

PLANNING COMMISSION MINUTES
TUESDAY, APRIL 23, 1996

COMMISSIONERS PRESENT

Carolyn Tomei, Chair
Scott McClure
Bill Johnson
Gordon Jones
Debi Linn
Michael Smith
Calvin Walter

STAFF PRESENT

Maggie Collins,
Com. Dev. Dir.
Debbie Bischoff
Senior Planner
Stacy Lawson,
Assistant Planner
Shirley Richardson,
Hearings Recorder

COMMISSIONERS ABSENT

None

OTHERS RESENT

Sharon VanHorn,
Ardenwald/Johnson
Creek NDA
Mike Walters

1.0 CALL TO ORDER

Chair Tomei called the meeting to order at 8:45 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA

3.1 Planning Commission Minutes - April 9, 1996

Debi Linn moved to approve the minutes of April 9, 1996, as corrected. **Bill Johnson** seconded. MOTION CARRIED 4-0 with one abstention. Michael Smith was not at that meeting.

4.0 PUBLIC COMMENT -- None.

5.0 PUBLIC HEARINGS -- None.

- 6.0 Worksessions
- 6.2 Density Variance/Comprehensive Plan Policies

Chair Tomei opened discussion on density variances. **Stacy Lawson** explained that Staff is bringing up this item because on a regular basis they receive requests for variances to lot area. The Zoning Ordinance identifies a specific lot area for each zone and the Comprehensive Plan designates low density, medium density, and moderate density per acre.

Stacy Lawson reviewed with the Commission the Density Chart located on Page 3 of the Staff Report. This chart shows the Comprehensive Plan Designation, the Net Density Per Unit, Units Per Acre/Lot Size, Zones, and what a Major and Minor Variance would equate to. It is possible to apply for either a Major or Minor Variance for lot size in any of the zones. People are coming in on a regular basis with requests for square footages as low as 4,000 sq.ft. in the R-7 zone.

Staff is asking for guidance and assistance as to how to advise some of these individuals who are coming in with varying lot sizes. Many requests in the past have been in the 6500 - 6800 sq.ft. size in the R-7 Zone; and are not a major deviation. Builders want more buildable lots. **Maggie Collins** made drawings to show examples of different variance requests.

Example 1: On a vacant 14,000 sq.ft. lot in an R-7 zone, the owner wants to split the lot to produce three smaller lots, roughly 5,000 sq.ft./5,000 sq.ft./4,000 sq.ft. These lots would be under the required 7,000 sq.ft.

Example 2: On a 14,000 sq.ft. lot in an R-7 zone, there is an existing house. The owner wants to split the lot into three parcels with the existing house on the middle parcel. These lots are under 7,000 sq.ft. The smaller lot sizes are proposed to allow the existing house to remain.

In the R-7 Zoning District, a variance of up to 6,501 sq.ft could be supported under the Comprehensive Plan, if findings could be made. A further reduction in lot size might be able to be supported if greater than the average public dedications are required. This additional public dedication would be above the Comprehensive Plan allowance of 25% for single family residence or 5% for duplex or multi-family designation.

All variances would need to be evaluated separately based on the findings in Exhibit A. All cases must follow the criteria for a Variance Request.

Michael Smith stated that he feels the variance requests should follow the current zoning and 7,000 sq.ft. should be the limit. **Gordon Jones** stated that there needs to be consideration for the need to live more compactly and share some open space. He suggested that the City could allow substandard lots, (6,800 sq.ft.) with the stipulation that a contribution be made to the purchase of open space. This will produce funding for open space and parks in the future. A Variance Request would not be approved without mitigation.

Stacy Lawson noted that density transfers are allowed under the current Zoning Ordinance. This, however, does not address the current situation. **Chair Tomei** stated that the City has some responsibility in the Urban Growth Boundary for easing in the infill for those who are wanting to build on smaller lots. **Bill Johnson** voiced concern about zoning. There are areas within the City that are zoned R-7 and R-10. There are lots within those areas that do not meet that criteria. Why should areas be zoned R-7 if most of the lots are 5,000 square feet in size.

Maggie Collins explained that some of the applications at the counter may look more like spot zoning, but they could be considered minor land partition applications. Should Staff consider a vacant lot that has street frontage, to be divided into lot sizes that are on the market right now and selling at a premium? The 5,000 sq.ft. lot is what the builders are seeking.

Calvin Walter noted that because Milwaukie does have limited building space in the residential area, he feels it is good planning to put as many people on the tax roll as possible in order to help provide some of the things the City needs (taxes, maintenance) in terms of the in-fill process. It would be a benefit to the City.

Chair Tomei stated that she would rather see a family starting out being able to live in Milwaukie rather than moving out to Boring, etc., where additional development creates a need for more highways, schools. There is a lot to be said in favor of in-fill and it should be supported. **Bill Johnson** voiced concern about the increased highways, school, water and utilities that are needed to serve the in-fill. **Maggie Collins** stated that the City charges an average of \$5,000 service charge fees per lot. None of these funds are going to parks development.

Calvin Walter stated that the City has a responsibility to provide affordable housing. This is difficult when the builders are having to pay \$40-50,000 per lot. This puts the house out of the entry-level price range immediately. Young families are not able to qualify for homes.

Stacy Lawson stated that the majority of the variances on lot size have occurred within the 5,500-7,000 sq.ft. range in the R-7 Zone. The intent is to find consistency with the Comprehensive Plan, to look at the area around each proposed partition and to determine whether or not there are a number of substandard lots surrounding it. Is the smaller lot characteristic of the existing lot pattern? Some of these areas were created in the county, not under the R-7 Zone, and have surrounding lots that are a mix of lots or standards.

Maggie Collins explained that these are new times and we have to consider what the City's goals are. Also, consideration should be given to what neighborhood associations can give as advice in ways that will work for them to maintain characteristics they think are important, and give the City more flexibility in dealing with partitions. The neighborhoods are cognizant of the desire of people to have large lots left in their district, however, there are some districts that want to do in-fill. While an evaluation of potential rezoning is needed, it will not be likely until after August.

Stacy Lawson stated that Staffs' proposal was for the Commission to consider a 25% minor variance which was consistent with the Comprehensive Plan designations for the site. In the R-10 Zone, this would reduce the square footage down to 7,500 sq.ft., consistent with Comprehensive Plan guidelines. In R-7 Zoning, a reduction could be allowable to 6,500. The applicant would have to show something unusual about the property and not just the fact that they want additional lots.

Calvin Walter stated that criteria has to be met, even for a minor variance. The guidelines that Staff is suggesting with an existing house are fine. He is opposed to the vacant three-lot example (Example 1).

Speaking: Mike Walters, 11305 SE 121st Court, Happy Valley

Mr. Walters stated that Canby has a flat bedroom tax. This tax is a certain amount per bedroom, per home. It is collected at the time of permit. They also have System Development Charges. They have a lot of fees. This is another small town that has a growing problem with increased density. This is how they deal with the density problem.

Gordon Jones stated that the City should be responsive to neighborhoods. There are improvements needed in the way of parks, streets, etc. Now is an opportunity to allow more density and still maintain livability. **Gordon Jones** stated that he would be willing to work on this project with the Planning Commission.

Scott McClure stated that he would like to see the City stick to the Zoning Ordinance. He believes that allowing more than a 10% variance would be the same as spot zoning. If there is going to be a Zone Change, then the City should go through the standard process of public involvement, hearings, etc. **Chair Tomei** stated that she would give consideration to a variance if the neighborhood association did not disagree, and if there were other lots in the area that are of similar size.

Stacy Lawson asked if the Planning Commission would consider a situation where the developer is coming in and is committed to putting in a new street. This is an unusual situation in that they are being required to make a greater contribution than other applicants. If the Applicant is willing to put in a pre-platted street, then this would be an asset to the City.

It was the consensus of the Commission that Staff can recommend to applicants that they are supportive of proposals for lots down to 6,500-7,000 sq.ft. in the R-7 Zone if substantiated by all of the findings that are required for variance. In the R-10 Zone, Staff can allow a minor variance down to 7,500 sq. ft. and in the R-5 Zone, 4,071 sq.ft. within the Comprehensive Plan designation.

Further, Staff can consider variance criteria on a lot in any zone where the house is in the middle with the possibility for in-fill. This could meet the substantiation for "unusual case."

In addition, the Planning Commission stated that consideration be for the 6,501 square footage in the R-7 Zone can be given for an applicant who shows that the 6.7 dwelling units per acre have not been achieved in the area of the project, or that the requirement for public dedication is greater than the acreage incorporated into the Comprehensive Plan.

