statement. This statement analyzes the costs, benefits and impact of each of the transit alternatives. This kicked off the public process that has continued to date. Three open houses were held in Milwaukie and two public hearings. Many newsletters were sent out, went to as many as 8,000 households and businesses. During this public comment period they heard from about 300 members of the community. The comments were supportive of both Milwaukie and I-205 light rail lines. There was strong support for the Caruthers Bridge and Portland Mall alignment. There was little support for the bus-way and bus rapid transit options.

The Policy Committee recommended the preferred alternative based on technical analysis SDEIS and public comments. This committee is chaired by Metro Councilor Brian Newman, and includes Milwaukie Mayor Jim Barnard, and other elected officials from other partner jurisdictions.

The locally preferred alternative is the name for the strategy to move forward in the corridor. This includes a two-phase project that includes (1) construct I-205 light rail between Milwaukie and Clackamas (plus a section on the Portland Mall terminating at Portland State University) and construction of the Southgate park-and-ride lot and (2) construction of the Milwaukie light rail with a Lake Road terminus and a new Caruthers Bridge (continue to look at Hawthorne Bridge as a lower-cost alternative).

In Milwaukie a couple of design options were reviewed. This came out of a community process during the summer of 2001. The alignment studied came down the Tillamook Branch line, had a transit center at the Milwaukie Middle School, and a terminus at Lake Road. Another alignment was down Main Street, had a park-and-ride and transit center at the Southgate site, then crosses back over and rejoined the Tillamook Branch with a station at the Milwaukie Middle School and at 21<sup>st</sup> and Lake Road

The Policy Committee recommended that the Southgate cross-over option move forward. A comparison was shown that two options of the north industrial area. Benefits of the Southgate cross-over alignment were the 600 park-and-ride spaces and better access to jobs; however, there are truck access issues and displacement issues to resolve.

The Milwaukie terminus options were Milwaukie Middle School and the Lake Road terminus. The Lake Road terminus provides additional park-and-ride spaces and provides station access for Milwaukie.

The next step is to adopt the locally preferred alternative. The Metro Council will hear this matter on April 17, 2003 after it is considered by the local jurisdictions. Additional design and environmental work will be done to the Portland Mall, the finance plan will be completed, complete engineering and final environmental impact statements and begin construction in 2006 on the I-205 alignment to be operational in 2008/09.

The next steps for Milwaukie are to begin the construction of the park-and-ride at Southgate this fall, relocate the Milwaukie Transit Center, complete the finance plan, and begin construction.

Project timelines include final EIS and preliminary engineering in 2004, signing a full-funding grant agreement in 2005 and opening in 2008.

As part of the next steps, Metro has in their work plan to revisit the Southgate Cinema design to better preserve the business and truck access in this area. Issues at this site included major traffic issues; the design and supplemental draft environmental statement doesn't work and will have to be re-evaluated.

**Mike Miller** asked if the transit center would not be moved until after the I-205 segment is complete? **Ms. Hull** stated that the transit center is recommended to advance as part of the first phase of the project. It will be moved as soon as possible.

**Teresa Bresaw** asked if there has been a vote from the businesses in that area for which option they prefer? **Ms. Hull** stated that there is hope that the businesses will organize and come to the table as part of the neighborhood leadership.

**Chair Hammang** quoted from Mr. Monson's letter, "...no one in the north side industrial area was notified of the proposed changes or the planning process. We were left to stumble upon it." He asked that Ms. Hull address this statement. **Ms. Hull** stated that a lot of the public process was coordinated with the City of Milwaukie neighborhood leadership.

#### Milwaukie Staff Presentation

**John Gessner** displayed overheads and reviewed with the audience each of the segments of the preferred options. Staff recommends that the Planning Commission recommend to City Council support or the locally preferred alternative (LPA) and adopt the recommended considerations for design and mitigation.

**Michelle Gregory** reported that a memo that has been prepared on behalf of the neighborhood leadership details their concerns at this point in the process. The organized neighborhoods in Milwaukie have been very involved since the inception of this project. Neighborhood associations have been discussing South Corridor project for some time now (last two years). It has been a regular agenda item on their leadership meetings (six times a year).

About a year ago the neighborhoods came out with 14-points (criteria) that if met would support light rail in Milwaukie. The neighborhoods feel that Metro and staff have done a great job working with them and helping them understand the issues. There are concerns with the alternatives as proposed by the Policy Group:

1. The neighborhoods feel strongly about there being an interim location and operating design for the Transit Center. They feel the transit center needs to leave the streets of downtown and go to a different location. They suggest that Tri-Met and Metro form a working group upon which they can be seated to help make sure that the process is moving forward as soon as funds are available.
2. Support final design for the area that accommodates all vehicle access. There was concern that light rail and buses being at a regional bus center would interface with truck access and cars going in and out of that area already.
3. The neighborhoods support an alignment (transit center and a park-and-ride) design that will preserve and support historic resources in that area (ODOT building).

4. Concern since the beginning of the project that this area organizes and develops as a public group (bylaws and organization). Something with same degree with public accountability as a neighborhood association.

These citizens have been attending these meetings so they are informed about the project.

**Chair Hammang** asked if there was outreach to the businesses by staff? **Ms. Gregory** stated that when the project began, City of Milwaukie and other agencies involved in the project got together to talk about public involvement. There was agreement property acquisition and displacement issues would be handled by Tri-Met staff. There was still a local concern that people be aware of the project and what is going on. Discussions are currently going on with staff about ways to reach people in the north industrial area. There has been general outreach to everyone in the community and there have been people coming from the north industrial area. Staff does not have a full inventory of who are in the area and targeted outreach has not yet been done.

**Rosemary Crites** noted that a businessman purchased a building in the north industrial area a couple of years ago for \$300,000 and put \$250,000 into it. According to this plan, this building will be demolished. How this is addressed for such property owners? **Ms. Gregory** stated that this would be a matter for Tri-Met because they would be the ones acquiring the property. **Chair Hammang** stated that the regional agencies should be responsible for outreach, however local entities should follow up.

**Rosemary Crites** stated that these property owners need to know what is going on since it is their dollars that are being affected. Some of these people are elderly and are making plans for their property. They do not know they are in the pathway of redevelopment. **Brent Carter** stated that he feels that businesses need to know and it is a local responsibility to inform the citizens. **Chair Hammang** voiced concern about business losses in this area. Milwaukie has proprietary interest in making sure there is the best outreach possible. They have a lot at stake in the industrial land up north. To disenfranchise someone is not positive.

**John Gessner** explained that there would be additional design on the Milwaukie segment because it is a two-phased design. **Kristin Hull** stated that some sort of process for public involvement and outreach to the north industrial area will follow after the first phase of the project. Discussions will be held on traffic concerns and land use with the businesses and the neighborhood.

**Mike Miller** asked what process will be used to see that the Transit Center be moved out of Milwaukie as soon as possible? **Ms. Hull** stated that negotiations with Tri-Met and the County will work on solutions to this situation.

**John Gessner** stated that the park-and-ride is being funded by a portion of \$6.7 million in advance funds as part of the South Corridor project. Some of these funds were allocated for the park-and-ride. There are other funds that might be a possible funding source; however, no one knows at this time whether this is feasible or will actually

happen. **Ms. Hull** stated that the park-and-ride and transit center is recommended in the first phase. There is intent to find the money to move the transit center in addition to finding funds for the park-and-ride. **Michelle Gregory** stated that the request to form a working group for the north industrial area is an effective strategy to take. It puts the community volunteers in the role of monitoring and having input in the process.

**Alice Rouyer** stated that the Mayor and City Manager have been working on the issue of the transit center. It has come up at the Metro Policy Committee in the last 60 days as a major negotiating point for Milwaukie in phase one if the LPA is approved. The transit center discussion was an important part of the formation of the LPA out of the Policy Group. Staff is here tonight for the Planning Commission to form a good recommendation, including issues raised by the neighborhood, property owners, and residents and send it on to Council. Council has a strong voice in this process in sending on the recommendation to Metro Council. This issue will be taken up by Milwaukie City Council on April 19<sup>th</sup>. This is everyone's chance to give their input.

**Michelle Gregory** stated that the ultimate impact is public perception. She is concerned that there are two separate processes going on in this area: a land use study and the transportation planning process. For the resident that is not plugged into the bureaucratic process, all of this planning is one project. She feels that all of the processes should be integrated to make more sense to the public.

#### TESTIMONY IN FAVOR

Speaking: Ed Zumwalt, 10888 SE 29<sup>th</sup>, Milwaukie (Historic Neighborhood Association)

**Mr. Zumwalt** stated that one of the concerns of his neighborhood is that the transit center be moved off the street as soon as possible. The Committee recommends that Tri-Met construct a Southgate park-and-ride in Milwaukie and take steps in relocating the current on-street transit center to the Southgate area during the first phase. He would like to see a step-by-step process for this project. It is too easy to get sidetracked and he is afraid there will be no transit center in the future.

Speaking: David Aschenbrenner, 11505 SE Home Avenue, Milwaukie

**Mr. Aschenbrenner** stated that he is the chair of the Hector Campbell Neighborhood Association. He has been involved with this project for quite a while. When the decision was made to add light rail back into the study, that's when the neighborhoods stepped up and gave notice that they wanted to be involved in how light rail comes in. It was a southeast Portland group that requested that light rail come to Milwaukie; however, Milwaukie residents want to have input on the process.

Unfortunately the north industrial neighbors were not involved sooner in the process. Since the recommendation is two-phased with I-205 going first and the Milwaukie line following later, it will be about 2010 or later before light rail gets here. There is time to mitigate this area. How can we make this work for our community? He asked that the

Planning Commission see and hear the neighborhood's concerns and hold Tri-Met and Metro feet to the fire regarding moving the transit center and to build a park-and-ride facility that will work in the future. He would like to see a way to make light rail work for this community.

**Teresa Bresaw** asked why the cross-over design was chosen over the Tillamook Branch Line. **Mr. Aschenbrenner** stated that the cross-over design was chosen because the Tillamook line involved a bus transfer station at the Waldorf School. This is not a good location. This left no place for a regional transit facility. This facility will be larger than what is currently downtown. Southgate is a possibility because there is land available there and would make a better regional facility. There are rail spur issues regarding the Tillamook Branch Line.

**Mike Miller** asked if the Tillamook Branch Line would displace more industrial property owners than the present cross-over line? **Mr. Aschenbrenner** stated that in the way that it is written now, he does not feel it would displace more property owners. The problem is finding a way to put a regional transit center at that location. It's been stated that the cross-over design will not work; he feels there is time to design something that will work. The residents would like to be involved with that design.

#### QUESTIONS OR COMMENTS

Speaking: Howard Dietrich., 9701 SE McLoughlin, Milwaukie

**Mr. Dietrich** stated that he has quite a history with this project because his company (Mill End Store) and related companies own 40 acres of land and most of the properties that are going to be taken. They belong to a group that gave a letter to the City regarding rezoning issues and transportation issues. This group represents over 50% of the property owners in the north industrial area (Rudy Wilhelm, Oregon Transfer, Brod McClung, North Hannah, Southgate, Goodwill, etc.).

When the light rail was first proposed, the north industrial property owners came to the City and suggested a change to the Tillamook Line approach instead of Main Street. The north industrial area neighborhood prefers the Tillamook line because it does not displace industrial property.

**Mr. Dietrich** stated that he purchased the Southgate site because of the demand for large industrial sites to be redeveloped for employment. The site is not for sale, it is for lease. The Southgate Theatre was a community resource. He feels that they are part of the community and address community concerns. It is ridiculous to make decisions now for the next ten years. They should not have to make that decision now. No decision should be made until the transportation problems are worked out.

