

## **KELLOGG LAKE PEDESTRIAN BRIDGE CONNECTIONS**

### **PROJECT DESCRIPTION**

The proposed project consists of constructing connections and landings at both the north and the south ends of the Kellogg Lake Bicycle/Pedestrian Bridge, which was constructed by TriMet pursuant to the approval of WG-11-01 (“Light Rail Bridge over Kellogg Lake and McLoughlin Blvd”) and associated case files (referred to collectively hereafter as “WG-11-01”). The bicycle/pedestrian bridge crossing Kellogg Lake is situated beneath the light rail deck (the top level of the bridge), spanning between the central support columns of the light rail bridge. A detailed design for the linking structures between the banks of Kellogg Lake and the ends of the pedestrian bridge was deferred until funding had been identified, so specific approval (i.e., this application) was deferred until the present time.

The proposed construction requires review and approval pursuant to:

- Willamette Greenway Overlay Zone (WG) requirements in Section 19.401
- Downtown Design Review pursuant to Section 19.907

### **SECTION 19.401 WILLAMETTE GREENWAY OVERLAY ZONE (WG)**

The proposal is a form of “Development” as defined in §19.401.4. It is not a prohibited use per §19.401.3. Conditional Use approval is therefore required per that subsection and §19.401.5.D.

Section 19.401.5.E requires submittal of a vegetation/buffer plan **unless the proposed development does not impact the vegetation buffer defined in Subsection 19.401.8**. In this case, pedestrian linkages were contemplated in the Kellogg bridge’s design and associated impact mitigation activities (approved under WG-11-01), including approximately 500 square feet of additional mitigation for the bicycle/pedestrian bridge landings. The mitigation plan as approved by WG-11-01 is not being revised in the required buffer area; therefore, no vegetation/buffer plan is required in conjunction with this request,

#### **Section 19.401.6 Approval Criteria**

The following shall be taken into account in the consideration of a conditional use:

- A. Whether the land to be developed has been committed to an urban use, as defined under the State Willamette River Greenway Plan;

**ANALYSIS AND RECOMMENDED FINDING:** The WG-11-01 approval committed the corridor in which the Kellogg Lake Bicycle/Pedestrian Bridge is located to urban use. This criterion is met.

- B. Compatibility with the scenic, natural, historic, economic, and recreational character of the river;

**ANALYSIS AND RECOMMENDED FINDING:** The presence of a light rail and pedestrian bridge at this location was approved by WG-11-01 and associated approvals. That action included a requirement that an Ashlar stone appearance be used on the retaining walls,

structural walls and other surfaces supporting the bridge, consistent with the visual character of the Portland-Milwaukie Light Rail Alignment project. Surface treatment with a similar Ashlar stone appearance on the retaining walls necessary to form the abutments for the pedestrian bridge link extensions will ensure that the proposed structures are compatible with the approved design vocabulary and the environmental appearance created by the bridge's construction at this location along Kellogg Creek.

- C. Protection of views both toward and away from the river;

***ANALYSIS AND RECOMMENDED FINDING:*** Currently, views into the Kellogg Lake corridor from the Willamette River/Dogwood Park and vicinity are obstructed by the existing railroad trestle located immediately west of the Kellogg Bridge. Because the pedestrian bridge itself is lower than the trestle, there is no significant view opportunity to the west. On the other hand, the proposed project will create new eastward viewing opportunities from a vantage point above Kellogg Lake, just east of the railroad trestle, that has never been accessible to the public before. This will be a significant contribution to visual access to the Kellogg Lake scenic corridor, consistent with this approval criterion.

- D. Landscaping, aesthetic enhancement, open space, and vegetation between the activity and the river, to the maximum extent practicable;

***ANALYSIS AND RECOMMENDED FINDING:*** As noted above, the pedestrian bridge will create view opportunities looking eastward, upstream along the Kellogg Lake corridor. The proposed linking structures will provide bicycle and pedestrian access to the bridge, and across Kellogg Creek, where users can frequently and safely enjoy these scenic amenities. The use of Ashlar stone visual treatment of exposed surfaces will ensure that a coherent, high-quality visual character is maintained along the banks of Kellogg Lake.

- E. Public access to and along the river, to the greatest possible degree, by appropriate legal means;

***ANALYSIS AND RECOMMENDED FINDING:*** In addition to making bicycle and pedestrian connections to multimodal facilities on both ends of the bridge, the proposed connections will also make connections to planned future trails within or along the Kellogg Lake corridor itself. The proposed project is therefore consistent with this requirement.

- F. Emphasis on water-oriented and recreational uses;

***ANALYSIS AND RECOMMENDED FINDING:*** Kellogg Lake is not an opportune location for navigation between it and the Willamette River because the trestle structure does not allow watercraft to pass. This criterion is not applicable at this location.

- G. Maintain or increase views between the Willamette River and downtown;

***ANALYSIS AND RECOMMENDED FINDING:*** The Kellogg Lake Bicycle/Pedestrian Bridge's specific location – underneath the light rail deck of the Portland-Milwaukie Light

Rail bridge crossing Kellogg Lake – provides only glimpses of the Willamette River through the trestle bridge immediately to the west, and it is too low for visual access to the downtown area. Strictly speaking, this criterion is not applicable. (Notably, however, the creation of scenic views into the Kellogg Lake/Kellogg Creek corridor is in keeping with its principles.)