6.3 "Mixed Use" Zone Terms and Principles

Chair Tomei opened discussion on the Mixed Use Zone Terms and Principles. **Debbie Bischoff** submitted a memo regarding mixed use terms and principles. She reported that since the Planning Commission is dealing with the Regional Center Master Plan and dealing with issues of higher density, intensity, and mixed use development, she has provided short definitions and ideas which are important principles and concepts for Milwaukie.

The mixed use concept allows the Commission to review the expanded city center differently. There are many ways of looking at mixed use; there are several categories: a zone with different industrial-type uses, mixes of residential,

commercial, and office, etc. Zones can be considered in terms of intensity and the minimum or maximum percentages of different uses for development in specific zones. The Commission will also look at enhancing infill and redevelopment opportunities through strategies such as performance zoning which allows more flexibility in meeting development standards..

6.4 Citywide Pedestrian Access Systems

Chair Tomei opened discussion on the Citywide Pedestrian Access System. **Debbie Bischoff** reported that one of the Planning Commission goals deals with the Citywide Pedestrian Access System. Milwaukie's draft Transportation System Plan recognizes the need to create a city-wide network of pedestrian and bicycle accessways that serve neighborhood, citywide, and regional travel.

Debbie Bischoff reviewed the network maps for proposed walkways, proposed bikeways, and the walkways vicinity maps for Lewelling Elementary School Area and Rowe Junior High School Area. These maps will be revised as improvements are made to the City.

There are two very important issues related to the citywide pedestrian access system. There are obvious missing links in both of the proposed walkway and bikeway networks, and there are obvious missing walkway and bikeway links to schools in Milwaukie.

6.5 Community Development Report

Debbie Bischoff informed the Commission that a resident phoned her requesting a meeting at the City for citizen involvement in blackberry bush removal and landscaping installation along the Spring Water Corridor. She wanted to share the news of the resident's desire to help with neighborhood improvements and beautification of the trail which is under construction.

7.0 Discussion Items -- None.

8.0 Old Business

8.1 Light Rail Study Update -- Continued.

8.2 2040 Study Update -- Continued.

9.0 Other Business

9.1 Historical Resources Commission Report -- No Report

- 9.2 Town Center Area Task Force Report
- 9.3 Tree Committee Report -- No Report
- 9.4 Community Development Report
- 9.4A Ardenwald NDA Request

Chair Tomei opened discussion on the Ardenwald Neighborhood District Association. **Maggie Collins** reported that the Association is requesting that serious consideration and action be taken towards changing the zoning on the Murphy site.

Staff is asking for guidance and direction on initiating changes to the text of the Ordinance for the Murphy site. Staff recommends that if the Commission believes that the request has merit, they can:

- (a) Establish a committee of Planning Commissioners and Land Use Committee members to pursue the request and its consequences in more detail;
- (b) Direct Staff to work with the property owners and the Land Use Committee regarding the proposed change;
- (c) Initiate a formal application by the Planning Commission; or
- (d) Hold off action until completion of the Ardenwald Neighborhood District Master Plan.

Maggie Collins submitted a draft of Possible Steps for NDA Master Plans. She explained that Staff is currently in the B stage (developing land use goals and objectives). Stages C & D are the work plan areas for the projects. By September, Staff should have enough data and analysis at the Neighborhood District Association level, so that any recommendations from Ardenwald will include the recommendation to rezone this land.

Staff's request is what kind of action should be taken prior to the Stages C & D, if it is agreed that the Land Use Committee has come up with a recommendation to pursue.

Chair Tomei stated that she would respond to the request in a timely manner. **Scott McClure** stated that he would vote for action B as described in the memo of April 16, 1996, to the Commission regarding the Ardenwald NDA Land Use Committee. He does not feel that any type of rezoning will interfere with the Master Plan for this area. There is no need to require Planning Commission involvement. **Chair Tomei** asked if anyone on the Commission would like to work on this project. There were no volunteers.

Gordon Jones stated that this area clearly needs to be rezoned. He feels that the owners of the property be involved in the entire process. **Debi Linn** stated that she agrees with Action B. **Bill Johnson** agrees with Action B.

Staff was directed to work with the Land Use Committee and bring back to the Commission further investigation and stronger land-use rationale why this is an appropriate zone. Staff is directed to contact the owners and let them know what is going on.

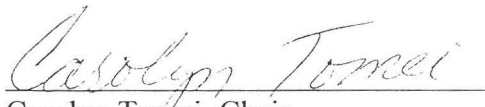
9.4B Johnson Creek Blvd Improvements - Continued.

9.5 Presentation to Scott McClure

Chair Tomei presented Scott McClure with a plaque from the Planning Commission to thank him for his years of service to the City. Scott McClure will be moving to Colorado.

- 10.0 Next Meeting -- May 14, 1996
- 10.1 Milwaukie Urban Design Preferences
- 10.2 NDA Service Delivery Program
- 10.3 Regional Center Master Plan Update (TGM Grant)
- 10.4 Regional "Mainstreets" Concepts
- 10.5 Lake Road Sub-area Connections Plan Update
- 10.6 Transportation System Plan (TSP.) Worksession
- 10.7 Community Development Report

Calvin Walter moved to adjourn the meeting of April 9, 1996. **Bill Johnson** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 10:15 p.m.


Carolyn Tomei, Chair


Shirley Richardson, Hearings Reporter

AGENDA
MILWAUKIE PLANNING COMMISSION
Public Safety Building Community Room, 3200 SE Harrison
Tuesday, April 23, 1996
6:30 pm

		ACTION REQUIRED
1.0	Call to Order	
2.0	Procedural Questions	
3.0	Consent Agenda Planning Commission Minutes: April 9, 1996 City Council Minutes: March 19, 1996 (upon approval by Council)	Motion Needed Information Only
4.0	Public Comment This is an opportunity for the public to comment on any item not on the agenda	
5.0	Public Hearings - None	
6.0	Worksessions	
6.1	REGIONAL CENTER/RIVERFRONT STEERING COMMITTEE - Worksession Scheduled from 6:30 - 8:00 pm	
6.2	Density Variance/Comprehensive Plan Policies	Discussion items only no action is necessary
6.3	"Mixed Use" Zone Terms and Principles	
6.4	Citywide Pedestrian Access System	
6.5	Community Development Report -Neighborhood District Association Service Delivery Program -Regional Center Master Plan Update (TGM) -Lake Road Sub-area Connections Plan Update	
7.0	Discussion Items	
8.0	Old Business	
8.1	Light Rail Study Update	Information Only
8.2	2040 Study Update	Information Only
9.0	Other Business/Updates	
9.1	Historical Review Commission Report	Information Only
9.2	Town Center Area Task Force Report	Information Only
9.3	Tree Committee report	Review and Comment
9.4	Community Development Report -Ardenwald NDA Request -Johnson Creek Blvd Improvements	

10.1	Next Meeting	
10.1		
10.2		
10.3	Community Development Report	

The Milwaukie Planning Commission welcomes your interest in these agenda items. Feel free to come and go as you please.

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

Public Hearing Procedure

1. Staff Report
2. Correspondence
3. Applicant's presentation
4. Public testimony from others in support of application
5. Comments or questions from interested persons who are neither proponents nor opponents
6. Public testimony from those in opposition to the application
7. Questions from the Planning Commission
8. Rebuttal testimony from Applicant
9. Closing of public hearing
10. Commission discussion/action

The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Community Development Department office at 786-7650.

Milwaukie Planning Commission

Carolyn Tomei, Chair
Scott McClure, Vice-Chair
Debi Linn
Michael Smith
Calvin Walter
Bill Johnson
Gordon Jones

Community Development Department Staff

Maggie Collins, Community Development Director
Debbie Bischoff, Senior Planner
Stacy Lawson, Assistant Planner
Diana Myrvang, Public Involvement Coordinator
Chris Eaton (Part-Time Temporary)
Jeanne Garst, Office Assistant
Marcia Hamley, Office Assistant
Shirley Richardson, Recording Secretary

MEMORANDUM

TO: RIVERFRONT STEERING COMMITTEE
FR: PROJECT STAFF
RE: APRIL 23 REGIONAL CENTER STEERING COMMITTEE MEETING

DATE: APRIL 15, 1996

Attached you will find an agenda for our upcoming meeting. Minutes from your March 26 meeting are also attached for your review. A long-term schedule has been proposed and shows your meetings continuing to occur on the Planning Commission worksession dates.

The material covered at Riverfront Planning Committee meetings will be reflective of materials covered at previous Regional Center Steering Committee meetings.