**Mr. Dietrich** stated that he did not receive a phone call about outreach. He did receive a response about his group's zoning request. He doesn't feel that Tri-Met really cares about the concerns of the neighborhood; they are just trying to approve their plan. The

Plan is flawed as he sees it. The Goodwill site will not be available in 8 years. He does not mind phase one, but he doesn't think it is good to make a decision now about phase two locations.

**Rosemary Crites** asked Mr. Dietrich where he thought a park-and-ride should be? **Mr. Dietrich** stated that he feels it is important to identify transportation issues before the park-and-ride can be located. The Transportation Plan should be set first. He would not locate it at Southgate until the transportation issues are resolved. If a decision has to be made now, he would arrange and lease property and then move the transit center and make decisions later.

**Mr. Dietrich** stated that a solution with the transportation should be worked out with ODOT and one that the Planning Commission and residents can agree with. It is putting the cart before the horse to just say that transportation issues will be taken care of. ODOT is not even at the table.

#### TESTIMONY IN OPPOSITION

Speaking: Bill Monson, \_\_\_\_\_ Main Street, Milwaukie

**Mr. Monson** stated that his building has been vacant about a year. He now has a good tenant and expects to rent for years. He received a letter from John Gessner talking about the north industrial land use planning. He called John and asked how this light rail project is going to affect his building. He was told that his building was to be demolished. He tried to participate in a neighborhood association but didn't have standing because the north industrial area is not recognized as a neighborhood.

**Mr. Monson** says that now there is all this information about a locally preferred alternative. He felt this was a misnomer because no one on the north side was consulted about it. He talked to others in the area and most people do not know anything about it. He has been going to meetings since he became aware of this project, but there is no opportunity for input. There are some significant issues on this project; he feels rushed and left-out.

Speaking: Peter George, c/o Holman Distribution Center, 2023 SE Bates Street, Milwaukie

**Mr. George** stated that he is representing Holman Distribution Center and unofficially representing Oregon Transfer. He is opposed to this proposal because of the affect it will have on their business operations. Putting light rail along Main Street will exasperate the situation. There will be severe transportation problems getting in and out of the industrial area if light rail is put in as proposed. The City of Milwaukie is trying to revitalize the downtown area and if the light rail is sandwiched between McLoughlin and Main Street, it will not be a pleasing sight, or a pleasant place to work.

ADDITIONAL COMMENTS FROM METRO -- None.

ADDITIONAL COMMENTS FROM TRI-MET STAFF -- None.

ADDITIONAL COMMENTS FROM MILWAUKIE STAFF -- None.

ADDITIONAL COMMENTS FROM AUDITUDENCE -- None.

#### FINAL STAFF COMMENTS

**John Gessner** stated that this is the Planning Commission's opportunity to send a strong message to City Council based on what was heard tonight. He asked Michelle Gregory and Alice Rouyer if they had further comments. There were no comments.

Discussion followed on recommendations from the Commissioners:

- Move transit center as soon as possible.
- Implement Public Involvement Process.
- Strongly encourage Tri-Met/Metro to work with ODOT to commit to transportation solutions: truck access, intersection stacking, cross movement on 99E, access from 99E .
- Planning Commission strongly supports creation of a North Industrial Neighborhood Association.
- Make sure outreach is adequate & thorough
- Make sure light rail does not hurt the north industrial area.
- Lack of confidence that Main Street option not best for north industrial area.
- Concerned with uncertainty about future decisions that may affect actual design.
- Get project schedule.

**Brent Carter** moved to forward a recommendation to the City Council in support of the South Corridor Policy Committee locally preferred alternative (LPA) and adopt the recommended considerations for design and mitigation. Further, that the amendments stated tonight be drafted into a memo to be forwarded along with the recommendation.

**Mike Miller** seconded the motion.

Ayes: Bresaw, Carter, Crites, Miller, Steward, Hammang; Nays: None.

The motion carried 6-0.

#### 7.1 Economic Development Strategy

**Alice Rouyer** introduced Jeff King. He has worked in economic development for many years in Clatsop County.

Speaking: Jeff King, City of Milwaukie

**Mr. King** stated that he is the project manager with Community Development, Public Works Department. He reviewed the staff report with the Commission. The Economic Development Policy is in response to City Council's goals promotion of economic development in Milwaukie. Staff has prepared a draft strategy outline to begin the discussion about how this service could be provided by the City. A presentation was made last night to City Council.

A lot of cities are putting together strategic plans looking at how they reorient economic development. Changes in the economy (new economy) include:

- Businesses must compete both nationally and globally.
- Knowledge has replaced oil and other natural resources as the key asset or resource for many businesses.
- The workforce must be educated and have specialized skills beyond a high school diploma.
- Economic growth and competition is based more on metropolitan regions than states or nations.
- A regional economy is built around clusters for competitive advantage.
- The increased use of technology, internet, and digital infrastructure to make productivity gains, while not all or even most companies, are high-tech. Many "old-line" companies are incorporating technology into their operations.
- Quality of life is an increasing factor needed to support and attract economic success.
- Ongoing innovation and creativity is necessary as a source of ongoing economic competitiveness.

Milwaukie is affected not only by what goes on in Milwaukie, but what goes on in the County and the region as a whole. Economic development can be looked at regionally, city-wide, and site or project specific. The long-term economic approach encompasses building and sustaining capacity, strategic plan, land use and infrastructure, business retention and expansion, business recruitment and marketing, small business and entrepreneurial development, business climate and regulatory process, downtown and waterfront commercial development, a skilled workforce, business resources, incentive and networks, and regional participation.

In terms of immediate steps to engage the business community the City has been successful in building up neighborhood associations in terms of creating a voice, creating policy for communication, and outreach. There is potential to create a public/private economic development policy that could be a task force for a short-term ad hoc committee to look into important issues that need to be addressed.

Regional participation is a two-way street participating in state, county, and regional efforts. This gives Milwaukie a seat at the table in helping create policy and economic

development and awareness that Milwaukie is here and interested in economic interests in job creation and growth of the tax base.

Outreach can be in the form of meetings and surveys to really understand other economic development issues from the business community and how to move forward. Transportation issues can be reviewed to promote and seek funding for transportation improvements, including public transit in Milwaukie.

**Chair Hammang** asked what department this process is most aligned with? **Mr. King** stated that there are shared responsibilities; however, right now he is most associated with Planning.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS/ UPDATES

10.1 Matters from the Planning Director -- None.

10.2 Design and Landmark Commission Report – None.

11.0 NEXT MEETING

11.1 Code Interpretation – Guest House

11.2 NILUS Update

11.3 Code Revision Project

**Teresa Bresaw** moved to adjourn the meeting of March 11, 2003. **Brent Carter** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:39 p.m.

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Donald Hammang, Chair

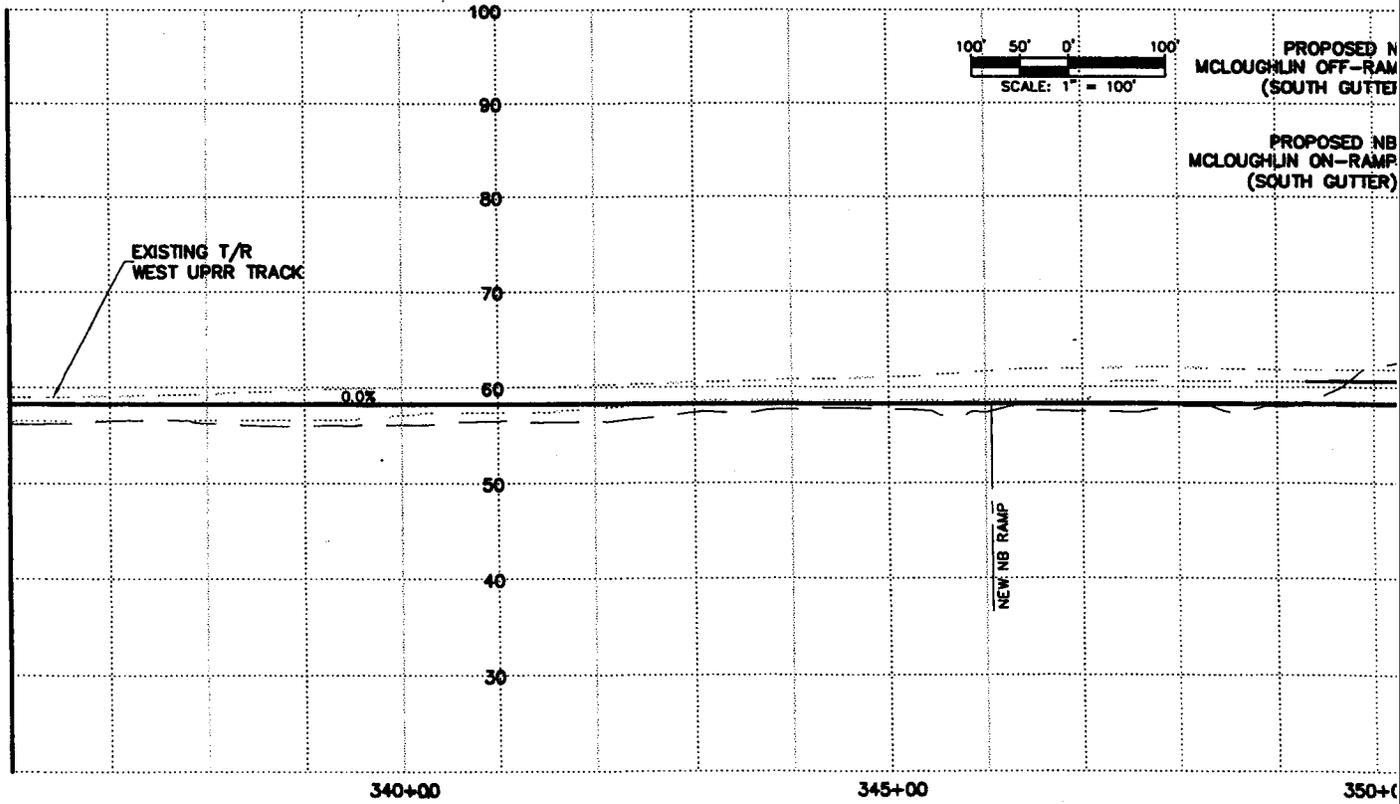
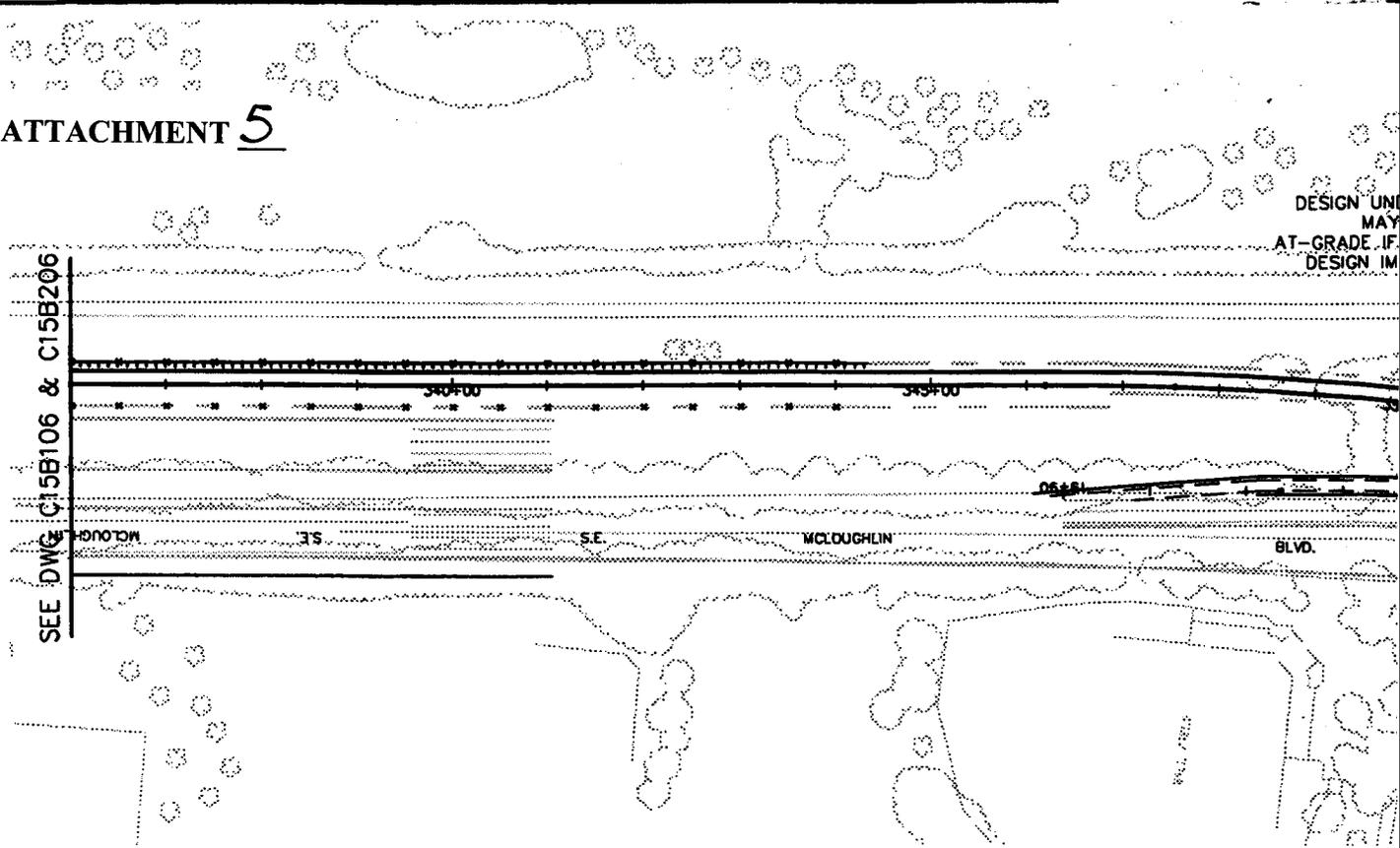
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Shirley Richardson, Hearings Reporter