H. Protection of the natural environment according to regulations in Section 19.402;

***ANALYSIS AND RECOMMENDED FINDING:*** The requirements of this Section were addressed in the mitigation plan approved as part of WG-11-01, which took into account impacts anticipated to occur with construction of the linking ramp structures. The proposed plan is consistent with those assumptions, so no modification of the mitigation plan or further analysis is required.

I. Advice and recommendations of the Design and Landmark Committee, as appropriate;

***ANALYSIS AND RECOMMENDED FINDING:*** [Response pending review by that Committee.]

J. Conformance to applicable Comprehensive Plan policies;

***ANALYSIS AND RECOMMENDED FINDING:*** Staff reviewed Objectives and Policies in the Comprehensive Plan and identified the following excerpts (emphasis added) as being applicable to the proposed project. Each excerpt is followed by a brief recommended finding statement.

### **City of Milwaukie – Comprehensive Plan**

#### **OVERRIDING MANAGEMENT POLICIES**

During preparation of the Comprehensive Plan, four overriding policies emerged which directed Plan preparation:

- **Public and private actions will result in a net benefit for existing City residents and will contribute to the improvement of the local business and industrial economy.**
- **Existing natural resources and developments of character will be preserved, and new development will contribute to improving the quality of the living environment, and to a sense of City-wide identity and pride.**
- Neighborhoods, their identity, and security, will be maintained and enhanced by all actions resulting from public and private activities.
- Public facilities and services will adequately serve existing residents and businesses, and not be overburdened by new public or private development.

**RECOMMENDED FINDING:** The proposed project will improve bicycle and pedestrian connectivity, safety and access to transit, especially for pedestrians traveling between the Downtown area/Lake Road Station and neighborhoods located south of Kellogg Lake. The project will also provide bicycle and pedestrian access to the bicycle/pedestrian bridge crossing Kellogg Lake, which provides attractive view opportunities to the east, upstream along the Kellogg Lake corridor. For these reasons, the proposed project is consistent with these Policies.

### **CHAPTER 3 — ENVIRONMENTAL AND NATURAL RESOURCES**

#### **OBJECTIVE #1 — FLOODPLAIN**

To manage identified 100 year floodplains in order to protect their natural function as waterways, and to protect the lives and property of those individuals and concerns currently located within and along the floodplain boundary.

#### **Policies**

1. New construction and development will be regulated so that water flow will not be increased. The capacity of the floodplain shall not be reduced by development activities.
2. Construction materials which may be inundated will be of such strength and quality that they will not deteriorate, and they must be able to withstand the pressure and velocity of flowing water.
3. The finished elevations of the lowest floor of buildings and streets will be a minimum of 1.0 foot above the 100 year flood elevation.
4. Whenever possible, the floodplain will be retained as open space and used for recreation, wildlife areas, or trails. Dedication of lands or public easements within the floodplain is encouraged when indicated by the Recreational Needs Element, and may be required as a condition of development along creeks and rivers or other water bodies or wetlands.
5. The City will continue to participate in the FEMA Flood Insurance Program and will update its current flood hazard ordinance as necessary to comply with future revisions to that program.

**RECOMMENDED FINDING:** Like the pedestrian bridge itself, the proposed pedestrian ramp linkages are elevated above the 100-year flood elevation, and will be supported by structures designed to withstand flood events without compromising flows. The proposed design is therefore consistent with these Policies.

### **OPEN SPACES, SCENIC AREAS, AND NATURAL RESOURCES ELEMENT**

GOAL STATEMENT: To conserve open space and protect and enhance natural and scenic resources in order to create an aesthetically pleasing urban environment, while preserving and enhancing significant natural resources.

Background and Planning Concepts [excerpt]:

Due to Milwaukie's physical setting and current level of development, few major natural resource features remain undisturbed and visible within the City. **Areas along Kellogg Lake, parts of Kellogg Creek**, some riparian areas along the Willamette River, the steep slopes south of Lake Road, small bands of riparian vegetation along Johnson Creek, parts of Spring Creek, and other scattered wetland and upland resources **have sufficient natural vegetation to allow the natural processes of habitat development and vegetative successional stages to occur. Active fish habitat exists within the City in the Willamette River, Kellogg Creek, and Johnson Creek. These waterways contain anadromous fish species.**

Milwaukie's future role as an urban community with a healthy mix of industrial, commercial, and residential uses, is compatible with the conservation of the City's remaining open spaces and natural resources. Policies in this element and the Willamette Greenway Element will allow certain types of development to occur providing natural resources, to the extent possible, are protected.

#### OBJECTIVE #1 — OPEN SPACE

To protect the open space resources of Milwaukie to improve the quality of the environment, provide a diversity of natural visual character within the City, and provide residents with ecological, educational, and recreational experiences in a variety of environmental settings.

Policy 3. The natural resources along Johnson Creek, Kellogg Creek, and **Kellogg Lake** will be considered open space of special importance to all City residents. **Passive recreational public use of these areas for walking trails, nature parks, and the like will be encouraged.**

**RECOMMENDED FINDING:** The proposed project will link the Kellogg Lake bicycle/pedestrian bridge with bicycle and pedestrian facilities on both sides of Kellogg Lake, and will create eastward viewing opportunities from a vantage point above Kellogg Lake that has never been accessible to the public before. These will be significant contributions to passive recreational opportunities the City intends to foster within the Kellogg Lake/Kellogg Creek corridor over time. The proposed project therefore furthers this Policy.