Please note the Open House scheduled for Wednesday, June 12 at the Milwaukie Public Safety Building. The purpose of this meeting is to have a public display of Riverfront Planning Committee process and products, particularly the Initial package of Draft Alternatives.

Riverfront Planning Committee materials will be sent out to you on the 19th of April. If you have any questions, please call Diana at 786-7657.

**MILWAUKIE RIVERFRONT REGIONAL CENTER STEERING COMMITTEE
DRAFT AGENDA**

**Tuesday, April 23, 1996
6:30 PM**

**Milwaukie Public Safety Building
3200 SE Harrison
Milwaukie, OR 97222**

- 6:30 PM WELCOME AND INTRODUCTIONS**
*Minutes Review/Approval
*Co-Chair Selection
- 6:45 PM PROGRESS REPORT**
*Planning Process
*Sub-Consultant Selection
*TAC/ERP
- 7:15 PM SITE ANALYSIS AND FINAL STUDY AREA BOUNDARY**
- 7:45 PM DRAFT USE EVALUATION CRITERIA**
- 8:00 PM ADJOURNMENT**

Riverfront Master Plan: Steering and Planning Committee Meeting Schedule and Major Agenda Items

STAGE	COMMITTEE	DAY AND DATE	ISSUES	PRODUCTS
II	Steering Committee	Tuesday, April 23 rd	Review and Comment on RPC Agenda Items for 5/2 and 5/23 mtgs.	
	Planning Committee	Thursday, May 2 nd	Site Analysis Information Review Use Evaluation Criteria Begin Use Evaluation	Draft Evaluation Criteria
	Planning Committee	Thursday, May 23 rd	Complete Use Evaluation	Draft Use Matrix
III	Steering Committee	Tuesday, May 25 th	Review of RPC Agenda Items, Input on Preparing Alternatives	
	Planning Committee	Thursday June 6 th	Initial packaging of alternatives	Draft Alternatives
	TOWN HALL	Wednesday, June 12 th	Information on Planning Process	
	Steering Committee	Tuesday, June 25 th	Review of RPC Agenda Items, Input on Alternatives Evaluation	
	Planning Committee	Wednesday, June 26 th	Evaluation of Alternatives	Alternatives-Evaluation Matrix
	Steering Committee	Tuesday, July 23 rd	Review of RPC Agenda Items, Input on Preferred Alternative	
	Planning Committee	Wednesday, July 24 th	Preferred Alternative	Draft Preferred Alternative
	Steering Committee	Tuesday, August 27 th	Input on Preferred Alternative	
Planning Committee	Thursday, August 29 th	Preferred Alternative	Final Preferred Alternative	
IV	Steering Committee	Tuesday, September 24 th	Review of RPC Agenda Items, Input on Draft Plan	
	Planning Committee	Wednesday, September 25 th	Draft Plan	Draft Plan
	TOWN HALL	To be scheduled	Information on Draft Plan	
	Steering Committee	Tuesday, October 22 nd	Review of RPC Agenda Items, Input on Recommended Plan	
	Planning Committee	Wednesday, October 23 rd	Recommended Plan	Recommended Plan

MEMORANDUM

DATE: APRIL 23, 1996

TO: CITY OF MILWAUKIE PLANNING COMMISSION

**FROM: *MC* MAGGIE COLLINS, COMMUNITY DEVELOPMENT
DIRECTOR
STACY LAWSON, ASSISTANT PLANNER**

**RE: DENSITY VARIANCE AND COMPREHENSIVE PLAN
POLICIES**

BACKGROUND

During the past few months, most of the applicants coming in for pre-application conferences on subdivisions or minor land partitions have made requests for substantial variances in lot sizes. These pre-applications show at least one, and sometimes all, of the proposed lots as substandard in minimum lot size. The Subdivision Ordinance allows for variances from all requirements of the Zoning District, including lot size in Section 17.44.020.

Many of these applicants are pointing to the Metro 2040 planning efforts as a basis for consideration of reduced lot sizes in the R-7 and R-10 zoning districts.

The current Zoning Ordinance and Comprehensive Plan designations are not designed to accommodate a sliding scale of lot sizes. They require compliance, or justifiable reasons for granting variances from the minimum lot sizes designated in the Zoning Ordinance and the density requirements of the Comprehensive Plan.

DISCUSSION

Even in the face of these requirements, many applicants continue to consider variances to the minimum lot sizes permitted in the R-7 and R-10 zoning districts.

Some of the proposals submitted have shown properties in the R-10 zoning district with 7,000 square foot lots. Proposals for property in the R-7 zone regularly include requests for 6,000 to 4,000 square foot lots. Some proposals for lower than 5,000 square feet of lot area in the R-5 zoning district have been proposed as well.

ANALYSIS

The variances discussed by applicants are the standard minor (up to 25% of the required standard) and major (up to 50% of the standard) allowed by the Zoning Ordinance.

The lot sizes that these variances correspond to include:

Zone	Minor Var.	Major Var.
R-10	7,500 (25%)	5,000 (50%)
R-7	5,250 (25%)	3,500 (50%)
R-5	3,750 (25%)	2,500 (50%)

As you recall, a Minor Variance can be approved at an administrative level and a Major Variance must be heard by the Planning Commission. Furthermore, the variance criteria must be applied and satisfactorily addressed to approve variance requests for reduction in lot size minimums (see Exhibit A). It is important to note that the burden of proof for approving a variance is on the applicant; and that variance requests are not automatically approved.

In evaluating these proposals, staff has used the Comprehensive Plan as a guide. The Comprehensive Plan land use density designations correspond in the following manner:

Comp. Des	Net Den. units/acre	Units per acre / lot size	Zone	Minor Var.	Major Var.
Low Den.	6.7 units	6,501 sq. ft.	R-10	7,500 (25%)	5,000 (50%)
Low Den.	6.7 units	6,501 sq. ft.	R-7	5,250 (25%)	5000 (50%)
Mod. Den.	6.8 to 10.7	6,405 -4,071 sq. ft.	R-5	3,750 (25%)	2,500 (50%)

Staff maintains that there is some point at which a variance could become a functional Zone Change and Comprehensive Plan Amendment, because of the amount of the reduction in lot size.

As to where this line may lie, staff has developed the following reasoning.

In the R-10 zoning district, a variance of up to 25% could be supported, if findings can be made, allowing a lot measuring as little as 7,500 square feet, although the Comprehensive Plan allows for densities equivalent to 6,501 square feet in the R-10 zoning district. A lot size variance below 7,500 square feet in the R-10 might constitute a functional rezoning of the property, as it closely approaches the requirement for minimum lot size in the R-7 zone. It should be noted that past subdivision approvals in the R-10 zone have included lots with less than 10,000 square feet.

In the R-7 zoning district, a variance of up to 6,501 could be supported, if findings could be made, consistent with the Comprehensive Plan Low Density designation (See chart above). Staff has discussed the possibility of recommending variances for lot sizes measuring 6,250 square feet or less in R-7 subdivisions where road dedications are greater than those calculated into Comprehensive Plan densities. The dedications assumed in

calculation of Comprehensive Plan densities are 25% of gross acreage for single family detached developments and 5% of gross acreage for duplex or multifamily developments. The justification for lesser square footage in such a case is that, although there was adequate developable land initially, more public dedication is required above the Comprehensive Plan allowance of 25% or 5%. This puts an unusual burden on the property owner. Without a variance, one property owner would need a larger property than another in the same zone, for the same number of lots.

In the R-5 zoning district, a variance of up to 4,071 could be supported because it is consistent with the allowable density under the Moderate Density Comprehensive Plan designation. Beyond this point, additional usable public dedication or other exceptional rationale may be necessary to justify a further variance to 3,821 square feet or below.

These examples are just some of the places that a line may be drawn. The variance procedure allows applicants to apply for greater variances in lot size than are discussed here. Each variance would need to be evaluated separately based on the findings in Exhibit A.. Consideration could be given to surrounding lot sizes and existing area densities. However, even though a variance can be applied for, there may be a point beyond which further reduction in the square footage of a lot or lots is not desirable under any circumstances.

As the City undertakes its Regional Center Master Plan process, new lot size standards could emerge, perhaps based density performance within a range (minimum and maximum). Other ideas on lot size may emerge from the City's next buildable lands inventory.

Staff will be briefing the Neighborhood District Associations (NDA's) Land Use Committee chairs on April 17, 1996 to solicit their comments and opinions on this issue.