# ATTACHMENT 5

DESIGN UN  
MAY  
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DESIGN IM

SEE DWG C15B106 & C15B206



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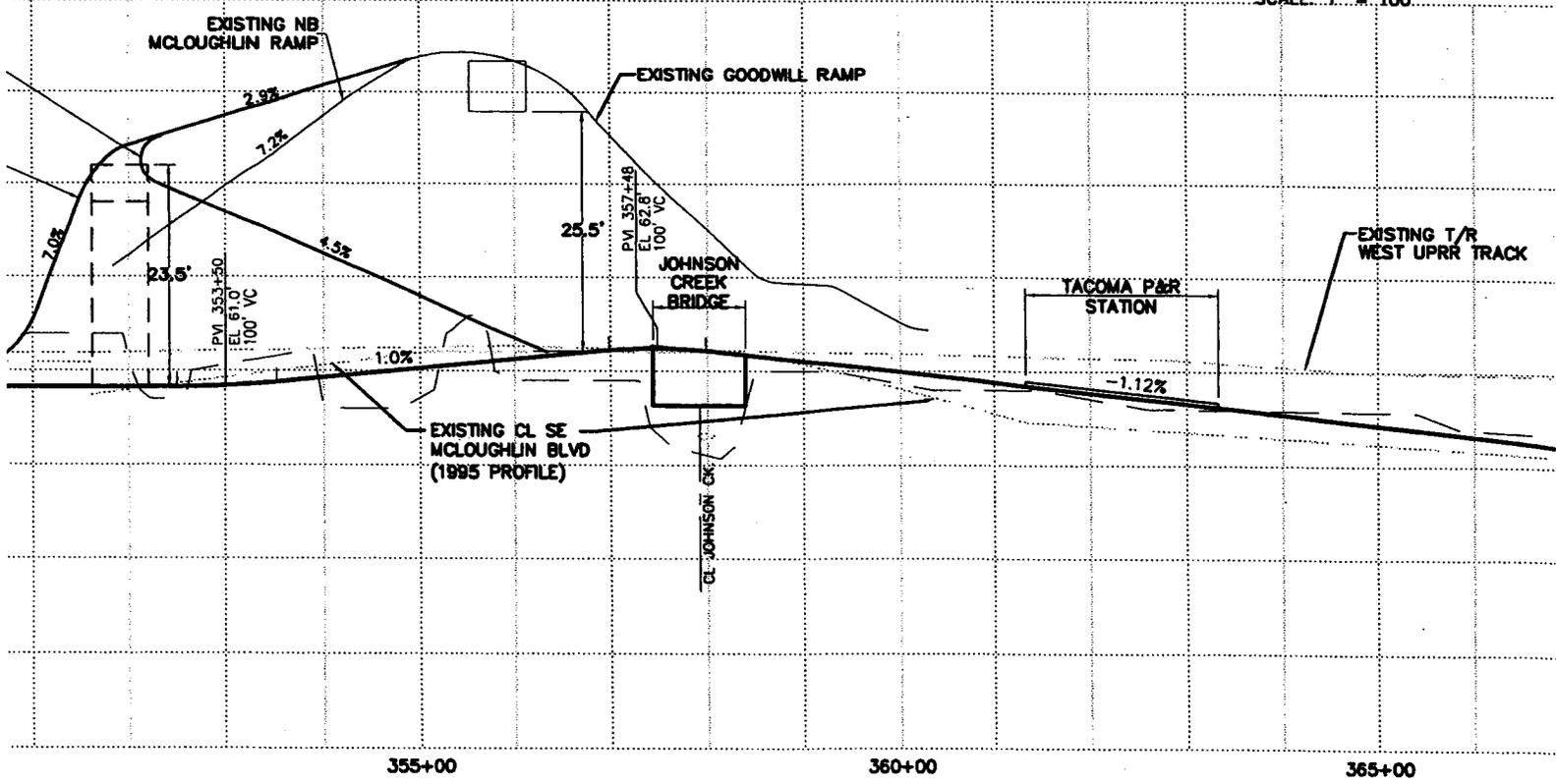
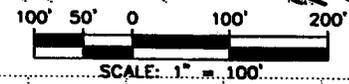
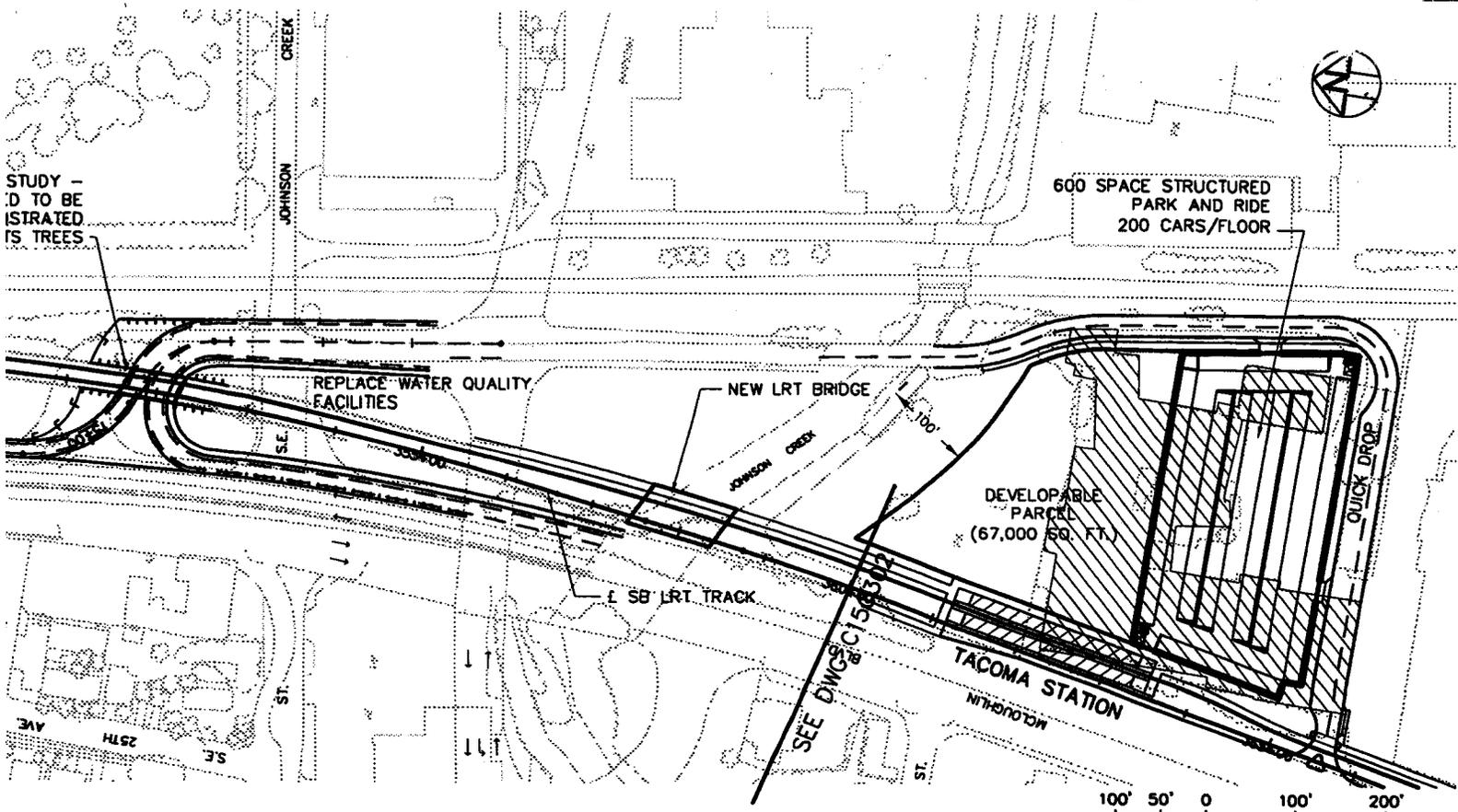
**TRI-COUNTY**