#### OBJECTIVE #3 — SCENIC AREAS

Significant scenic and view sites will be preserved for the enjoyment of present and future City residents as well as for visitors to the City.

## Planning Concepts

The most significant scenic views in the City are oriented toward the Willamette River. However, only near downtown Milwaukie are public viewing sites possible, since established residential areas occupy the higher more prominent sites near the bank. **The view of Kellogg Lake from Dogwood Park is also considered scenic.** Preservation of these visual relationships is the primary objective of these policies and the Willamette River Greenway Policies.

Policy 1. Future plans for the Milwaukie riverfront area will include consideration of viewing opportunities between downtown and the Willamette River, as well as special places on the riverfront for enjoying views of the river and its activities. **Development plans for Dogwood Park will include maintenance of public access and opportunities for viewing Kellogg Lake.**

***RECOMMENDED FINDING:*** Currently, views into the Kellogg Lake corridor from Dogwood Park are obstructed by the existing railroad trestle located immediately west of the Kellogg Bridge. The proposed project will create new eastward viewing opportunities from a vantage point above Kellogg Lake, just east of the railroad trestle, that has never been accessible to the public before. This will be a significant contribution to visual access to the Kellogg Lake scenic corridor. The proposed project therefore furthers this Policy.

## CHAPTER 4 — LAND USE

### ECONOMIC BASE AND INDUSTRIAL/ COMMERCIAL LAND USE ELEMENT

GOAL STATEMENT: To continue to support and encourage the development of a broad industrial base in the City, and to encourage the expansion of service facilities in the community.

Policy 10. The City will implement the Town Center Master Plan to promote economic development based on compatible mixed uses within the Town Center.

***RECOMMENDED FINDING:*** Convenient and safe pedestrian access is an important element for achieving successful economic development in a mixed-use district. The proposed project will provide the necessary pedestrian connectivity for a safe and efficient pedestrian linkage between the Downtown area and neighborhoods to the south of Kellogg Lake. The proposed project is therefore consistent with this Policy.

### OBJECTIVE #6 — COMMERCIAL LAND USE

To encourage new commercial uses to locate within designated commercial areas of the City, in order to take maximum advantage of existing access and public facilities serving these areas.

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- Town Center Areas - The downtown Milwaukie area is a unique mixed use and commercial center. This area is designated as a Town Center by the Metro 2040 Growth Concept. It provides area-wide services as well as limited neighborhood services. Commercial uses are primarily office, service, and retail, providing financial, personal, and business services, governmental and cultural services. **The emphasis is on creating a compact mixed use environment with pedestrian amenities and high quality transit service and multimodal street networks.**

**RECOMMENDED FINDING:** As noted above, convenient and safe pedestrian access is an important element for achieving successful economic development in a mixed-use district. The proposed project will provide the necessary pedestrian connectivity for a safe and efficient pedestrian linkage between the Downtown area/Lake Road Station and neighborhoods to the south of Kellogg Lake. The proposed project is therefore consistent with this Objective.

#### OBJECTIVE #12 — TOWN CENTER

To emphasize downtown Milwaukie and the expanded city center as a Town Center with the major concentration of mixed use and high density housing, office, and service uses in the City.

##### Planning Concepts

Downtown Milwaukie is designated by Metro as a Town Center typified by a mix of residential and commercial uses.

**The future role for the downtown as a Town Center will revitalize the area as a focus of community identity and pride. The community also realizes the potential for waterfront development as a downtown focal point for enhancing existing and attracting new businesses and residential development within the Town Center.**

Policy 5. In its planning for downtown, the City will establish location(s) for major public transit stations or interchange facilities. **The City will continue to work closely with Metro and Tri-Met in planning for transit improvements (see Transportation Element and Downtown and Riverfront Public Area Requirements).**

**RECOMMENDED FINDING:** The proposed project represents the final land use approval necessary to follow through on the City's work with TriMet to design and construct the Kellogg Bicycle/Pedestrian Bridge in conjunction with the Portland-Milwaukie Light Rail Project (as previously approved by WG-11-01). This approval will permit the design and construction of the bicycle and pedestrian landing linkages necessary to functionally connect the Kellogg Lake bicycle/pedestrian bridge, which has now been constructed, to bicycle and pedestrian facilities on both banks of the Kellogg Lake corridor. The proposed project is therefore consistent with this Policy.

#### RECREATIONAL NEEDS ELEMENT

GOAL STATEMENT: To provide for the recreational needs of present and future City residents by maximizing the use of existing public facilities, encouraging the development of private recreational facilities, and preserving the opportunity for future public recreational use of vacant private lands.

**OBJECTIVE #7 — RIVERFRONT RECREATION**

To maximize the recreational use of the Willamette River shoreland and waterways.

Planning Concepts

**The Willamette River shoreland and waterways offer the most significant potential to improve recreational opportunities in Milwaukie.** A 1979 Port of Portland report and a 1986 Marketing Study analyzed the feasibility for developing the City boat launch area as a marina. A marina near downtown, linked with public lands such as the grounds of the Kellogg Wastewater Treatment Plant, Elk Rock Island, and Spring Park would form a riverfront corridor providing a variety of river-oriented experiences. Even more significant is the notion of the riverfront area linked to the proposed 40-mile loop trail system (see Map 8) with potential for a southern arm extending to North Clackamas Park.