Community Development Department
Memorandum on Density Variances and Comprehensive Plan Policies
April 9, 1996
Page 5

Staff is requesting direction or clarification from the Planning Commission as to when a variance request should not be accepted, if ever, based on the degree of variation in lot size from that required by the Zoning Ordinance and guided by Comprehensive Plan densities.

EXHIBIT A

CRITERIA FOR GRANTING VARIANCES

- A. That the property in question has unusual conditions over which the applicant has no control. Such conditions may only relate to physical characteristics of the property, lot or boundary configurations, or prior legally existing structures.
- B. That there are no feasible alternatives to the variance and that the variance is the minimum variance necessary to allow the applicant the use of his/her property in a manner substantially the same as others in the surrounding area.
- C. That adverse effects upon other properties that may be the result of this variance shall be mitigated to the extent feasible.



MEMORANDUM

April 23, 1996

TO: Planning Commission

FROM: *MC* Maggie Collins, Community Development Director
DB Debbie Bischoff, Senior Transportation Planner, Community
Development Department

SUBJECT: "MIXED USE" ZONE TERM PRINCIPLES

Action Requested

No action is requested, this is a discussion-only item.

Discussion

Attached is a brief discussion of three "Mixed Use" Zone terms and principles. Discussed are the mixed use concept, intensity of uses, and performance zoning. Community Development staff though it important for you to consider these concepts since we are about to undertake the Regional Center Master Plan.

Mixed use zoning can occur in different forms and can include the grouping of specific desirable uses. Intensity of uses can be expressed in minimum percentages and maximum floor area ratios and can relate to mixed use zoning through required minimum or maximum floor area ratio percentages for a zoning district or overlay zone.

Performance zoning is a concept that permits greater flexibility through higher quality design that meets zoning requirements established for higher density and intensity developments.

The Regional Center Master Plan project will create a greater mixture of uses in the Expanded City Center. It will also look at enhancing infill and redevelopment opportunities through strategies such as performance zoning. The overall goal of higher density and intensity mixed use development will be achieved through incorporation of these terms and principles into our regulatory framework.

attachment

DB:pc423cov.doc

COMMUNITY DEVELOPMENT • PUBLIC WORKS
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206
PHONE: (503) 786-7600 • FAX: (503) 774-8236

“MIXED USE” ZONE TERMS AND PRINCIPLES

Mixed Use Concept

Mixed use zoning refers to the inclusion of two or more uses as part of a development. Typical uses mixed include retail, office and residential. These uses can be located in one structure; this is called vertical mixed use. An example is retail or office on the ground floor and apartments above on the upper stories. Horizontal mixed use is when different uses are located in separate structures but are part of a unified development. An example would be a subdivision development with a small convenience commercial parcel in the center of it.

Intensity of Uses

Mixed use zoning districts or overlay zones can permit different levels of intensities for permitted uses overall. In addition, zoning regulations can mandate the maximum or minimum mix of uses within specific districts or overlay zones. For example, a zoning district may not exceed a floor area ratio (FAR) of .50 for commercial and office uses. Residential densities may not exceed 10 dwelling units per acre. In terms of the mixing of uses in a district, zoning regulations can provide the ratio of desired uses such as: all mixed use developments in the “RCMU-1 Zone” must be at least 15% commercial, 25% office and 50% residential.

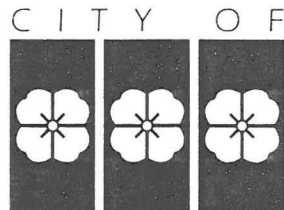
Performance Zoning

Performance zoning permits flexibility in standards to achieve desired outcomes with planned unit developments. In higher density/intensity areas, creativity in design for mitigating zoning requirements can lead to better use of land and more quality developments. For example, if a developer provides dense landscaping as a buffer to an adjacent use, then the required yard setback could be reduced; freeing up more area for development on the site. Another example in the urban area scenario, is a developer's provision of an open area plaza with seating, public art and a fountain. This quality amenity as provided reduces the amount of open space required for the development.

Performance zoning can be tailored to meet the needs of different zoning districts or overlays.

Community Development Department
March 27, 1996

DB: mixduse.327



MILWAUKIE

MEMORANDUM

April 23, 1996

TO: Planning Commission

FROM:  Debbie Bischoff, Senior Transportation Planner, Community Development Department

SUBJECT: CITYWIDE PEDESTRIAN ACCESS SYSTEM

Action Requested

No action is requested, this is a discussion-only item.

Background

The adopted Milwaukie Vision Statement includes as a guiding concept, an easily walkable city by the year 2015. This is proposed to be accomplished through neighborhoods that are linked by safe and attractive pedestrian and bicycle accessways. To reach this level of pedestrian and bicycle accessibility, new trails, sidewalks, bike lanes and streets are anticipated to be constructed. In addition, a network of pathways, parks, wetlands and open spaces are envisioned to allow more individual interaction within and between neighborhoods.

Milwaukie's draft Transportation System Plan (TSP) recognizes the need to create a citywide network of pedestrian and bicycle accessways that serve neighborhood, citywide and regional travel. Attachments 1 and 2 illustrate proposed walkway and bikeway networks that are proposed to be installed by the year 2015. The networks are primary systems and do not preclude the construction of walkway and bikeway facilities on other streets or corridors in the City.

Discussion

There are two key issues to discuss related to the citywide pedestrian access system. One is missing links that are apparent in both of the proposed walkway and bikeway networks. The other is missing walkway and bikeway links to schools in Milwaukie.

The proposed network maps indicate significant gaps in the provision of completely connected walkways and bikeways along primary streets in the City. Attachment 1 clearly shows that no

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neighborhoods in Milwaukie have completely connected walkway systems. Only the downtown area has a mostly completed walkway network. Other neighborhoods such as Lewelling, Island Station and Ardenwald are nearly void of connected walkways. Significant gaps exist in the Bikeways Network (see Attachment 2). Examples include Lake Road between Oatfield Road and 21st Avenue and Harrison Street between ORE 99E and 43rd Avenue/King Road. Also, there are no north-south bikeway connections to the soon to be constructed Springwater Corridor Trail.

There are policies in the draft TSP that include City coordination with other agencies and jurisdictions in the planning, funding and implementation of on and off-road walkways and bikeways in the City. Strategies and policies in the TSP address filling in gaps in the primary network as a priority for capital improvement projects, along with improvements to known accident areas, and projects that connect to local and regional destinations.

This brings us to the second issue of discussion, linkages to local destinations and in particular schools. Attachments 3 and 4 highlight existing walkways in the vicinity of two local schools: Lewelling Elementary and Rowe Junior High School. The only sidewalks that exist in the vicinity of Lewelling Elementary School are on Windsor Drive, partial sidewalks on Willow Street and Stanley Avenue, and completed sidewalks on King Road. The primary walkways network proposed in the draft TSP identifies the addition of sidewalks on Logus Road, Stanley Avenue, and 43rd Avenue. Other specific local streets were not identified.

In the area around Rowe Junior High School, the primary pedestrian corridor that leads to the school is Lake Road. It is estimated that over 11,600 cars travel daily on this section of Lake Road. There are no sidewalks present on this section of the busy arterial street, from Oatfield to Kuehn Roads. Sidewalks have been constructed as part of subdivision development in the area, e.g., Vernie Avenue and Angela Way. But there is a lack of local street connectivity and completeness of sidewalks in the area which create unsafe travel corridors for students in close vicinity who want to walk to school. For the most part, local streets feed into Lake Road and students who walk to Rowe Junior High School face a section of Lake Road corridor with bike lanes but no sidewalks near the school. The primary walkways network proposed in the draft TSP identifies the addition of sidewalks on Lake Road, 37th Avenue, and Oatfield Road.

Objective #2 in the draft TSP section on walking, seeks "to connect local walkways to local destinations such as schools and activity centers including the Expanded City Center...". Under this objective, there are the following applicable policies:

"The City will ensure that elementary school-related pedestrian projects receive high priority consideration for pedestrian facility improvements."

“Walkway projects that connect directly or indirectly to public transit, local and regional destinations, activity centers and the regional pedestrian network will be constructed using the adopted Walkways Network Master Plan.”