SUBMITTED: **25a**



STUDY -  
D TO BE  
STRATED  
TS TREES

600 SPACE STRUCTURED  
PARK AND RIDE  
200 CARS/FLOOR



TROPOLITAN TRANSPORTATION DISTRICT OF OREGON

**SOUTH CORRIDOR TRANSIT STUDY**  
**MILWAUKIE MAX ALIGNMENT**



CAPITAL PROJECTS  
AND  
FACILITIES DIVISION  
710 N.E. HOLLADAY STREET  
PORTLAND, OREGON 97232



MILWAUKIE SEGMENT  
ALTERNATIVE AB.1  
STA 336+00 TO STA 360+00

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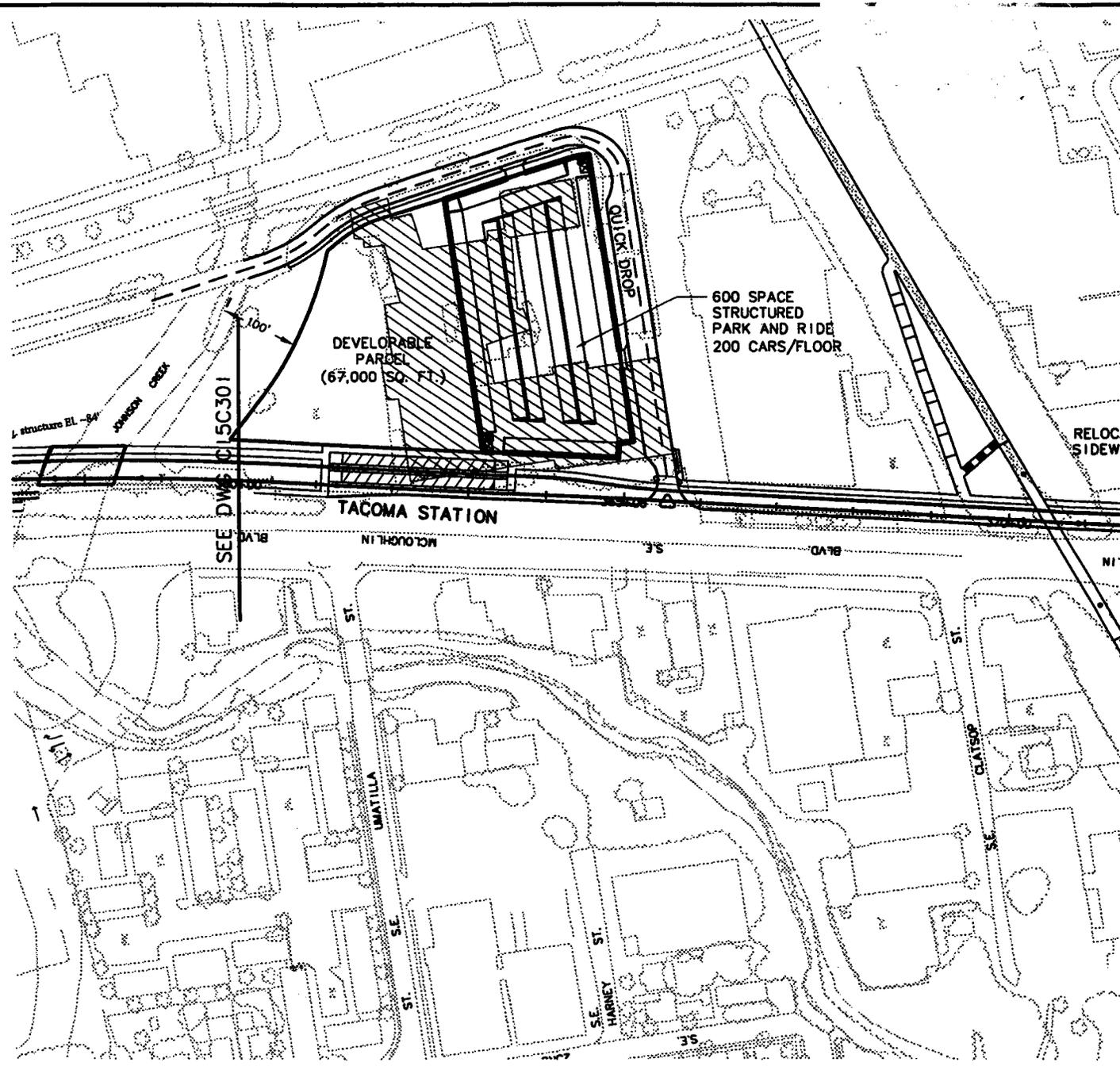
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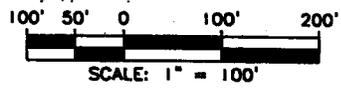
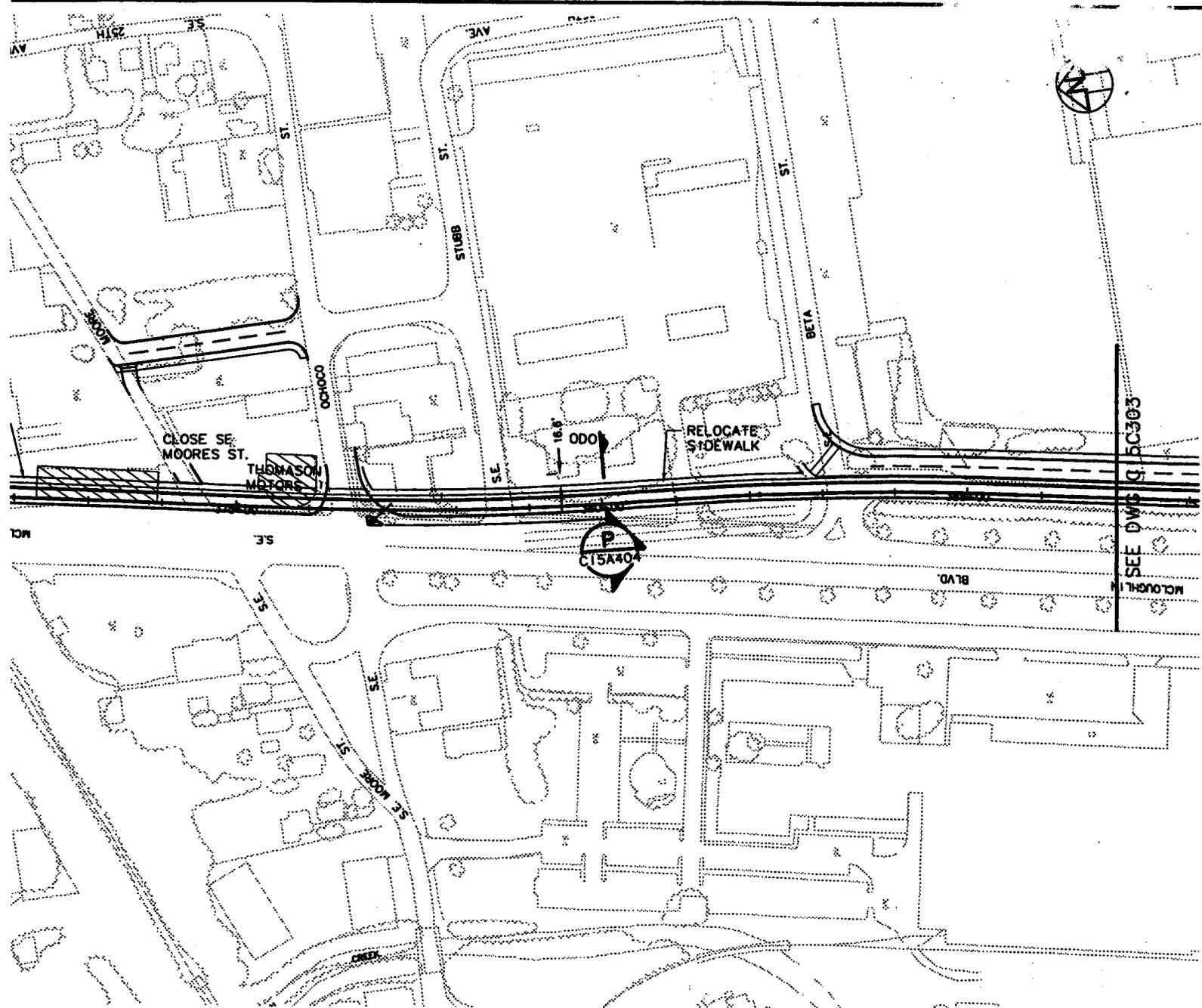


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**TRI-COUNTY**

SUBMITTED: *26a*



TROPOLITAN TRANSPORTATION DISTRICT OF OREGON		<b>SOUTH CORRIDOR TRANSIT STUDY</b> <b>MILWAUKIE MAX ALIGNMENT</b>			
 <b>CAPITAL PROJECTS AND FACILITIES DIVISION</b> 710 N.E. HOLLADAY STREET PORTLAND, OREGON 97232		MILWAUKIE SEGMENT ALTERNATIVE AB.1 STA 360+00 TO STA 387+00			
					
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SEE DWG. C15C304



POTENTIAL COMMUTER  
RAIL CONNECTION TO  
BE STUDIED

TRANSIT  
CENTER  
(THGATE)

HANNA-HARVESTER  
DR.

S.E.

S.E. HANNA-  
DR. HARVESTER DR.

MAIN

S.E.

MCDONOUGH LN

S.E.

BLVD

224

HWY



SCALE: 1" = 100'