Policy 2. Existing waterfront park lands will be developed to maximize use and enjoyment of the river, while maintaining the environmental integrity of sensitive areas (See corresponding policies in Open Space, Natural Resources and Greenway Elements).

***RECOMMENDED FINDING:*** As noted above, the proposed project will link the Kellogg Lake bicycle/pedestrian bridge with bicycle and pedestrian facilities on both sides of Kellogg Lake, and will create eastward viewing opportunities from a vantage point above Kellogg Lake that has never been accessible to the public before. These will be significant contributions to recreational opportunities the City intends to foster within the Kellogg Lake/Kellogg Creek corridor over time. The proposed project therefore furthers this Policy.

**WILLAMETTE GREENWAY ELEMENT**

GOAL STATEMENT: To protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Background and Planning Concept

The State of Oregon together with the City of Milwaukie has designated the City's western boundary as part of the Willamette Greenway. Under State law, the qualities of the Willamette River corridor are to be protected, conserved, and enhanced, consistent with the uses present at the time the Greenway Statute was adopted (1975), for natural, scenic, historic, and recreational land uses. **Greenway boundaries include all land within 150 feet of the ordinary low water line of the Willamette River and such additional land, including Kellogg Lake and lands along its south shore, as is indicated on Map 5.**



**The City has adopted a Willamette Greenway Boundary which includes Kellogg Lake and lands south of the lake. The waters of the lake and the predominantly undeveloped lands south of the lake provide considerable open space and wildlife habitat. Lands north of the lake are for the most part developed for residential purposes.**

The City has established a **Willamette River Greenway conditional use procedure** in compliance with State law to require a greenway conditional use permit for any intensification, change of use, or development within the Greenway. Proposals are currently reviewed and evaluated on a case-by-case basis without the guidance of an overall design plan. Because of the historical, scenic, and recreational importance of the Willamette Riverfront to the City and nearby neighborhoods, residents and City officials have determined that such a design plan is necessary to effectively implement the Willamette Greenway objectives.

#### Inventory of Resources and Uses

A variety of resources and uses are associated with the Willamette River Greenway. Resources include recreation sites, fishing areas, historical sites, significant natural resources, scenic areas, vegetative cover, fish and wildlife habitats, and floodplains. The predominant land use within the Greenway is residential, although lands adjacent to McLoughlin Blvd. are currently developed as commercial, including services (such as boat repair), retail, office, and log transfer station. The site between Kellogg Creek and the Island Station Neighborhood contains the Kellogg Creek Sewage Treatment Plant. Of the total river frontage within the City, approximately 30% is in public ownership.

Recreation sites include the Jefferson Street boat ramp and viewpoint, a minipark with viewpoint at the sewage treatment plant, and Spring Park, an undeveloped park on the southern edge of the City. Formal public access for fishing areas is limited to the boat ramp.

**Significant Natural areas within the Greenway include portions of Kellogg Lake and Creek, Johnson Creek, and the Willamette River and their associated riparian and upland areas. Resource values of these areas include wildlife habitat, flood control, erosion control, groundwater recharge, water quality, recreational opportunities, and visual amenities and character.** Wildlife areas require sufficient buffers from human activity in order for maximum wildlife use to occur. (Resource values are discussed in more detail in the background ESEE analysis for natural areas.) **The downtown area provides the major viewing opportunity accessible to the public. The only unobstructed view corridor is from Jefferson Street looking west. The only publicly accessible view site on Kellogg Lake is from Dogwood Park.**

**Kellogg Lake, Kellogg Creek, and Johnson Creek have fishery resources. Kellogg Lake contains warm-water species such as large mouth bass, crappies, bullhead catfish, and bluegills. Steelhead trout and Coho salmon pass through the lake and Kellogg Creek on their way to Mt. Scott Creek to spawn.** Anadromous species are also found in Johnson Creek. Erosion, caused when riparian vegetation along the creek and

lake is removed during development, threatens the water quality of these waterways and the fishery resources they contain.

Policies in this element, applicable policies contained in the other elements of the Land Use Chapter, and policies in the Environment and Natural Resources Chapter, address Statewide Planning Goal 15.

#### OBJECTIVE #7 — CENTRAL RIVERFRONT

To acquire property necessary for public open space, public trails, riverfront access and riverfront-related development, consistent with the Downtown and Riverfront Land Use Framework Plan.

##### Policies

1. The City has adopted a Downtown and Riverfront Land Use Framework Plan to reconnect downtown Milwaukie to the Willamette River. **The Willamette River, Johnson Creek, and Kellogg Creek all provide beautiful natural borders to the downtown area.** The Downtown and Riverfront Land Use Framework Plan capitalizes on these natural resources, by restoring the creeks and connecting the river to the historic blocks of downtown. The plan implements updated designations for the riverfront and addresses the following issues:

- **Public access.**
- Safe pedestrian access across McLoughlin Boulevard.
- **Public recreational use.**
- **Natural resource protection.**
- Historic resource protection.
- **Visual access.**
- **Transportation.**
- Riverfront-related commercial development and redevelopment.
- Public-private partnerships for the riverfront.
- Redevelopment of Kellogg Wastewater Treatment Plant.