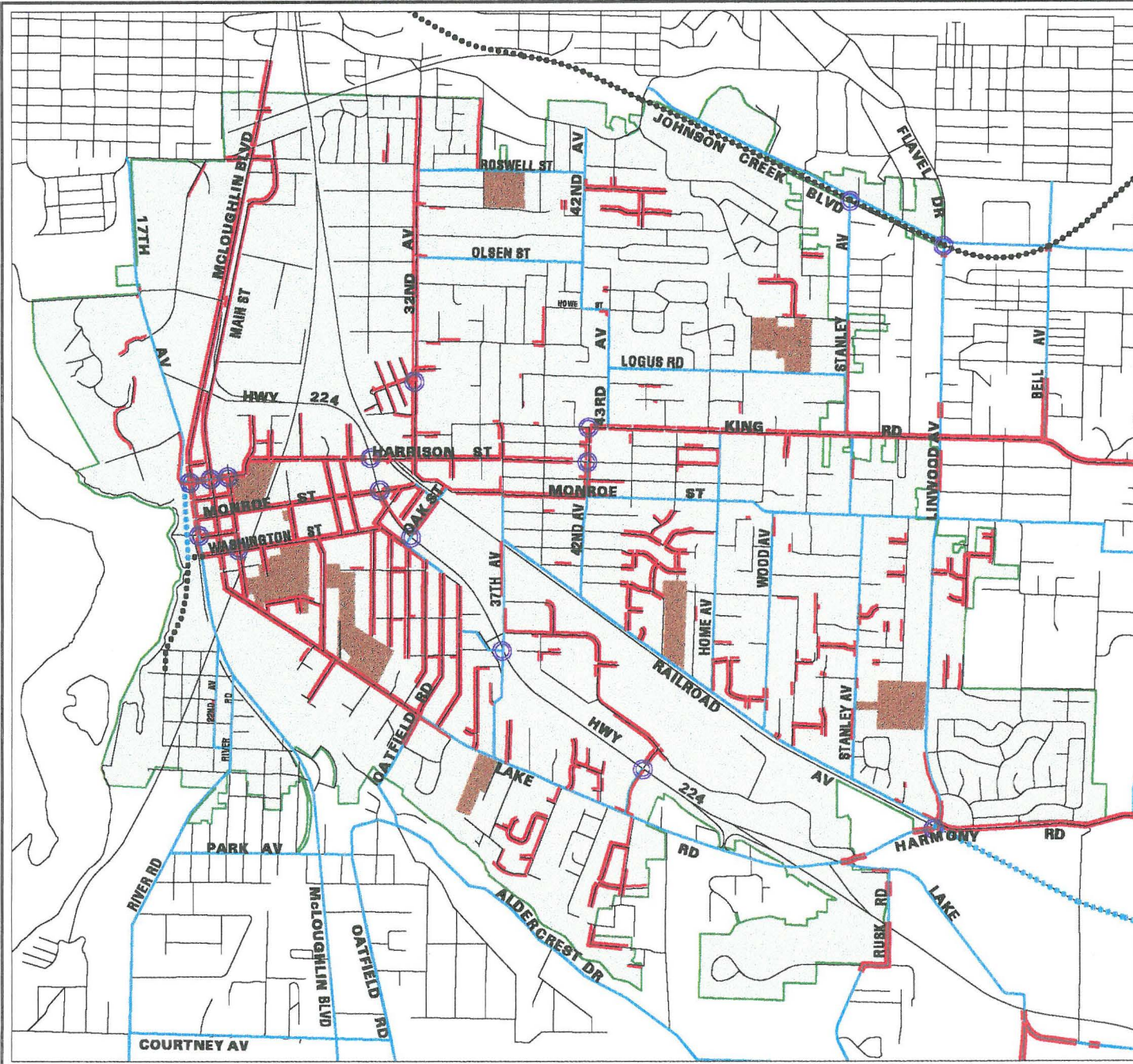
“The City will continue to coordinate with Clackamas County, the City of Portland, the North Clackamas Parks and Recreation District, Metro, Tri-Met, and other jurisdictions and agencies to ensure that appropriate local and regional on-road and off-road walkway connections are planned, constructed and maintained.”

The draft TSP relies upon the pedestrian access studies underway around elementary schools as the means to identifying local pedestrian facility improvements for children. As mentioned previously, cooperation and coordination with agencies and other jurisdictions is critical for making pedestrian-related improvements, especially since local funds are extremely limited.

attachments

DB:pedacpc.doc

PROPOSED WALKWAYS NETWORK



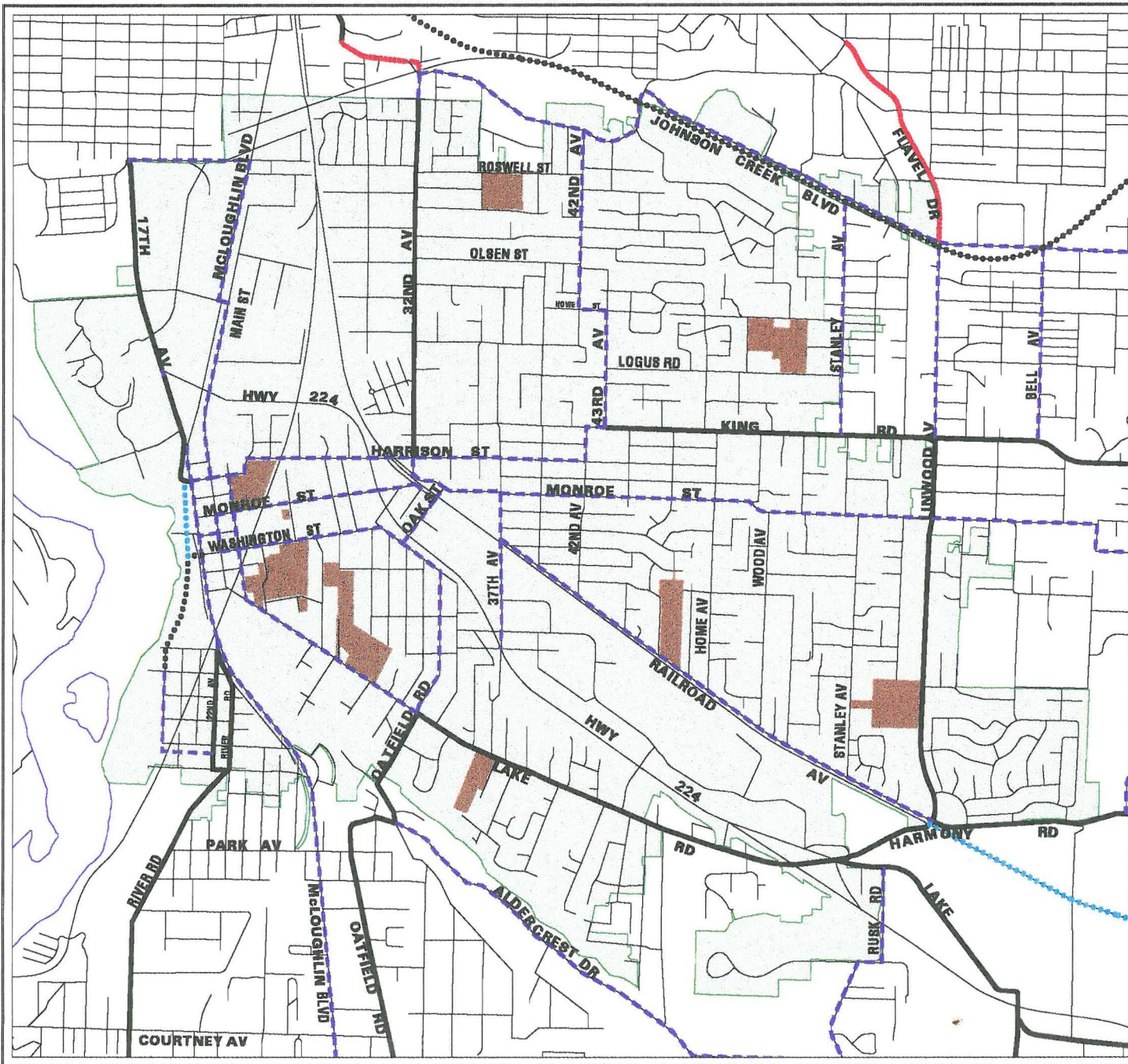
- PROPOSED WALKWAYS
- EXISTING WALKWAY NETWORK
- TRAILS
- PROPOSED TRAILS
- INTERSECTIONS TO STUDY FOR POSSIBLE PEDESTRIAN IMPROVEMENTS
- PUBLIC AND PRIVATE SCHOOLS

Source: Draft Milwaukee Transportation System Plan, April 1996.







Attachment 1
MAP DATE: 04/15/96

Department of
Community
Development





PROPOSED BIKEWAYS NETWORK

-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS
-  PLANNED BIKEWAYS
-  TRAILS
-  PROPOSED TRAILS
-  PUBLIC AND PRIVATE SCHOOLS

Source: Draft Milwaukee Transportation System Plan, April 1996.



