



January 18, 2012

Master File: WG-11-01  
Appeal File: AP-11-01

## NOTICE OF DECISION

This is official notice of action taken by the Milwaukie City Council on January 17, 2012.

<b>Application:</b>	<b>Appeal of Light Rail Bridge over Kellogg Lake and McLoughlin Blvd</b>
<b>Appellant(s)</b>	<b>Maria Dion Shepard, Jo Anne Bird, and Milwaukie City Council</b>
<b>Applicant(s):</b>	<b>TriMet</b>
<b>Location(s):</b>	<b>City of Milwaukie, Oregon Department of Transportation, and Union Pacific Railroad rights-of-way on Tax Maps 1S1E36BC, 1S1E36CB, and 1S1E35AD between SE Lake Rd and SE 22nd Ave; Portions of Kronberg Park on Tax Lots 1S1E36CB03100 and 1S1E36CB03000.</b>
<b>Application Type(s):</b>	<b>Appeal (AP-11-01) of Willamette Greenway (WG-11-01), Design Review (DR-11-01), Water Quality Resource (WQR-11-03), Habitat Conservation Area (HCA-11-01), and Community Service Use (CSU-11-09)</b>
<b>Decision:</b>	<b>Affirmed with Conditions</b>
<b>Review Criteria:</b>	<b><u>Milwaukie Zoning Ordinance:</u></b> <ul style="list-style-type: none"><li>• Section 19.310 – Downtown Zones</li><li>• Section 19.401 – Willamette Greenway</li><li>• Section 19.402 – Water Quality Resource</li><li>• Section 19.904 – Community Service Use</li><li>• Section 19.905 – Conditional Use</li><li>• Section 19.907 – Downtown Design Review</li><li>• Chapter 19.1000 – Review Procedures (specifically Section 19.1001 General Provisions, Section 19.1006 Type III Review, and Section 19.1010 Appeals)</li><li>• Interim Implementation Memo for Metro Title 13 Habitat Conservation Area</li><li>• Milwaukie Design Guidelines</li></ul>
<b>Neighborhood(s):</b>	<b>Historic Milwaukie and Island Station</b>

On Jan 17, 2012, the Milwaukie City Council affirmed the Nov 23, 2011 Notice of Decision made by the Milwaukie Planning Commission with revised findings and conditions of approval. A copy of the Final Order, which includes the revised findings and conditions of approval, is available by request from the Planning Department and at <http://www.ci.milwaukie.or.us/planning/ap-11-01>.

Only persons who submitted comments or made an appearance of record at a public hearing on the above-referenced applications have standing to appeal this decision by filing a written appeal with the Oregon Land Use Board of Appeals (LUBA) at: 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552, 503-373-1265, <http://luba.state.or.us>. Contact LUBA directly for information regarding the timeline for filing an appeal and the proper forms and procedures.

This notice is issued in accordance with Milwaukie Municipal Code (MMC) Subsection 19.1010.2 General Procedures Applicable to All Appeals. The complete appeal and master files for these applications are available for review between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department (6101 SE Johnson Creek Blvd, Milwaukie, OR 97206). Please contact Susan Shanks, Senior Planner, at [shankss@ci.milwaukie.or.us](mailto:shankss@ci.milwaukie.or.us) or 503-786-7653 if you wish to view these files.



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Katie Mangle  
Planning Director

cc: Applicant  
Appellants  
Property Owners  
Planning Commission  
Design and Landmarks Committee  
Department of State Lands  
Kenny Asher, Community Development/Public Works Director  
Katie Mangle, Planning Director  
Gary Parkin, Engineering Director  
Zach Weigel, Civil Engineer  
Wendy Hemmen, Light Rail Coordinator  
Tom Larsen, Building Official  
Bonnie Lanz, Permit Specialist  
Doug Whiteley, Lieutenant Deputy Fire Marshal  
NDA(s): Historic Milwaukie and Island Station  
Interested Persons  
Master File: WG-11-01  
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