**RECOMMENDED FINDING:** The proposed project, to link the Kellogg Lake bicycle/pedestrian bridge with bicycle and pedestrian facilities on both sides of Kellogg Lake, is subject to Willamette Greenway Review because it is located within the designated Willamette Greenway Overlay Zone. That review process furthers implementation of this Objective and its applicable Policies. In addition to creating safe and efficient bicycle and pedestrian linkage between the Downtown/Lake Road Station and neighborhoods to the south of Kellogg Lake, the project will create eastward viewing opportunities from a vantage point above Kellogg Lake that has never been accessible to the public before. These will all be significant contributions to public access, public recreational use, and visual access within the Kellogg Lake/Kellogg Creek corridor, as well as improving transportation capacity, specifically for pedestrian-mode travel. The design and construction of the proposed linkages is consistent with impact mitigations for the Kellogg Bridge project (approved by WG-11-01), which contribute to natural resource protection within the corridor. The proposed project therefore is consistent with this Policy.

## **CHAPTER 5 — TRANSPORTATION, PUBLIC FACILITIES AND ENERGY CONSERVATION**

### **TRANSPORTATION ELEMENT**

The Transportation System Plan (TSP) is an ancillary Comprehensive Plan document that contains the City’s long-term transportation goals and policies for pedestrians, cyclists, drivers, transit users, and freight carriers. It provides for the coordination of transportation improvements at the local level and the integration of the local transportation system with the regional transportation system. It also identifies the transportation issues, policies, and projects that are important to the community.

Transportation goals form the basis for how the local transportation system will be developed and maintained over the long term. Given their importance, the City involved agency, business, and citizen stakeholders in developing goals that support a multimodal approach to transportation planning that reflects how citizens think about and experience the transportation system. Since they are equally important in different ways, they are not listed in order of importance or priority.

**Goal 1: Livability. Design and construct transportation facilities in a manner that enhances the livability of Milwaukie’s community.**

**Goal 2: Safety. Develop and maintain a safe and secure transportation system.**

**Goal 3: Travel Choices. Plan, develop, and maintain a transportation system that provides travel choices and allows people to reduce the number of trips made by single-occupant vehicles.**

***RECOMMENDED FINDING:*** The proposed project will provide the linkages necessary to activate the Kellogg Lake Bicycle/Pedestrian Bridge as a functioning part of the City’s multi-modal transportation system. The addition of this new bicycle and pedestrian access route will contribute to livability, safety and travel choices by facilitating walking trips between the Downtown area and neighborhoods south of Kellogg Lake, on an efficient and well-lighted bicycle and pedestrian bridge adjacent to the Milwaukie/Main Street Station of the Portland-Milwaukie Light Rail Extension project. The proposal is therefore consistent with these Goals of the Transportation Element.

### **TSP CHAPTER 5: PEDESTRIAN ELEMENT**

“Construct bike-ped overpass over Kellogg Creek” is identified as Proposed Project “AU” to Enhance Existing Pedestrian Connection in Figure 5-1a, Pedestrian Master Plan, and in Figure 5-1b, Pedestrian Master Plan Downtown Inset. Project AU is also listed in the High Priority Projects grouping of Table 5-1, Pedestrian Master Plan Projects, and in Table 5-3, Pedestrian Action Plan, which “identifies the highest priority projects that

are reasonably expected to be funded with local funds by 2035, which meets the requirements of the State’s Transportation Planning Rule.”

**RECOMMENDED FINDING:** The proposed project is a critical element to implement Project AU in accordance with the Pedestrian Element of the TSP.

**TSP CHAPTER 6: BICYCLE ELEMENT**

“Construct bike-ped overpass over Kellogg Creek” is identified as Proposed Project “AC” to Enhance Existing Bicycle Connection in Figure 6-8a, Bicycle Master Plan, and in Figure 6-8b, Bicycle Master Plan Downtown Inset. Project AC is also listed in the High Priority Projects grouping of Table 6-2, Bicycle Master Plan Projects, and in Table 6-3, Bicycle Action Plan, which “identifies the highest priority projects that are reasonably expected to be funded with local funds by 2035, which meets the requirements of the State’s Transportation Planning Rule.”

**RECOMMENDED FINDING:** The proposed project is a critical element to implement Project AC in accordance with the Bicycle Element of the TSP.

**ENERGY CONSERVATION ELEMENT**

GOAL STATEMENT: To conserve energy by encouraging energy efficient land use patterns and transportation systems, and by encouraging the construction industry and private homeowners to participate in energy conservation programs.

**OBJECTIVE #2 — TRANSPORTATION SYSTEM**

To encourage an energy efficient transportation system.

Policy 1. Through policies contained in the Transportation Element, the City will encourage the following:

- Improvements to improve the efficiency of major highways and arterials,
- Improvements to the regional and local public transit system including passenger waiting facilities to encourage transit usage for appropriate trips,
- **Improvements to the pedestrian and bicycle system linking neighborhood and community facilities, and improving access to transit corridors.**

**RECOMMENDED FINDING:** The proposed project will provide the linkages necessary to activate the Kellogg Lake Bicycle/Pedestrian Bridge as a functioning part of the City’s multi-modal transportation system. This new bicycle and pedestrian access route will facilitate walking and cycling trips between the Downtown area/Lake Road Station and neighborhoods south of Kellogg Lake, on an efficient and well-lighted pedestrian bridge. The proposal is therefore consistent with this Objective and Policy.