Attachment 2
MAP DATE: 04/15/96

Department of
Community
Development









WALKWAYS VICINITY MAP:

Lewelling Elementary

School Area

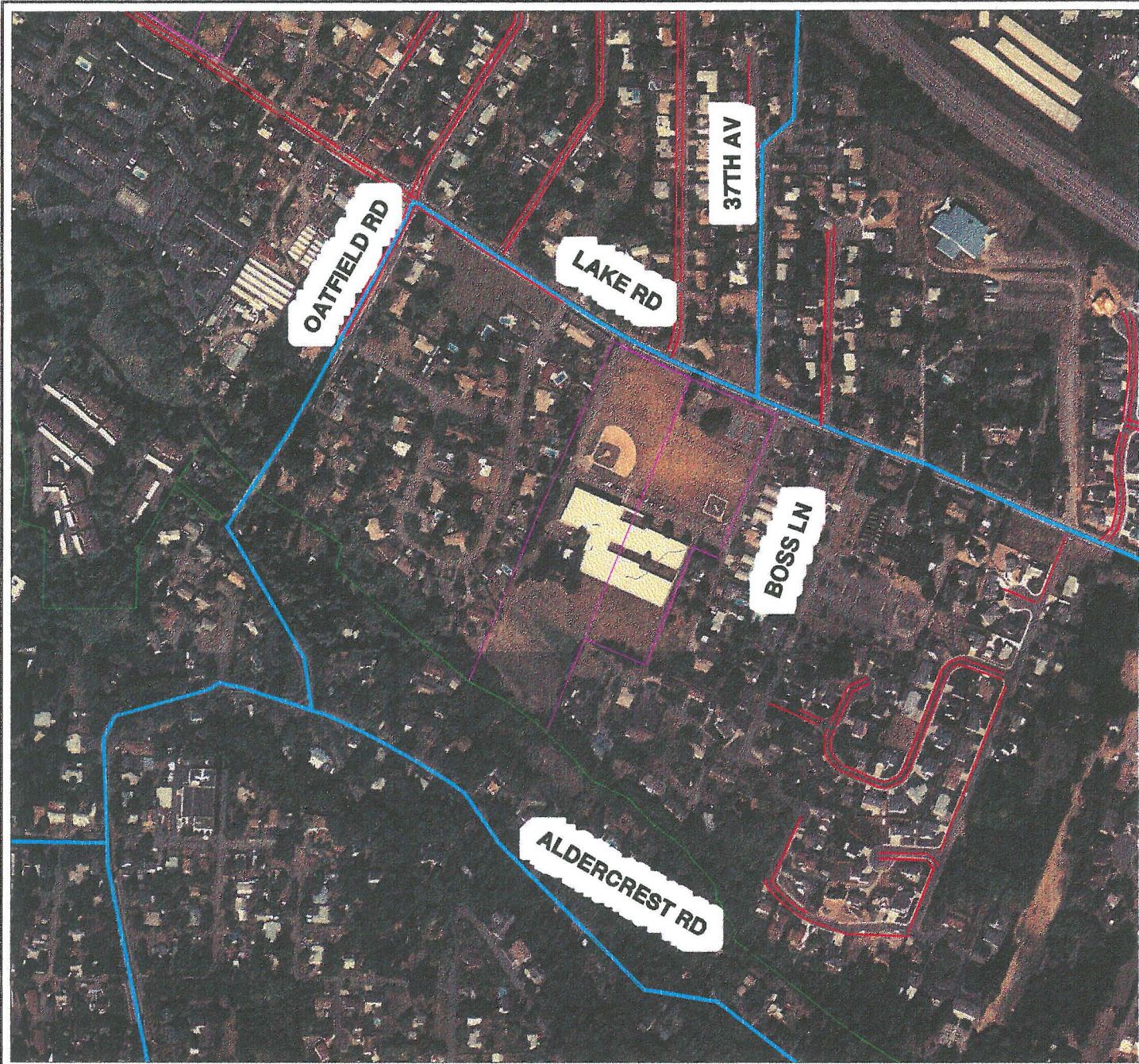
-  CITY OF MILWAUKIE BOUNDARY
-  LEWELLING ELEM. SCHOOL
-  PROPOSED WALKWAYS
-  EXISTING WALKWAY NETWORK

*Source: Draft Milwaukee
Transportation System
Plan, April 1996.*

Attachment 3
MAP DATE: 04/16/96

Department of
Community
Development









WALKWAYS VICINITY MAP:

Rowe Junior High

School Area

-  CITY OF MILWAUKIE BOUNDARY
-  ROWE JUNIOR HIGH SCHOOL
-  PROPOSED WALKWAYS
-  EXISTING WALKWAY NETWORK

*Source: Draft Milwaukee
Transportation System
Plan, April 1996.*

Attachment 4
MAP DATE: 04/16/96



**Department of
Community
Development**



****MEMORANDUM****

**Milwaukie Community Development Department
April 16, 1996**

TO: Milwaukie Planning Commission
FROM:  Maggie Collins, Community Development Director
RE: Community Development Department Report - April 23, 1996 Meeting

- A. Updates on TGM Grants.** See attached.
- B. Rezone Request.** See attached memo. Staff requests discussion of this issue.
- C. Johnson Creek Boulevard Improvements Update.** See attached report.
- D. Neighborhood District Association Master Plan Process.** The attached proposed process is being discussed by several Land Use Committee Chairs. Their next meeting with Community Development Staff is April 17, 1996.

cc: C.D. Staff
Dan Bartlett

FOR 4/23/96 PC CD REPORT

Lake Road Subarea Multimodal Connections Plan Grant Project Update - A consultant selection team made up of city staff and two neighborhood association chairs, selected the firm of DKS Associates, as the consultant to assist the City with this plan. As you know, DKS Associates, helped the City with development of its draft Transportation System Plan. This study will identify improvements to increase safety, accessibility and connectivity for all travel modes in an area north and south of Lake Road within Milwaukie city limits.

A public kickoff meeting for this project is scheduled for Thursday, May 23, 1996, at 7:00 PM at Milwaukie Lutheran Church on Lake Road. The meeting will explain project objectives and process, begin soliciting public comments on problems and needs, and establish a citizen participation plan. Some 1200 property owners and residents in the study area will be notified in advance of the meeting through a mailed notice from city staff.

Regional Center Master Plan Grant Project Update - An Intergovernmental Agreement between the State, Milwaukie and Metro has been executed. A consultant selection team comprised of city, Metro and ODOT staff, and MDDA and neighborhood association representatives met twice to discuss and interview potential consultant teams for this important regional center implementation project. The consultant selection team is in the final stages of decision-making about the consultant team. A decision should be made the week of April 15th. (Due to the federal source of grant monies, precise procedures are in place regarding how consultants are selected.) City and ODOT staff will enter into negotiations with the selected firm to finalize the consultant team responsibilities in the project.

The Regional Center Master Plan study will look at density and intensity increases, redevelopment potentials, and transportation circulation and parking needs, in establishing a framework for Zoning Ordinance and Comprehensive Plan amendments that permit and encourage higher density and intensity mixed use development in Milwaukie's Expanded City Center. The project will incorporate previous and current planning activities such as the Riverfront Master Plan and the Milwaukie Vision Statement.

memorandum
COMMUNITY DEVELOPMENT DEPARTMENT

April 16, 1996

TO: Milwaukie Planning Commission

FROM: *MC* Maggie Collins, Community Development Department

RE: Ardenwald NDA Land Use Committee

Requested Action:

Discussion and possible action.

Background:

In the draft Minutes of the April 12, 1996 Commission meeting, a statement read by the Ardenwald Neighborhood Distract Association Land Use Co-Chair is recorded. This statement is attached.

Staff is bringing this statement to the Commission's attention as an item for response.

Discussion:

Section 901 of the Zoning Ordinance states that "An amendment to the Milwaukie Zoning Map or to the text of this ordinance may be initiated by the City Council, by the Planning Commission, or by the application of a property owner." Any change initiated by the Planning Commission must follow all procedures of a major quasi-judicial review process for proposed changes to the Zoning Map; or the legislative review process for a change to the zoning text.

If the Commission believes that the attached request has merit, there are several courses of action (or combinations thereof):

- a. Establish a committee of Planning Commissioners and Land Use Committee members to pursue the request and its consequences in more detail;
- b. Direct Staff to work with the property owners and the Land Use Committee regarding the proposed change;

Memo to Planning Commission
April 16, 1996
Page 2

- c. Initiate a formal application by the Planning Commission; or
- d. Hold off action until completion of the Ardenwald Neighborhood District Master Plan.