TROPOLITAN TRANSPORTATION DISTRICT OF OREGON

**SOUTH CORRIDOR TRANSIT STUDY  
MILWAUKIE MAX ALIGNMENT**



**CAPITAL PROJECTS  
AND  
FACILITIES DIVISION**  
710 N.E. HOLLADAY STREET  
PORTLAND, OREGON 97232



MILWAUKIE SEGMENT  
ALTERNATIVE AB.1  
STA 387+00 TO STA 407+00

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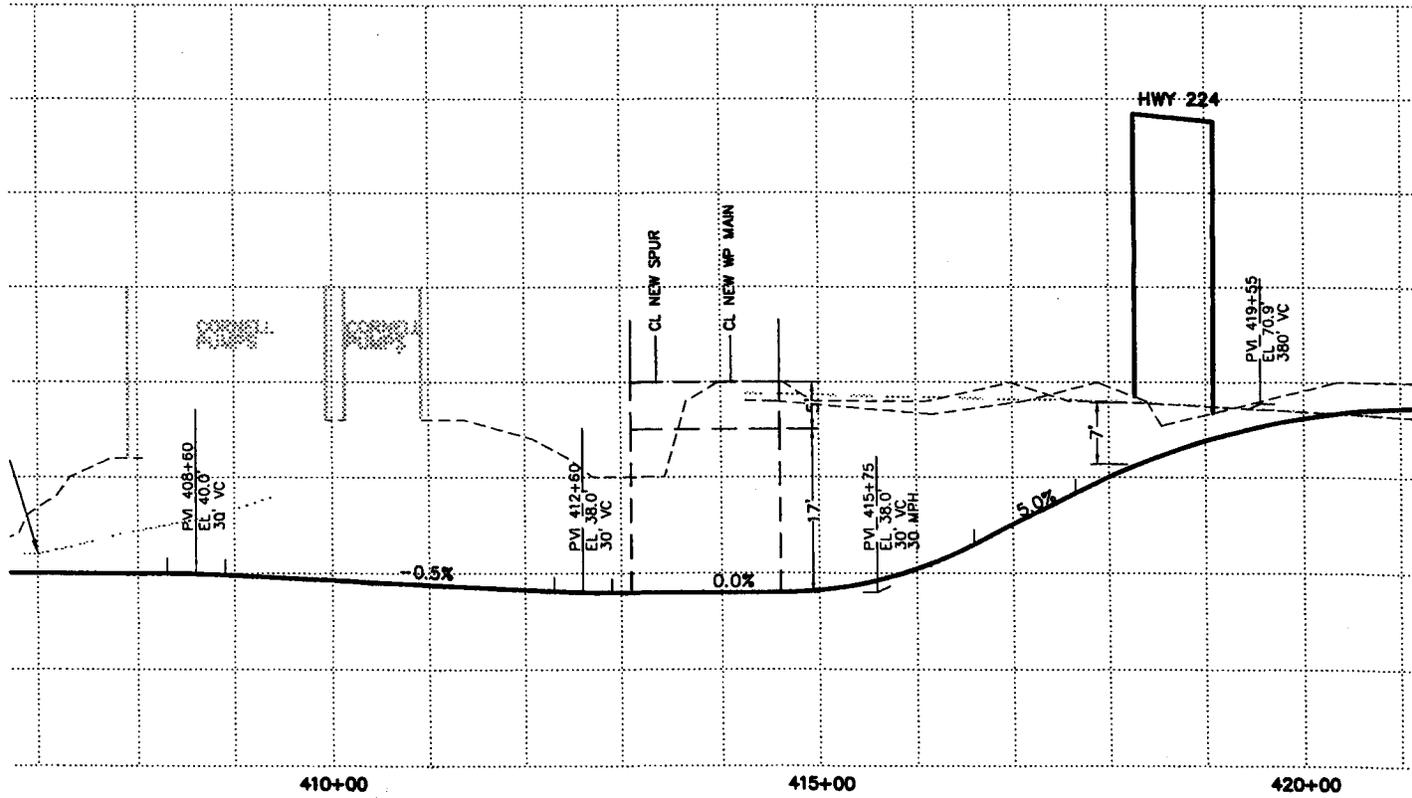
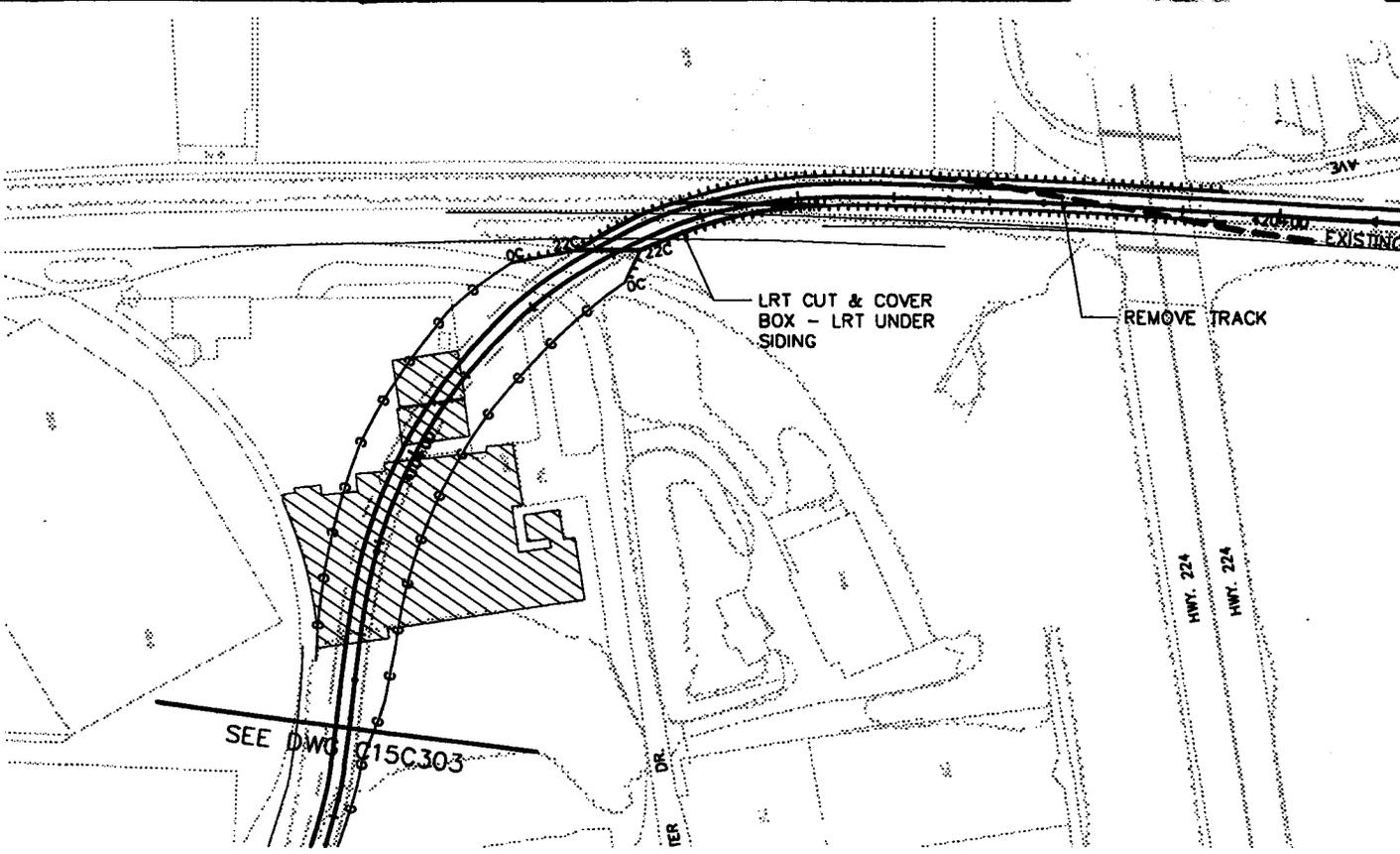
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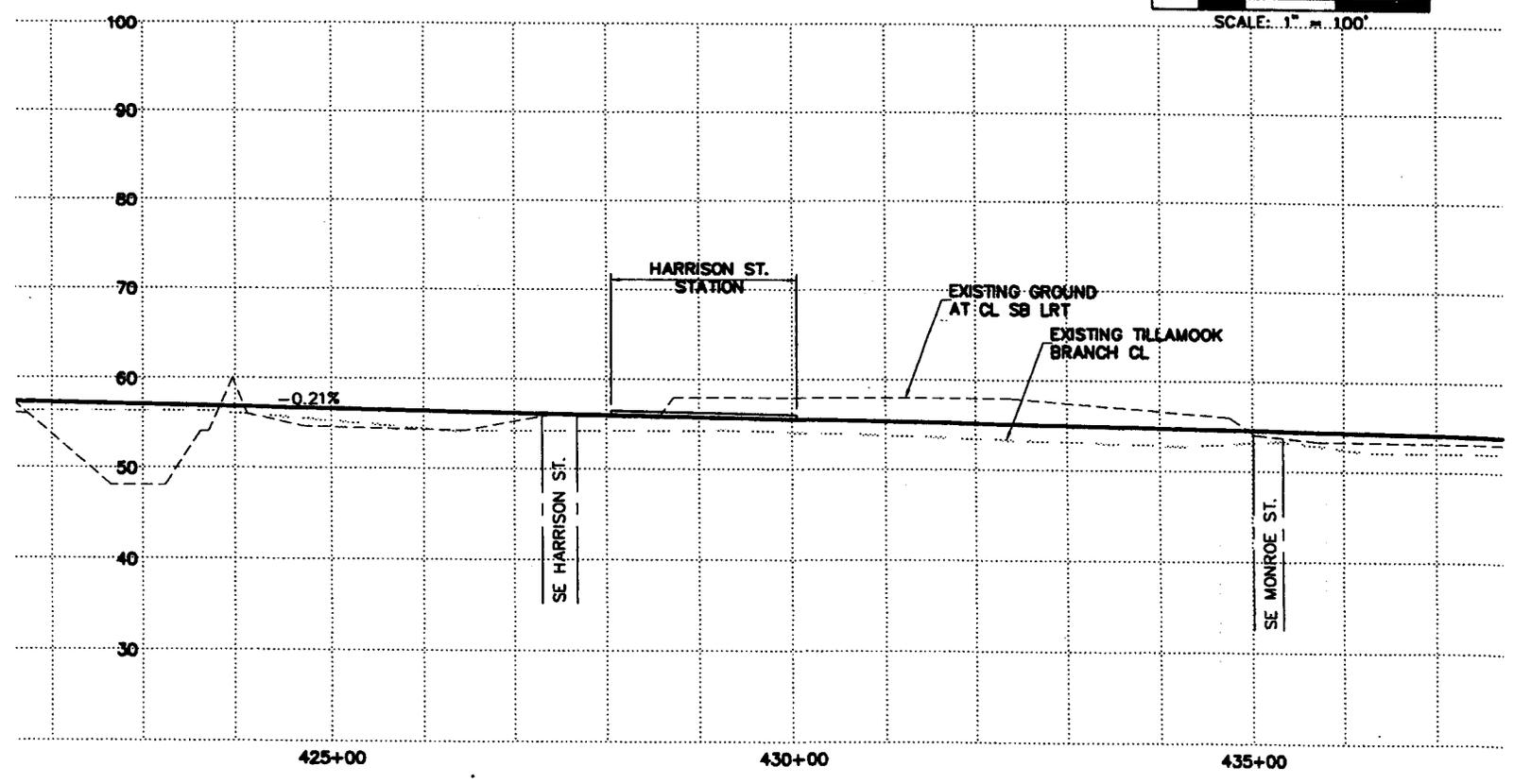
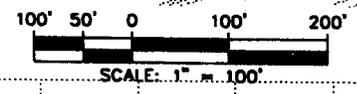
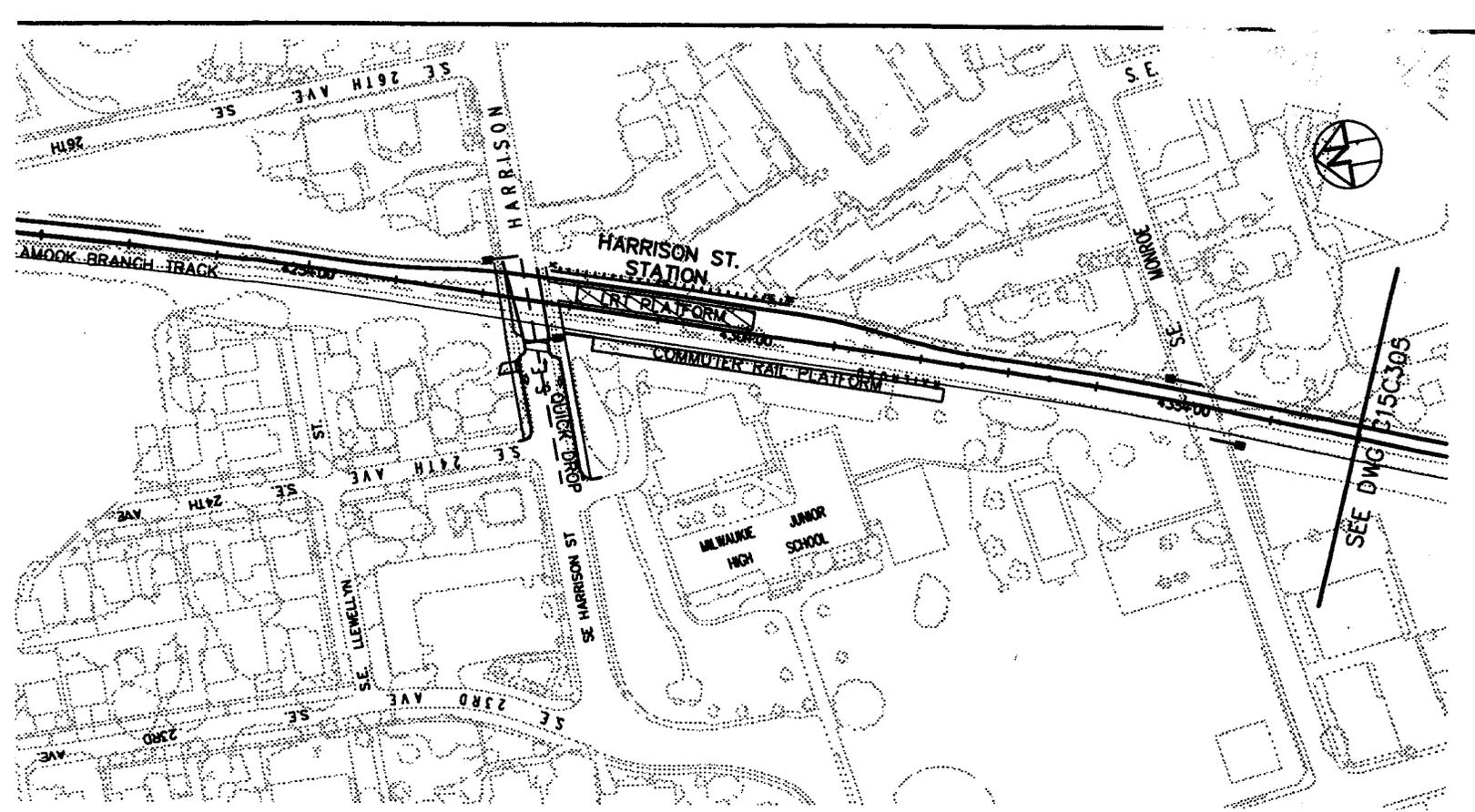
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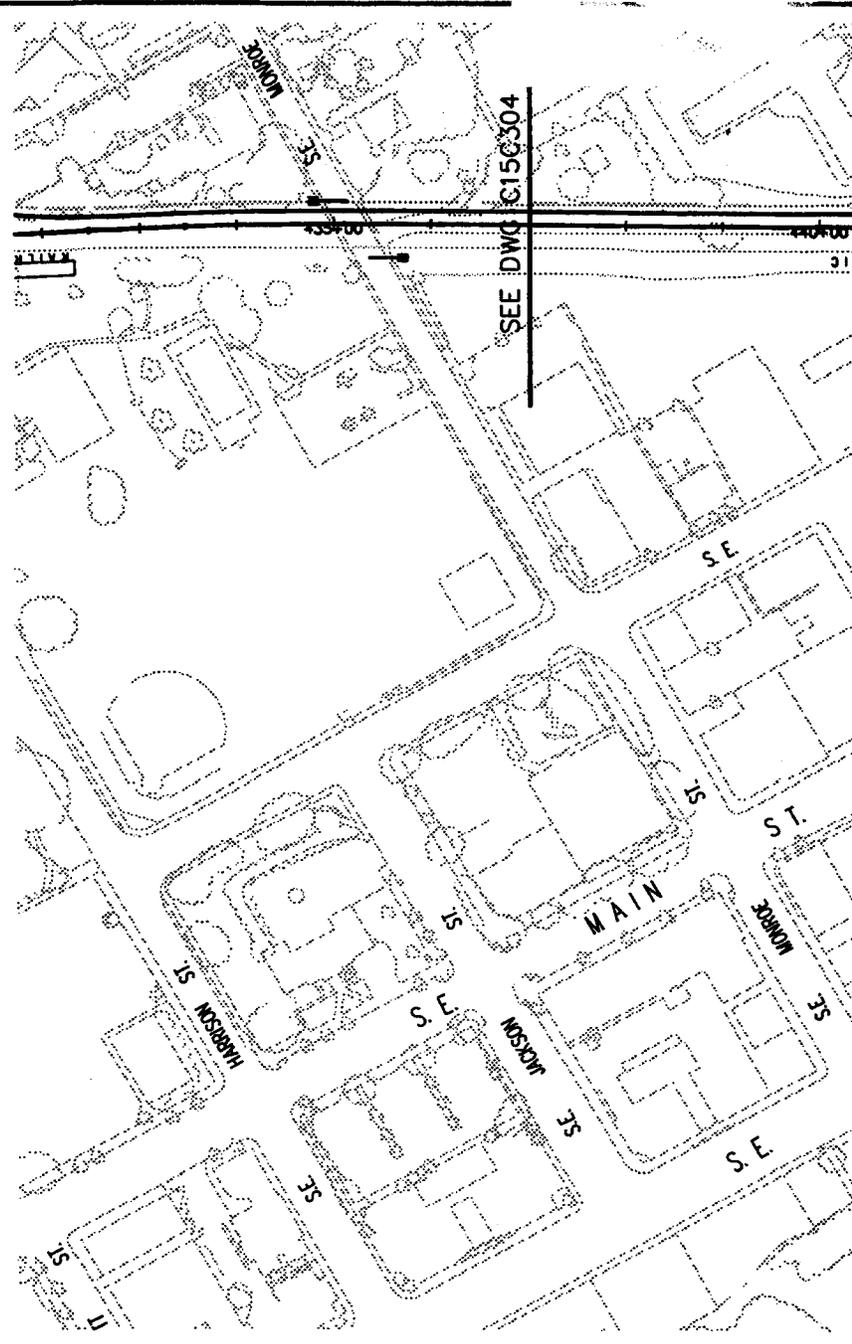
**TRI-COUNTY**