K. The request is consistent with applicable plans and programs of the Division of State Lands;

**ANALYSIS AND RECOMMENDED FINDING:** Notice of this application has been provided to DSL, so the agency can comment on the record as appropriate. Because construction of the abutments for the bridge ramp landings is located well outside the ordinary high water mark of Kellogg Lake, no conflict with DSL plans and programs is anticipated.

- L. A vegetation buffer plan meeting the conditions of Subsections 19.401.8.A through C.

**ANALYSIS AND RECOMMENDED FINDING:** The proposed construction is consistent with the vegetation buffer plan previously approved as part of WG-11-01, which included impact mitigation for the pedestrian ramp connections.

### **Section 19.304.6 Design Standards in the Downtown Zones**

Per Subsection A, the intent of the Design Standards is to “encourage building design and construction with durable, high-quality materials.” The Design standards are applicable to major exterior alterations in the downtown zones, pursuant to Section 19.304.6.B and the definition in Section 19.304.6.B.3.a.

The Design Standards in Section 19.304.6.C apply specifically to:

- Residential development (not applicable);
- Walls (applicable, see below);
- Windows (not applicable); and
- Roofs (not applicable)

#### **Design standards for walls (Section 19.304.6.C.2) [emphasis added]:**

The following standards are **applicable to the exterior walls of buildings facing streets, courtyards, and/or public squares in all of the downtown zones.**

- a. Exterior wall-mounted mechanical equipment is prohibited.
- b. The following wall materials are prohibited at the street level of the building:
  - (1) EIFS or other synthetic stucco panels;
  - (2) Splitface or other masonry block.
- c. The following wall materials are prohibited at all levels of the building in all downtown zones:
  - (1) Plywood paneling;
  - (2) Brick with dimensions larger than 4 by 8 by 2 in;
  - (3) Spandrel glazing/curtain wall;
  - (4) Vinyl or metal cladding;
  - (5) Composite wood fiberboard or composite cement-based siding, except as permitted in the Downtown Residential Zone in Subsection 19.304.6.C.2.d.(3);
  - (6) Metal panels, except at penthouse level.
- d. The following wall materials are permitted only in the Downtown Residential Zone where densities are less than 30 units per acre:
  - (1) Board and batten cladding (limited to a maximum of 20% of the wall area);
  - (2) Wood shingles;
  - (3) Composite wood fiberboard or composite cement-based siding.

**ANALYSIS AND RECOMMENDED FINDING:** Retaining wall construction is proposed for the abutments where the connections will land on the north and south banks of Kellogg Lake. The surface treatment of the retaining walls will create the appearance of Ashlar stone on their exposed (visually accessible) surfaces, for consistency and compatibility with surface treatment of walls and certain other structural elements of the Kellogg Lake Bridge construction of the Portland-Milwaukie Light Rail Alignment project. The project does not involve any wall-mounted mechanical equipment or the use of any materials prohibited by this Section. Based on these facts, the proposed project complies with these requirements.

## **SECTION 19.907 DOWNTOWN DESIGN REVIEW**

The proposed project is a “major exterior alteration” as defined in Subsection 19.304.6.B.3.a. (*Alterations that do not fall within the definitions of “exterior maintenance and repair” or “minor exterior alterations”*) and is therefore subject to Type III Design Review per Subsection 19.907.5.C. It is not subject to Type II review under subsections 1 or 2.

19.907.6 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 “Submittal requirements” and “Site plan requirements” forms, each application for design review shall be accompanied by the following information:

- A. Completed design review checklist.
- B. 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.
- C. Show footprints of surrounding buildings, including driveways and pedestrian connections.
- D. Location, dimension, and setbacks of all proposed buildings, structures, walls, and fences.
- E. Dimensioned building elevations indicating height, exterior materials, colors, and details of exterior architectural features, such as cornices, windows, and trim.
- F. A streetscape drawing showing the relationship of the proposed project to adjacent buildings.
- G. Frontage improvements in the public right-of-way per the Public Area Requirements.

**ANALYSIS AND RECOMMENDED FINDING:** The completed design review checklist (per Subsection A) is attached as Exhibit A, and this narrative/findings document satisfies Subsection B. TriMet has provided project construction documentation, including drawings that satisfy the requirements of Subsections C through G, which is attached as Exhibit B. The submittal requirements for this review have been met. With respect to Subsection G,

improvements in the public right-of-way per the Public Area Requirements have already been completed as part of the light rail construction work to date.

### **Section 19.907.7 Approval Criteria for Design Review**

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

- A. Compliance with Title 19;

**ANALYSIS AND RECOMMENDED FINDING:** The proposed project is located in the Downtown Open Space (DOS) zone, in which minimum development site landscaping of 20% is required per Table 19.304.4, Downtown Zones—Development Standards. As noted above in this narrative, previously approved WG-11-01 accounted for connections and landings in calculations for Habitat Conservation Area (HCA) impact mitigation, and the proposed project is consistent with those figures. Approximately 70% of the development site was found to be landscaped in the WG-11-01 approval, satisfying the landscaping requirement. Other applicable provisions of Title 19 are recited and addressed specifically in other sections of this narrative/findings document.