Staff Assessment:

In past years, staff has had conversations with the property owner and with various brokers about the long-term future land use for the subject site. Staff is in agreement that commercial uses would be appropriate.

cc: Ardenwald NDA
Ardenwald NDA Land Use Committee
Linda Mullen
Dan Bartlett

Maggie - 774-8236

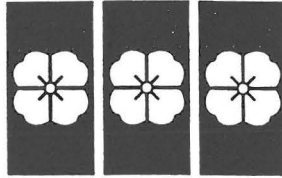
Ardenwald -Johnson Creek Neighborhood Association Land Use Committee believes that even though ECR recycling may have meet the zoning ordinance requirements it can not be mitigated for noise, dust, buffering adjacent residential and traffic .

The land use committee recommends that Murphy's site be rezoned to a mix ,or general commercial. With the population growth occurring we could develop that area into a residential complex, retail store, coffee shop, offices, and or a small pocket park, which could be used to generate revenue for the city, and comply with infill.

The land use committee would like to work with the staff, planning commission, Murphy's, the hospital and the Gilberts to find a solution that would best fit every one's needs

Ardenwald- Johnson Creek Neighborhood
Land Use Committee

C I T Y O F



MILWAUKIE

COMMUNITY DEVELOPMENT DEPARTMENT
City of Milwaukie

Date: April 16, 1996

To: Mayor and City Council

Thru: *[Signature]* Dan Bartlett, City Manager

From: *[Signature]* Maggie Collins, Community Development Director
[Signature] Greg Drechsler, City Engineer

Subject: Update Report: Johnson Creek Boulevard Improvements Project

Action Requested

Information.

Discussion

Attached is a Memorandum from Mulvey Johnson, Portland Project Manager, outlining the progress on this interjurisdictional project during the last twelve months. Since Milwaukie and Portland City Council reviews last year, preliminary engineering has been completed for Phases I and II, and several detailed coordination issues have been addressed. A contractor is now readying staging for construction of Phase I. Portland staff will be meeting with Ardenwald and Lewelling Neighborhood Associations on traffic re-routings this month. Initial construction will include work on 32nd Avenue to Sherett Street (see page 2 of Memorandum).

Since Milwaukie Council's conceptual approval of the right-of-way improvements, a component for street trees has been added. As outlined in page 1 of the Memo, this additional detail will result in maintaining the residential land use character adjacent to the right-of-way. This addition is in keeping with the Council's desire for an improved right-of-way in a residential area shared by Portland and Milwaukie.

All other components of the project are being worked out in a cooperative manner. Construction for this Phase includes Milwaukie funds for the elimination of the Brookside Sewage lift station. Milwaukie Public Works is now the lead coordinating department for Phase I; Community Development's role is that of coordinating funding opportunities to implement Phase II.

cc: Mulvey Johnson

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2



CITY OF
PORTLAND, OREGON
OFFICE OF TRANSPORTATION

Earl Blumenauer, Commissioner
Engineering & Development
1120 S.W. Fifth Avenue
Room 80
Portland, Oregon 97204-1971
(503) 823-7004
FAX: (503) 823-7371

March 22, 1996

MEMORANDUM

To: MAGGIE COLLINS, Dir of Community Development
GREG DRECHSLER, City Engineer
City of Milwaukee

From: MULVEY JOHNSON, Project Manager
Transportation Engineering and Development

Subject: SE Johnson Creek Blvd, 32nd Ave to 45th Ave Street Improvement
Project Update

The following summarizes the current status of this inter-city street infrastructure project that runs through our cities linking them at three locations as seen on the attached project map. This project includes the much needed multi-modal safety improvements and the sharing of new water, storm sewer, and sanitary sewer systems for more efficient and economical service for the adjacent and nearby residents of that area. Our respective public works staffs who have been working together on the development of this project and continuing into Phase I construction are, of course, familiar with most of the following information.

Portland City Council passed resolution (attached) endorsing the recommended JCB Project design and Phasing Plan on 3-15-95 after a similar endorsement by City of Milwaukie on 2-7-95.

Portland City Council adopts Street Tree Plan for the Project

Portland City Council on 3-15-95 expressed concerns for the need for street trees along the Project, similar to those of Milwaukie, requested staff to report on how we might include street trees along the Project know there was not much room in the improvement section for them. After some review with the City Urban Forestry Division, a plan was recommended to provide street trees along the project behind the sidewalk on private property with the owners agreement to accept and care for these street trees. On 5-18-95, Portland City Council adopted the report to include street trees on the Phase I project using local funds with an estimated cost of \$22,000. Phase I street planting will be done as a separate activity working closely with the Urban Forestry Division after Phase I street construction is completed and the funds are secured for purchase and planting of the trees. When in place, these new trees will augment the new street improvements and help mitigate the loss of trees and other foliage that had to be removed along the right-of-way for the new street improvements.

A line item for street trees is being added to the current Phase II Project Cost Estimate based on our Council's support for the above street tree plan. We believe City of Milwaukie will be pleased about this development and supportive of this or a similar street tree plan where the Project passes through Milwaukie on JCB.

Phase I Design, Construction Plans, and other Bid Documents Completed by Portland Project staff on December 28, 1995, forwarded to ODOT for Bidding and Contract Award.

On the attached Project Map, Phase I street construction work area is shown as the shaded areas and includes:

SE 32nd Ave, Sherrett to Johnson Cr Blvd

(14 ft roadway with sidewalk on both sides, matches and ties with Milwaukie's new 32nd Ave street improvement at SE Sherrett St.)

SE Johnson Cr Blvd, 32nd to 36th Ave

(32 ft roadway with 11 ft travel lanes, 5 ft bike lanes, 6.5 ft sidewalk on So side, and bus stop pads, and upgraded street lights.

SE Johnson Cr Blvd at the Springwater Trail Crossing (near 4400 JCB)

(Crossing impvts., including JCB storm/sanitary sewer lines under the crossing, curb, sidewalk, driveway for the new Springwater Trail and trailhead and a connecting sidewalk over the adjacent Johnson Cr Bridge.

In addition to the Phase I surface street improvements, the following underground infrastructure improvements are also included in the Phase I construction contract made possible through new and existing (IGA) agreements between our cities.

- o **Portland storm sewer in Phase I area** that will connect into City of Milwaukie storm sewer at SE 32nd & Sherrett and the Roswell St water quality facility prior to storm water flowing into Johnson Creek. (Project funded)
- o **Portland sanitary sewer line** - (Phase I contract item) that will connect into a Milwaukie's trunk line at SE Sherrett & SE 30th. (BES funded)
- o **Milwaukie sanitary sewer line** - (Phase I contract item) 435 ft line located in and Milwaukie on JCB from SE Brookside Dr to the Portland Lents Sewer Trunk Line at the Springwater Trail crossing. This new section of gravity line sewer line work has been designed and paid for the by City of Milwaukie for the timely inclusion in the Phase I JCB contract. This new gravity line will eliminate the need for Milwaukie to maintain the less efficient and more costly pump lift system at JCB and Brookside Dr.
- o **Portland 12" dia water main - JCB, 32nd to 36th** (Phase I contract item)
This is an water system upgrade in PH I JCB that will be extended to 39th Ave (city line) with a gate valve to the Milwaukie water system as reciprocal emergency supply source for the two systems. (Water Bureau funded item).

The design and preparation of the Phase I contract plans and bid documents managed by the Portland Transportation staff also involved excellent team participation on part of the City of Milwaukie Public Works staff and their consultant (Murray & Smith), along with other Portland Bureaus (Traffic Mgmt, BES, & Bureau of Water). The Milwaukie Public Works staff has been particularly helpful providing guidance concerning street closures, detour plans, temporary construction signing, and protection of neighborhood streets during construction.

Phase II Storm Sewer (SE Johnson Cr Blvd, 36th to 4400 JCB)/Phase II Water Quality Facility at 4400 JCB.

Design & construction plans for the Phase II storm sewer has been completed, at least 75% of the flow this line takes (benefit) will come from Milwaukie as it also collects storm water from the adjacent residential drainage areas south of JCB in Milwaukie between SE 40th and Brookside Dr.

However, this work Phase II storm sewer work (except for under the Springwater Trail crossing) was not included in the package for Phase I bids as originally planned. This is because of a potential cost overrun on our construction budget. The current cost estimate (based on the actual design quantities, staging of work, etc.) was about 25% over our earlier (1994) estimate prior to final design. This increase is due in part to the recent higher bid climate on similar work and the higher cost of doing the work under traffic. Lower costs and less disruption time can be realized in a contract, if the Phase II storm sewer work is done with Phase II street construction under closure similar to how we expect the Phase I work to be staged as outlined later in this summary.