SUBMITTED: *28a*



TROPOLITAN TRANSPORTATION DISTRICT OF OREGON		<b>SOUTH CORRIDOR TRANSIT STUDY</b> <b>MILWAUKIE MAX ALIGNMENT</b> MILWAUKIE SEGMENT ALTERNATIVE AB.1 STA 407+00 TO STA 437+00	
 <b>TRI-MET</b>	<b>CAPITAL PROJECTS</b> AND <b>FACILITIES DIVISION</b> 710 N.E. HOLLADAY STREET PORTLAND, OREGON 97232		
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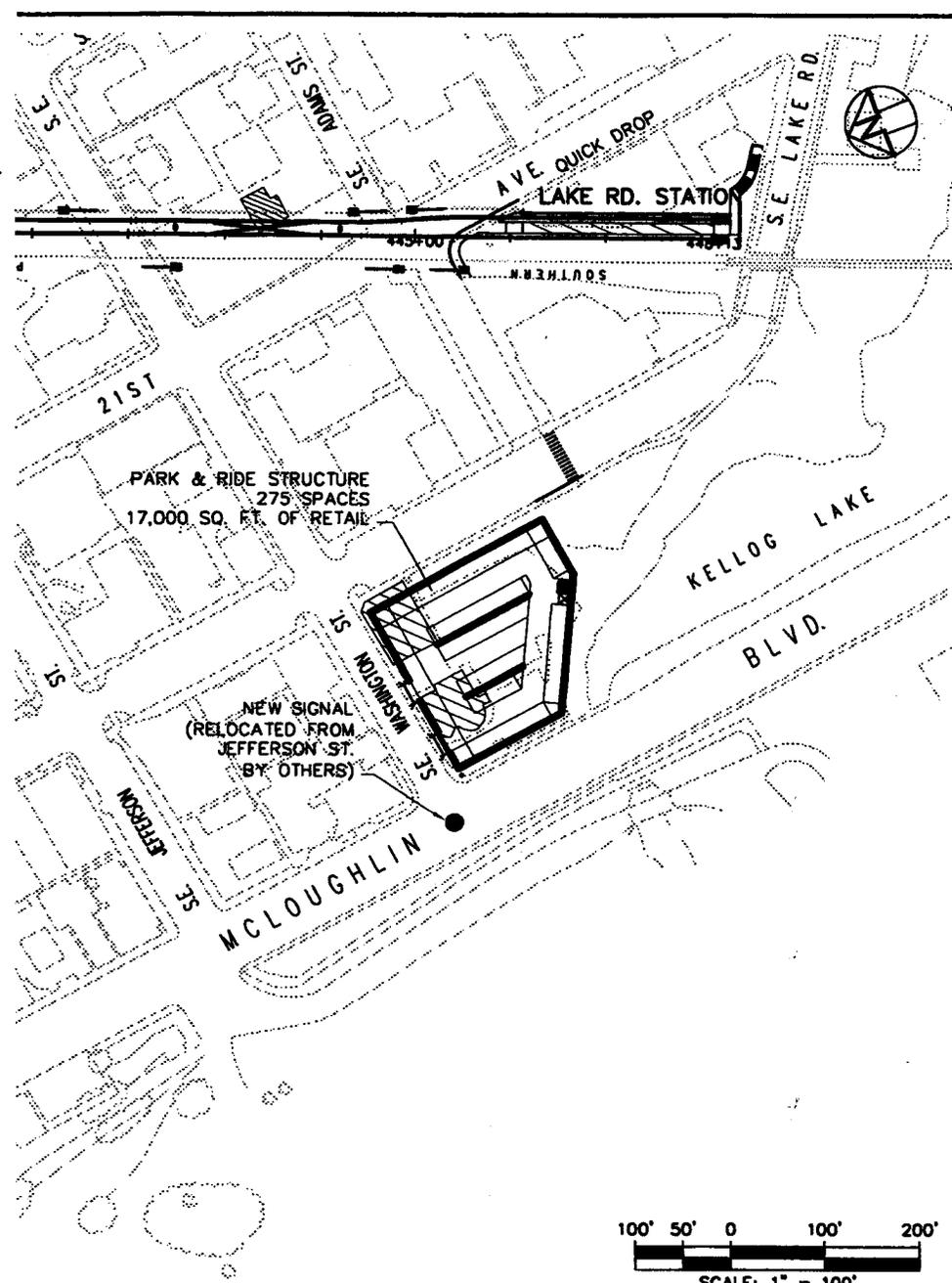


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APPROVED	DATE




**TRI-COUNTY**  
 SUBMITTED: **29a**



**TROPOLITAN TRANSPORTATION DISTRICT OF OREGON**



**CAPITAL PROJECTS  
AND  
FACILITIES DIVISION**

710 N.E. HOLLADAY STREET  
PORTLAND, OREGON 97232



APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**SOUTH CORRIDOR TRANSIT STUDY**  
**MILWAUKIE MAX ALIGNMENT**

MILWAUKIE SEGMENT  
ALTERNATIVE AB.1  
STA 437+00 TO STA 448+13

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RAMIS  
CREW  
CORRIGAN &  
BACHRACH, LLP  
Practicing as  
Hibbard Caldwell Schultz  
Ramis & Crew  
in Oregon City

ATTORNEYS AT LAW

1727 N.W. Hoyt Street  
Portland, Oregon 97209

(503) 222-4402  
Fax: (503) 243-2944

## MEMORANDUM

To: Milwaukie City Council  
From: Gary Firestone, City Attorney's Office  
Date: March 24, 2003  
Re: Ordinance to Amend Code to Comply with Charter

### Action Requested

Adopt an ordinance amending Milwaukie Municipal Code Section 2.04.300(A) to comply with Milwaukie Charter Section 25.

### Background

Milwaukie Charter of 1975 Section 25 provides:

The **concurrence of a majority of the whole council** shall be required to determine any matter before the council. The council does not have the power to provide by rule by rule that an extraordinary majority is required to determine any matter before the council. (Emphasis added.)

In addressing the same issue, Milwaukie Municipal Code Section 2.04.300(A) provides:

The **concurrence of a majority of all the council members present** is required to determine any matter before the council. Each councilor must vote on all questions before the council unless the member has a conflict of interest which would disqualify the member from voting. If a member abstains, the reasons for the abstention shall be entered in the record. Unless a councilor abstains, the member's silence when the vote is taken shall be considered an affirmative vote. (Emphasis added.)

The Code provision is inconsistent with the Charter provision quoted above. This inconsistency was discovered at the March 18, 2003 Council meeting while analyzing how the Council could act when only three Councilors were present for a meeting. Charter provisions control, and, therefore, the conflicting provision of the Code must be brought into conformance. The proposed action will do that.

**Concurrence**

The City Attorney and City Manager are in concurrence with this action.

**Fiscal Impact**

None.

**Alternatives**

The Charter provision controls, and, therefore, the offending Code provision should be brought into compliance. If this action is not taken, the Code provision as it stands is not enforceable in the face of a conflicting provision in the Charter.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 2.04.300A OF THE MILWAUKIE MUNICIPAL CODE RELATING TO COUNCIL VOTING**

**WHEREAS**, Municipal Code Section 2.04.300A is inconsistent with Charter Section 25; and

**WHEREAS**, the Code must be consistent with the Charter; now, therefore,

**THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:**

Section 1: Milwaukie Municipal Code Section 2.04.300A is amended to read as follows:

A. Requirement. The concurrence of a majority of the whole council shall be required to determine any matter before the council. Each councilor must vote on all questions before the council unless the member has a conflict of interest which would disqualify the member from voting. If a member abstains, the reasons for the abstention shall be entered in the record. Unless a councilor abstains, the member's silence when the vote is taken shall be considered an affirmative vote.