- B. Substantial consistency with the Downtown Design Guidelines; and

**ANALYSIS AND RECOMMENDED FINDING:** This requirement is met by the detailed review of applicable requirements in the Downtown Design Guidelines, below following the response to Subsection C. Please refer to that section.

- C. Submittal of a complete application and applicable fee as adopted by the City Council.

**ANALYSIS AND RECOMMENDED FINDING:** The Planning Department of the City of Milwaukie is the applicant of record for this request. Staff has completed the appropriate forms; there is no fee for an application generated by a General Fund department.

## **DOWNTOWN DESIGN GUIDELINES**

### **Excerpt from Introduction/Design Review Process, page 6:**

“Development projects are reviewed to determine consistency with development and design standards of the Downtown Zones and substantial consistency with the design guidelines. Where a project is not found consistent with the design guidelines, staff or the Design and Landmarks Commission may impose conditions of approval requiring the project to be modified to be consistent, or it can be established that design details or other site factors warrant finding for approval of the project without meeting the particular design guidelines.”

**ANALYSIS AND RECOMMENDED FINDING:** Both the Design Standards and Design Guidelines are largely premised on the building as the basic unit of development. As a result, many standards and guidelines are not applicable, or apply only tangentially to the proposed pedestrian bridge connections. In Table 1 below, staff has quoted the

elements of the Downtown Design Guidelines and has provided corresponding analyses. Table 1 should be read in conjunction with the Design Review Checklist attached as Exhibit A.

**Table 1. Milwaukie Downtown Design Guidelines**

Guideline	Analysis
<b>Milwaukie Character Elements:</b>	
Reinforce Sense of Place	<p>The proposed project provides connections and landings between the banks of Kellogg Lake and the bicycle/pedestrian bridge beneath the light rail deck of the Kellogg Lake Bridge constructed as part of the Portland-Milwaukie Light Rail Alignment. This critical set of functional linkages for the Kellogg Lake bicycle/pedestrian bridge will strengthen visual and functional bicycle and pedestrian relationships between the Downtown area, Kellogg Lake, and neighborhoods located to the south.</p>
Integrate the Environment	<p>By virtue of its location and the bicycle and pedestrian linkages it will create, the project furthers achievement of several recommended design guidelines:</p> <ul style="list-style-type: none"> <li>• walkways oriented toward water elements;</li> <li>• public access;</li> <li>• natural and/or man-made elements engaging water edges; and</li> <li>• places where people can directly see, touch and hear the water.</li> </ul>
Promote Linkages to Horticultural Heritage	<p>Not Applicable because the project does not relate specifically to this Design Guideline.</p>
Establish or Strengthen Gateways	<p>The Kellogg Lake Bicycle/Pedestrian Bridge will be a completely new bicycle and pedestrian route for access to the Downtown area from neighborhoods to the south. Because it is located beneath the light rail deck of the Kellogg Lake Bridge, its context does not lend itself to construction of vertical elements such as formal symbolic gates; however, crossing Kellogg Lake is itself a significant transition between places that announces one's imminent arrival into the Downtown area. For this reason, a design strategy that downplays the visual importance of the bridge itself maintains focus on the Kellogg Lake/Kellogg Creek natural corridor, into which it provides unique and novel vistas.</p>



<b>Guideline</b>	<b>Analysis</b>
Consider View Opportunities	<p>By bringing online a new bicycle and pedestrian facility that provides unique views of Dogwood Park, Kronberg Park, Kellogg Lake, and the Willamette River, the project furthers achievement of two recommended design guidelines:</p> <ul style="list-style-type: none"> <li>• views of parks, and</li> <li>• views of natural features such as streams, lakes, ponds or specimen landscape plantings.</li> </ul>
Consider Context	<p>As noted above, the Kellogg Lake Bicycle/Pedestrian Bridge is situated beneath the light rail deck of the Kellogg Lake Bridge, where it can be seen primarily from locations along the banks of Kellogg Lake. This context does not lend itself to grandiose decoration or construction of vertical elements such as formal symbolic gates. Rather, emphasis is placed on the experience of crossing Kellogg Lake, a significant transition that announces one’s imminent arrival into (or departure from) the Downtown area. For this reason, a design strategy that downplays the visual importance of the bridge itself maintains focus on the Kellogg Lake/Kellogg Creek natural corridor, into which it provides unique and novel vistas.</p>
Promote Architectural Compatibility	<p>Findings for the pedestrian bridge in WG-11-01 noted that it “incorporates and celebrates the intricate and angular support beam pattern present in the freight rail bridge,” in contrast to the “visually low-key [light rail] bridge with simple lines that do not compete with the neighboring freight rail bridge.” Thus, the approved design vocabulary for the two components of the Kellogg Lake bridge intentionally juxtaposes them against the adjacent rail trestle bridge, incorporating some structural features in the bicycle/pedestrian bridge while making a completely contrasting statement with the light rail deck and support structure.</p> <p>For the bicycle/pedestrian bridge connections and landings, a simple, functional deck structure and railings compatible with the railing/balustrade design of the pedestrian bridge will provide the necessary functionality without “pulling focus” from the interplay among the three bridges’ structural elements (as viewed from points along Kellogg Lake), or from the Kellogg Lake corridor (as viewed from points along the pedestrian bridge and its ramps).</p>

<b>Guideline</b>	<b>Analysis</b>
Preserve Historic Buildings	Not Applicable because no designated historic building is within the project area.
Use Architectural Contrast Wisely	Not Applicable because this guideline and its recommendations focus specifically on how buildings in the Downtown area relate to surrounding buildings and features.
Integrate Art	Not Applicable because the project does not include a public art component.
<b>Pedestrian Emphasis Elements</b>	
Reinforce and Enhance the Pedestrian System	<p>The project furthers achievement of these elements in the Description:</p> <ul style="list-style-type: none"> <li>• pedestrian routes that are attractive and convenient; and</li> <li>• walkways should be direct and free of barriers such as utility poles or other obstructions.</li> </ul> <p>The proposed bicycle/pedestrian bridge ramp links are essential to achieve the intended functionality of the Kellogg Lake Bicycle/Pedestrian Bridge. Situated on the lower level (below the light rail deck), the pedestrian bridge provides safety and weather protection for bicyclists and pedestrians, and allows the connecting links to paths on both banks of Kellogg Lake to be less steep.</p>
Define the Pedestrian Environment	<p>For an aesthetic appearance compatible with the surfaces of other structural elements of the Kellogg Lake Bridge construction, retaining walls visible from pedestrian locations (including planned future trails along the banks of Kellogg Lake in this area) will be surfaced with an Ashlar stone appearance similar to that used on retaining walls and other bridge support elements. The strategy aims to achieve visual compatibility of materials and appearance, without pulling focus from views of the Kellogg Lake/Kellogg Creek corridor environment.</p>
Protect the Pedestrian from the Elements	<p>The bicycle/pedestrian bridge on the lower level (below the light rail deck) provides weather protection for pedestrians.</p> <p>Because the proposed linkages at both ends of the bridge will connect to uncovered open spaces and walkways or trails, canopies or other covering structures are not warranted.</p>

<b>Guideline</b>	<b>Analysis</b>
Provide Places for Stopping and Viewing	Although the deck of the bicycle/pedestrian bridge does not provide widened viewing areas (i.e., belvederes) specifically for stopping and viewing, the twelve-foot deck is wide enough to allow people to stop and gaze without obstructing pass-by movements by other pedestrians and cyclists. A twelve-foot deck width is also used on the proposed ramp linkages.
Create Successful Outdoor Spaces	As discussed above, the bicycle/pedestrian bridge is designed to maintain visual emphasis on the whole Kellogg Lake natural area, including viewpoints and walkways to which the bicycle/pedestrian bridge will connect. This approach recognizes that the bridge and its connecting ramps are not a destination in themselves, and that success arises from providing physical and visual access to the Kellogg Lake/Kellogg Creek corridor from bicycle/pedestrian facilities.
Integrate Barrier-Free Design	The design of the proposed linking ramps meets maximum slope requirements of the Americans with Disabilities Act (ADA).
<b>Architecture Elements:</b>	
Corner Doors	Not Applicable because the project involves no doors.
Retail and Commercial Doors	
Residential Doors	
Wall Materials	The connections and landing abutment will be faced with materials having an Ashlar stone appearance, similar to materials used on the retaining walls supporting pedestrian paths, for a consistent, high-quality appearance.
Wall Structure	Not Applicable because the guideline and recommendations involve the relationship among building elements such as windows, columns and bays in relation to streetscape locations.
Retail Windows	Not Applicable because the project involves no windows.
Residential Bay	

<b>Guideline</b>	<b>Analysis</b>
Windows	
Silhouette and Roofline	Not Applicable because the project involves no roof.
Rooftops	
Green Architecture	The proposed technique for constructing the bicycle/pedestrian link abutments using modular concrete block walls is a sustainable practice because of production efficiencies achieved in the manufacturing of the components on the one hand, and their durability and longevity in actual installations, resulting in low overall life-cycle costs and maintenance/repair needs.
Building Security	Like the Kellogg Lake Bicycle/Pedestrian Bridge, the proposed connections will be visible from many positions in public spaces along the banks of Kellogg Lake, including points along Lake Road and Kronberg Park. Bicyclists and pedestrians approaching the bridge will have a clear view all the way across, for surveillance to assess whether conditions are safe to proceed onto the bridge. Bridge illumination (discussed in more detail below) enables such surveillance to occur also during hours of darkness.
Parking Structures	Not Applicable because the project involves no parking lot or parking structure.
<b>Lighting Elements</b>	
Exterior Building Lighting	Not Applicable because the project does not involve construction of a building.
Parking Lot Lighting	Not Applicable because the project involves no parking lot or parking structure.
Landscape Lighting	As approved by the Design and Landmarks Committee per WG-11-01, bridge illumination will be achieved by a set of seven LED luminaires casting light down onto the bridge deck. The luminaires will be mounted atop columns on the east side of the pedestrian bridge at a typical distance of approximately 39 feet.
Sign Lighting	Not Applicable because the project involves no illuminated signs.

Guideline	Analysis
<b>Signs Elements</b>	Not Applicable because the project involves no signage.
Wall Signs	
Hanging or Projecting Signs	
Window Signs	
Awning Signs	
Information and Guide Signs	
Kiosk Monument Signs	
Temporary Signs	

FINDING: The proposed plan and supporting materials demonstrate compliance with all applicable Downtown Design Guidelines.