Section 2: All other subsections of Milwaukie Municipal Code Section 2.04.300 remain in effect.

Read the first time on \_\_\_\_\_, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
Ramis, Crew, Corrigan & Bachrach, LLP



**To: Mayor and City Council**

**Through: Mike Swanson, City Manager**  
**Alice Rouyer, Director of Community Development & Public Works**  
**Jeffrey King, Project Manager**

**From: North Main Developer Selection Committee**

**Subject: Developer Recommendation Report**

**Date: April 1, 2003**

**Action Requested**

- 1) Receive and discuss the North Main Developer Selection Committee recommendation of a development team proposal for redevelopment of the North Main Street "Safeway" Site,
- 2) Select a development proposal for exclusive negotiations, and
- 3) Authorize staff to commence negotiations with the development team selected by Council

**Background**

As per Milwaukie Resolution 26-2002, the North Main Developer Selection Committee is hereby reporting its recommendation and conclusions to City Council of a proposal and development team for this site. The project is for mixed- use redevelopment of a city owned property on North Main St. known as the "Safeway" site. The city received two outstanding proposals from local development teams. The proposals provided two very different yet reasonably achievable projects from firms with good track records in the community. A summary of the two teams and their proposals is attached.

After thoroughly reviewing the proposals, the North Main Developer Selection Committee unanimously recommends that the City Council begin exclusive negotiations with the team led by Peak Development, LLC of Gresham, Oregon on the North Main Street Project. Herewith are the conclusions.

### **I. Charge of the North Main Street Developer Selection Committee**

On November 19<sup>th</sup>, 2002, City Council passed an ordinance creating the North Main Developer Selection Committee. The charge of the Committee was:

1. Review development proposals and developer qualifications submitted by the four qualified firms, approved in the Request for Qualification (RFQ) project phase in August 2002. The Committee will review the proposals against project selection criteria identified in the Request for Proposal (RFP) document.
2. Interview development teams for "fit" with city goals and values.
3. Recommend a proposal and development team for consideration and final approval by the City Council.
4. After no more than 2 months from the date of the first meeting, the Committee should report a recommendation and conclusions to Council.

The Selection Committee and the entire Project Team believes that it has achieved all of the objectives set forth by the ordinance.

### **II. North Main Street Developer Selection Committee Process**

The selection process for this project was fair, objective and deliberative. In early December City Council completed interviews of prospective members. Seven members were selected with one member dropping out in December. The six-member Selection Committee is made up of representatives of neighborhood organizations, businesses, residents, design professionals, the Ledding Library and the Masonic Lodge.

Members included Michael Davis, Peter Koonce, Jeff Reaves, Susan Trotter, Gill Williams and Ed Zumwalt. Technical assistance was provided to the Committee by City Community Development staff and consultants providing development and financing expertise including: Alice Rouyer and Jeff King (City of Milwaukie); Betty Dominguez (Oregon Housing and Community Development Department); Doug Oblatz and Kim Knox (Shiels Oblatz Johnsen); and Mike Silver (Deloitte & Touche).

Two proposal teams responded to the RFP deadline of January 9, 2003. The two proposal teams were: Peak Development (Peak) serving as the developer with Lone Oak Construction and Myhre Architects. The second team included Northwest Housing Alternatives (NHA) as the building owner, Brian McCarl & Company as the developer, Walsh Construction and Mahlum Architects.

The Committee then held a total of six meetings including an open house, a site tour of referenced projects and interviews of the development teams. A recommendation was based on four specific criteria.

### III. Evaluation Criteria

The Committee considered each proposal within the context of the four criteria approved by City Council in the North Main Street Request for Proposals. The following lists these four criteria and the Committee's general comments in each of these areas:

- **Team Qualifications:** *Proven ability of the proposer to successfully develop and manage high quality mixed use projects in an urban setting. Ability to work with public agencies, neighborhoods and business organizations to achieve a building that has broad public support.*

Both teams were seen to be capable and qualified to build mixed-use projects. Both teams have good track records in working with public agencies, neighborhoods and other affected stakeholders. However, Peak Development's in-house capabilities as a long-term building owner, manager and developer were seen to be a unique combination that would serve the Milwaukie community well.

- **Program and Design:** *Approach and ability to integrate the building uses and design consistent with the Development Objectives, Downtown Plan and Public Area Requirements and is economically feasible given the anticipated financial performance of the building.*

In terms of the building program, both projects propose "work force" housing (targeted individuals making up to \$30,900 with monthly rents up to \$590 for a one-bedroom unit) and condominiums. Overall, the NHA team proposed a more intense development, covering the majority of the site with buildings while the Peak team proposed a single building sited adjacent to Main Street with the remaining half of the site in surface parking. The Peak building's orientation to Main St. was consistent with the development objectives. The retail proposed in the Peak project was seen as more supportive of the development goal for active ground floor uses than the NHA proposal of live/work units along Main Street.

- **Project Financing:** *Ability to provide necessary project equity and secure construction and permanent finance for the project on schedule.*

Both teams proposed using tax credits, developer equity, conventional loans, Metro Transit Oriented Development funds plus other financing sources for the project. Each identified a gap in the financing that would need to be addressed once the City had selected a single developer. Of particular concern to the Committee was the NHA proposed financing structure's reliance on the competitive 9% tax credits on two phases of the development, which could cause significant delays to the project should the tax credits not

be awarded in the annual cycles. The 4% tax credits proposed by Peak are not as competitive and more easily awarded.

- **Business Offer:** *The preliminary amount offered to the City for the development rights.*

Both teams requested City financial assistance as part of their business offers. This financing gap was identified by the Committee as an “issue to be resolved” over the course of future negotiations. As the selected developer is able to gather more specific financing commitments and information in the coming months, a more refined assessment of potential City participation would be forwarded to the City.

Also see Attachment A-“Community Vision and Development Objectives for the North Main Project” and Attachment B- “Long Term Success of Project for additional factors that were part of the consideration.

#### **IV. Recommendation of the North Main Developer Selection Committee**

The Committee recommends that the City proceed with exclusive negotiations with Peak Development, LLC of Gresham, Oregon. Peak Development, LLC scored the highest in each of the four criteria and total points for the following reasons:

- + Commitment to long-term ownership/investment/management of entire building through one company with experience in mixed-use building operations.
- + Capable/qualified and able to build a mixed-use project.
- + Well-suited to working with a small community like Milwaukie and its neighborhood associations.
- + Site proposal allows for greater flexibility in site build-out even though developer has not committed to later phases.
- + Good design that breaks up the long building facade
- + Integration of condominiums in project
- + Active ground floor uses on Main Street.
- + Good developer equity contribution which also suggests long-term interest in project.

#### **V. Next Steps – Recommended Discussion Issues**

Should City Council decide to proceed with negotiations with Peak Development, the Selection Committee has the following issues that should be included in the discussions between the developer and City Staff. A proposed Project Schedule, and a Proposal Comparison Matrix are located in the Attachments.

- Conduct additional retail market evaluations to ensure that the building accommodates a supportable amount of ground floor retail that is oriented to Main Street.

- Create a retail leasing strategy to ensure that the building can maintain a consistent level of retail activity in the ground floor that complements other downtown retail activities.
- Seek additional design assistance to address issues of: future site intensification or development phases; ownership of undeveloped land; incorporating flexible options to accommodate a variety of active ground floor uses over time; building scale; reconsideration of appropriate construction methods for condominiums; re-design of the pedestrian link between Main Street and the library; and site landscaping.
- Ensure consistency with the Downtown Plan, Zoning and Design Guidelines. Identify any areas where zoning adjustments may be needed. If appropriate, revisit the list of prohibited building materials in the City's code.
- Establish a milestone date to determine whether the project includes tax credits or whether it will be "market rate".
- Establish a milestone date to determine feasibility for condominiums to be incorporated into the building. If needed, allow condominium level to be turned over to rental while accommodating home ownership options elsewhere on the site.
- Determine any conditions that various funding agencies or lenders may place on site design, density, mix of uses, or business offer.
- Explore opportunities for the use of land reversion for some of the surface parking lot as part of the development, such that the City has the opportunity to encourage future development and intensification of the site.
- Review and discuss all aspects of the business offer to reduce the City's out-of-pocket expenses from the amount contained in the proposal.

## **ATTACHMENT A**

### **Community Vision & Development Objectives for the North Main Project**

Over the past two years, City Council and staff have had many opportunities to listen to redevelopment ideas for the site generated by various community members. Accordingly, the Council has developed project objectives below that should be addressed by development teams in the Request for Proposal (RFP) stage:

- Redevelopment should include high quality materials and construction. This site is viewed by the City as a major catalyst to future development in the downtown. The Downtown Design Standards and Guidelines provide a good framework for projects that are considered to be compatible in the downtown.
- The proposal should incorporate a mixture of uses, including active ground floor uses oriented to Main Street. Some ground-floor uses of interest to the community are:
  - Specialty grocery store
  - Library expansion area
  - Post office
- A project offering dwelling units available to a mixture of incomes is highly desirable, provided it includes a proportion of market-rate units.
- A condominium project with “for sale” units is highly desirable.
- Active building entrances, balconies, decks and porches overlooking Main and 21<sup>st</sup> Streets are essential.
- Green building components are desirable, including but not limited to existing building deconstruction, selection of recycled building materials and energy efficiency elements.

- A public gathering space should be incorporated into the site design. This space could provide an attractive link between Main Street and the library.
- Any redevelopment proposal on this site should offer a reasonable civic and financial return to the City.
- Parking supply in the downtown is a sensitive community issue. Voluntarily providing a supply of off-street parking on the site is highly desirable from a marketing and community perspective.

## ATTACHMENT B

### Long-Term (Ten Year) Success of Project

Over the course of its consideration of the North Main Street proposals, the Selection Committee identified several shared values for how capital investments can create a positive ripple effect within the downtown and the greater Milwaukie community. The committee encourages the City to include consideration of ten-year goals and performance measures for this project as well as future downtown capital investments.

- **Expand Civic Participation & Commitment to the Community:** How long do developers maintain ownership in their projects and how involved do they become in supporting other community activities?
- **Catalyze Downtown Development:** How does the amount of annual private investments change over the years, and how many new or renovated development projects occur over the years? What is the public/private investment ratio and how have the types and amounts of downtown businesses and goods changed?
- **Expand Downtown Living Opportunities:** How has the number of people living in downtown changed and what percentage of the housing is owner occupied?
- **Increase Property Values:** By what rate have downtown property values increased and how does that compare to other comparable communities in the area? By what rate have property taxes increased in the downtown over the years?

## **North Main St. Redevelopment Project**

### **Project Schedule**

<b>March 17</b>	Discussion with Council on Selection Criteria
<b>April 1</b>	City Council Meeting Open Session-Selection Committee Recommendation
<b>April 1</b>	City Council Meeting Executive Session: City Council accepts report and choose Development Team. Directs negotiators
<b>April 1-May 15</b>	Negotiate MOU (6 weeks)
<b>May 15- July 15</b>	Negotiate DDA (8 weeks)
<b>May 1 – Dec. 30</b>	Plans, Specifications and Permits (8 months)
<b>May 1 – Oct. 30</b>	Secure Financing (6 months)
<b>Dec. 1 – Dec. 30</b>	Negotiate Construction Contract (1month)
<b>TBD</b>	Construction Notice to Proceed
<b>TBD</b>	Construction

## North Main St. Redevelopment Proposals

### Proposal Comparison

2/06/03

Item	Brian McCarl/NWA	Peak Development
<u>Qualifications</u>	<ul style="list-style-type: none"> <li>• <u>Multiple sites developed in past 18 years throughout the state (NWA)</u></li> <li>• Lents Village Apts: 63 senior apts</li> <li>• Rosemont Court: 100 unit senior apartments— renovation</li> <li>• Several senior/assisted living facilities (McCarl) 5th Ave Commons:</li> <li>• WestShore Apts: 113 affordable apts</li> <li>• Pacific Tower</li> <li>• Stadium Station Apts (Kuhns/Walsh)</li> <li>• Collins Circle Apts (Kuhns)</li> <li>• Walsh CC is the leading builder of affordable housing in the Portland market: 5th Ave Commons WestShore Apts Pacific Tower</li> </ul>	<ul style="list-style-type: none"> <li>• Central Point, mixed use, 22 units, 3500 SF retail</li> <li>• Rossman Offices, mixed-use, 2 units over office, separate townhouses</li> <li>• Landmark at 8<sup>th</sup>, 29-unit townhouse</li> <li>• Alpine Village, 75-unit apartment</li> <li>• The Mosaic, 40-unit condominium, eight stories</li> <li>• Lovejoy Station, mixed use, 181 units, 6300 SF retail (with prior co.)</li> <li>• Lone Oak construction: Central Point Rossman Offices Landmark at 8<sup>th</sup> Alpine Village</li> </ul>
	<ul style="list-style-type: none"> <li>• \$121/SF const cost</li> <li>• 151,615 SF total</li> </ul> <p><b><u>Program:</u></b></p> <ul style="list-style-type: none"> <li>• .55 onsite pkg spaces/unit (107 total)</li> <li>• 131 total units</li> <li>• 63 senior apts</li> <li>• 68 affordable apts</li> <li>• 8,000 sf commercial</li> </ul>	<ul style="list-style-type: none"> <li>• \$129/SF const cost</li> <li>• 75,000 SF total</li> </ul> <p><b><u>Program:</u></b></p> <ul style="list-style-type: none"> <li>• 2.76 pkg spaces/unit (166 total)</li> <li>• 42 total units</li> <li>• 42 affordable apts</li> <li>• 19,600 SF commercial</li> </ul>

	<ul style="list-style-type: none"><li>• 5 townhouses (ownership)</li></ul> <p><b><u>Unit sizes</u></b></p> <ul style="list-style-type: none"><li>• 1 bedrm 600 SF</li><li>• 2 bedrm 950 SF</li></ul>	<ul style="list-style-type: none"><li>• 14 condos(ownership)</li></ul> <p><b><u>Unit sizes</u></b></p> <ul style="list-style-type: none"><li>• 1 bedrm 768 SF</li><li>• 2 bedrm 1,028 SF</li></ul>
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North Clackamas Parks and Recreation District  
Milwaukie Center/Community Advisory Board  
Minutes of January 10, 2003

VII. 1

**Members present:** Eleanor Johnson, Sharon Phillips, Janet Witter, Joan Staley, Ben Tabler, Kim Buchholz, Alice Neely, Jim McCready, Jane Hanno, Lynn Wright, Molly Hanthorn

**Member excused:** Joan Newman, Carol Storment

**Staff:** Joan Young, Cheryl Nally, Pat Kennedy, Lisa Rogers

**Guests:** None

**Call to Order:** Eleanor Johnson called the meeting to order at 10 am. The minutes of the previous meeting were approved as printed.

**Correspondence:** Membership applications for Jane Hanno and Lynn Wright were presented. Both applications were approved by unanimous consent.

**Staff Presentation:** Pat Kennedy and Lisa Rogers reported to the Board on the Recreation and Education Programs. Pat reviewed the categories of Classes and Workshops being offered. There are 44 different titles for Winter Term. Total enrollment averages 500 people attending per term. At least 20% are under age 62. Art, Fitness and Computer are among the most popular classes offered. Lisa reviewed the Interest Groups and Activities. Currently, there are 24 groups led by volunteer coordinators. Participants pay a 50 cent drop-in fee for each group they attend. Coordinators minimize the staff time needed to keep these groups going. The ninth annual Quilt Show is being planned by the leadership of the Quilt group and will be held on March 21 and 22. The Travel Program, also volunteer led, has provided 29 trips for 800 people. The Community Garden gets a boost from the Master Gardeners with support and advice. The Program and Recreation office collaborates with the Arts Guild, Master Gardeners and other local groups. They also received a two-year grant from the Oregon Council for Humanities to work on Centennial and Ethnic Quilting.

**Parks Board:** Kim Buchholz volunteered to be the alternate from this board to the Parks Board. Eleanor will continue to be C/CAB representative. Kim was appointed alternate by unanimous consent.

**Budget Committee:** Open meetings, to begin the budget process, are set for January 22 at 1 pm and January 30 at 2:30 pm at the Milwaukie Center. John Mullin of Clackamas County Social Services will report to the Parks Board on January 30 at 6 pm at the Milwaukie Center.

**Programs and Services:** No meeting.

North Clackamas Parks and Recreation District  
**MILWAUKIE CENTER DIVISION**  
Monthly Report for January, 2003

**Programs/ Services:**

Winter Term class and workshops at the Milwaukie Center showcase 45 different offerings for the adults in our community. Enrollment for the term is expected to be nearly 500 patrons.

Milwaukie Center was the benefactor of an influx of volunteer energy from 18 high school students on Thursday, January 30. The students took on multiple tasks throughout the Center: cleaning flower beds, stacking wood, cleaning and polishing furniture, helping with a mailing, washing buses, and selling candy.

For the second year, the Diabetes Education Fair on Saturday, January 18, brought together medical providers, a nutritionist, several diabetes supply providers with close to 200 interested public attending a day of information, education and free screenings.

Over sixty clients who had been receiving medical escort services from Milwaukie Center Transportation Program – 23% of the total number of clients in this program – were impacted by the loss of funding from the Providence Milwaukie partnership, effective January 1, 2003.

The Friends of the Milwaukie Center, Inc. sponsored the quarterly Red Cross Blood Drive early January with over 30 people giving “the gift of life”.

**Events Coming Up:**

Transportation Program’s annual See’s Valentine Candy Sale fund-raiser is in full swing, through February 14. Treat your sweetheart and help fund transportation!

The Nutrition Program’s Sweetheart Sunday dinner is on February 9th, 2003. Community members who participate will enjoy a delicious Roast Beef Dinner. Proceeds support Meals on Wheels in north Clackamas County.

The Friends of the Milwaukie Center will hold their festive All-You-Can-Eat Spaghetti Dinner on Saturday, March 8, 4-7 pm. Be sure to make this delicious fund-raiser!

The 9<sup>th</sup> Annual Quilt Show, “Airing of the Quilts”, will be held at the Milwaukie Center March 21 and 22. The show includes a gorgeous show of community quilts, a quilt contest, quilt raffle, vendor fair and much more.

North Clackamas Parks and Recreation District  
Milwaukie Center/Community Advisory Board  
Minutes of February 14, 2003

**Members present:** Eleanor Johnson, Kim Buchholz, Sharon Phillips, Janet Witter, Joan Staley, Jane Hanno, Joan Newman, Molly Hanthorn, Jim McCready, Lynn Wright, Carol Storment, Ben Tabler, Alice Neely

**Board members excused:** none

**Staff:** Cheryl Nally

**Call to Order:** Eleanor Johnson called the meeting to order at 10:00 a.m. The minutes of the previous meeting were approved as printed.

**Correspondence:** none

**Guest Speaker:** Dick Jones of AAA Advisory Board gave Board members a packet of information for their files. This Board provides advocacy for Seniors and Disabled in Clackamas County. Some of the issues they deal with are Nutrition, Transportation, Prescription drugs, Project Independence and others. In Clackamas County the centers have taken responsibility for different geographical areas, forming a network of centers. The Centers minimize fragmentation of services and are the cornerstone of delivery of services in Clackamas County. Anyone interested in volunteering for one of the AAA committees may get an application by contacting Jean Cochran at the Department of Human Services. Dick called the Milwaukie Center "The Best in the West" for fundraising and services delivered.

Sharon Phillips was complimented on the article about her in The Oregonian.

**Board /Committee Reports:**

**NCPRD Board** Eleanor reported that John Mullin had discussed budget issues. Lynn Sharp received an award, A property on Naef Road is being acquired with the cooperation of the current owners for future development as a park. Kim Buchholz was approved as our alternate representative to the Parks Board. Jane Hanno and Lynn Wright were approved as members of CCAB. Altamont Park will be partially developed this year. Reports were given about program cuts and maintenance arrangements. Staff is working on plans for Eagle Landing near Top o Scott and there will more hearings. Public meetings will be held on the budget and April 10 is the target date for Budget adoption.

**Budget/Finance** Jim reported no meetings will be held until decisions are made at the District level.

***Programs/Services:***

In the next nine months, the Milwaukie Center will participate in a community-based Diabetes Education and Support Program through the National Council on Aging and Providence Center on Aging. The Center is one of four sites in the state to take part in a pilot study to test a model to support older adults with diabetes in day-to-day self-management of the disease. This project is made possible through a Robert Woods Johnson grant, paying for Center expenses and staff time.

In February, Travel Program volunteers met to plan ahead for the coming months. Fifteen day and over night trips are featured on the schedule-- ranging from a one day sweep of Chinese and Japanese gardens in Portland, including lunch at Bush Gardens -- to tours of the North Cascades, Crater Lake, and the San Juans and Pacific Coast by cruise ship. Recently, the group listed its first trip to Beijing, China-- coming in November.

***Fund-raising:***

The Transportation Program's annual See's Candy Valentine fund-raiser was a success, netting over \$1,000 to support senior and disabled transportation. Many thanks to the Volunteers who gave over 60 hours to sell all the chocolate.

The Friends sponsored a Bridal Show on February 1<sup>st</sup> at the Milwaukie Center. Twenty-five vendors rented booth spaces, and over one hundred potential brides, family and friends attended the event. The event was a great fund-raising success and brought in new rental bookings for the Center.

The Nutrition Program held its Famous Valentine's Sunday Dinner, featuring melt-in-your-mouth pot roast and wonderful piano tunes with Joan Rice. The event was attended by over one hundred twenty community members. This fund-raiser cleared \$750, supporting Meals on Wheels in north Clackamas County.

The Transportation Program was given the '96 Chrysler which was used for six years in partnership with Providence Milwaukie Hospital to provide medical transportation. The car was sold for \$3,200, and the funds will be set aside to help with the grant matching dollars necessary for the purchase of our next lift bus.

***Coming up:***

"Airing of the Quilts" 9<sup>th</sup> annual Community Quilt Show, Friday, March 21 and Saturday, March 22 (\$3 entry). View hundreds of quilts made by community members, see the winning quilts of the "Red, White and New" Quilt Contest, attend quilt sessions; buy a chance on the beautiful quilt raffle, check out quilt vendor sales and much more!

"Wine and Roses" Dinner Casino – Saturday, May 17. Support the efforts of the Friends of the Milwaukie Center -- enjoy this up-scale dinner and game night. Ticket sales are limited, call today!

April 21 – 25 is National Volunteer Recognition Week. The Milwaukie Center is dependent upon hundreds of volunteers who give the equivalent of over 45 full time staff in time each year. **Thank you, thank you, volunteers!**