The **water quality facility** that will serve the Phase II storm sewer will be located at 4400 JCB in Portland (see map) on the long lot between the Springwater Trail and Johnson Creek now owned by City of Portland. This facility will meet water quality requirements for the Phase II storm water that will serve both Portland and Milwaukie areas. Final design of this Phase II facility should be completed by May 1996 including the public involvement process completed last fall.

Right of way acquisition and private utility relocation work completed in the Phase I area ahead of street construction work.

Four foot wide strips of property were purchased from 4 property owners along the south side of JCB from 33rd to 36th Ave that was needed for the Phase I street improvement.

A new 4" diameter gas line (upgrade from a 2" line) was installed by the gas company along the north side of JCB, 32nd to 36th. PGE has completed moving relocating & replacing about 13 poles and wires in the Phase I area with Paragon Cable and US West Communications moving their services on to the same new poles.

Phase I Construction Contract Bids Opened Feb 22, 1996.

Copenhagen Utilities and Construction Inc. was the apparent low bidder with a bid of \$865,460 at approximately 7% below the engineer's estimate. Copenhagen is well qualified to perform the utility work that is a large part of this Phase I contract. We anticipate that the contract will be awarded by the end of this month (March 1996).

Phase I Construction in the field is expected to start by late April and to be completed by October 31, 1996.

Contract guidelines for construction staging, alternate route signing, residential streets to protect allow local access only, etc. was carried out with valuable assistance from the City of Milwaukie Public Works staff with most of the adjacent areas and alternate routes in or affecting Milwaukie. This good working relationship will continue through the contract award/notice to proceed, preconstruction conference, and actual construction phase. This team work will help in keeping the affected residents, neighborhood associations and nearby businesses well informed concerning construction work, road closures, access to their homes, and responsive to their concerns during the construction.

We currently expect the contractor to proceed with a staging plan similar to that shown below and it will be subject to review and approval by the City Project Management. Time periods are a current estimate and may vary with the weather and field conditions.

- Stage I** **SE Sherrett St -30th to 32nd**
Install Sanitary Sewer/laterals; 1-2 weeks
(Street remains open under flagging to traffic)
- Stage II** **SE 32nd, Sherrett to Johnson Cr Blvd**
Install Sanitary Sewer/laterals, & Storm Sewer; 3-4 weeks
(Road closed to thru traffic) - reopen when sewer work is completed.
- Stage III** **SE Johnson Cr Blvd, 32nd to 36th**
Install San. Sewer/laterals, Storm Sewer, & 12" Water Main; 6-7 weeks
(Road closed to thru traffic)
- Stage IIIA** **SE Johnson Cr Blvd, 32nd to 36th**
Construct new roadway, driveways, sidewalk; 4-6 weeks
(Road remains closed to thru traffic) - reopen when work is completed.
- Stage IV** **SE Johnson Cr Blvd, Brookside to Springwater Trail Crossing**
Install Milwaukie Sanitary Sewer Line, Abandon lift station,
Construct street improvements at the Springwater Trail Crossing.
(Road remains open under flagging to traffic)
This stage will run concurrent with Stage IIIA.
- Stage V** **SE 32nd Ave, Sherrett to JCB, Intersection at JCB/32nd**
Construct new roadway, driveways, sidewalk; 4-5 weeks
(Road remains closed to thru traffic until work is completed)

Phase II Street Improvements - SE JCB, 36th Ave to Springwater Trail Crossing
Current Total Estimated Cost: \$ 1.97 million (includes approx. 5% contingencies)
The Phase II work items below (see Project map and attached cost summary) are to be staged and completed as additional funds become available.

- o Right-of-Way acquisition for PH II area
36th Ave east to Johnson Creek Bridge.
(Approx. 4 ft wide strip - mostly on south side)
- o Construct Storm Sewer - Phase II area
- o Storm Water Quality Facility - (treats Ph II storm water)
(Located in Portland at 4485 JCB next to JC Bridge)
- o Street Construction - JCB, 36th Ave east to
Springwater Trail Crossing (2,985 LF)
- o Traffic Signal - Upgrade (JCB at JC Bridge)
- o Street Trees - Ph II Area (approx 125)

6

The Portland and Milwaukie Transportation Staff have been and will continue to pursue the potential funding sources to complete this Project on a phased basis. Some possible funding sources include:

- o Small balances remaining unspent from other projects to start/complete Ph II right-of-way acquisition.
- o State/Fed funds available in METRO, Portland, Milwaukie, Clackamas County pools from other delayed projects, gas tax, local dedicated funds, etc.)
- o Local match/overmatch funds available from these local jurisdictions, on a fiscal thru annual CIP, budget process.

Phase II work items can be done in staged segments and stand alone if less than total funds become available. This could include partial funding for work starting with right of way acquisition or sections of the Phase II storm sewer (including the water quality facility), and finally sections of the street construction work, e.g., from the Springwater line to Brookside Dr or to 42nd Ave., 42nd to 36th.

Portland Transportation staff looks forward to continuing our positive and effective working relationship with the involved Milwaukie staff and our contacts at Clackamas County concerning this and related projects. Please let me know if you need any further information or discussion at this time concern the above summary.

- c. Mohammad Fattahi, Clackamas County
Brett Kesterson
Cliff Christianson

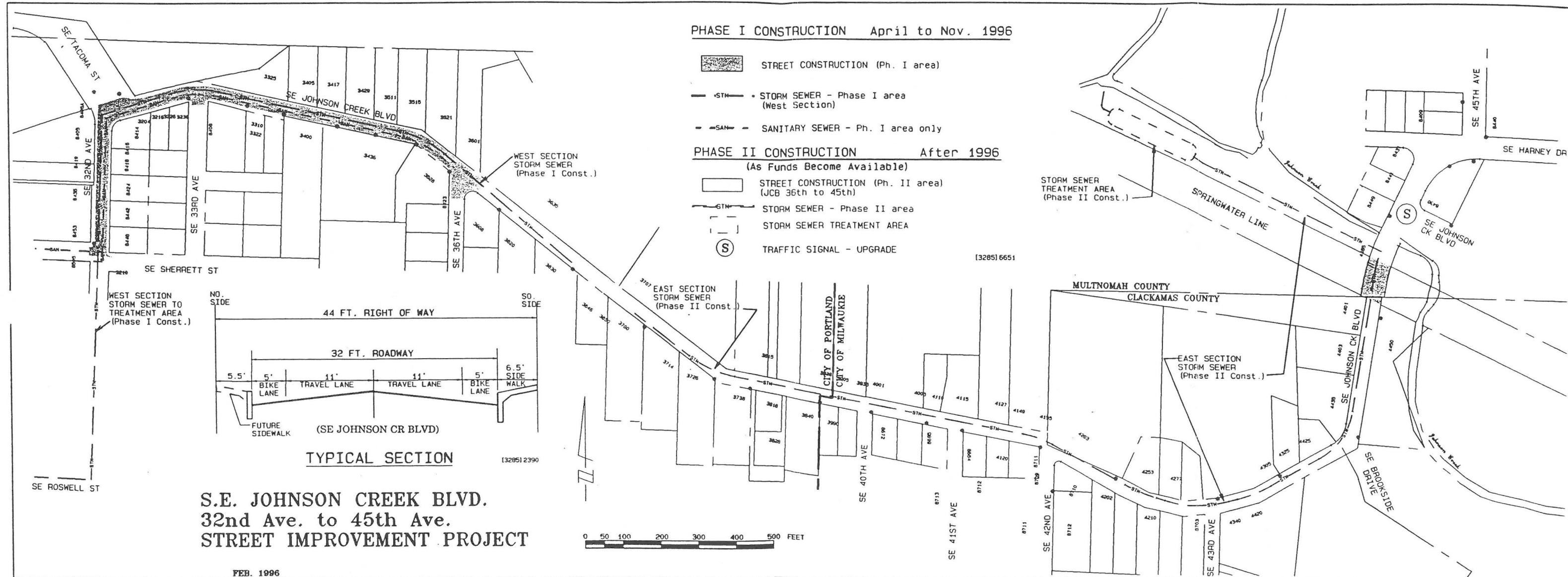
[3285.ADMIN]COM-PROJ-UPDATE3-22-96.WP

**SE JOHNSON CREEK BLVD
32ND AVE TO 45TH AVE
Street Improvement Project
March 1, 1996 Update**

Current Cost Estimate Summary

*Project Cost
Est. for Work
in Milwaukie*

Phase I Work - Project Cost Estimate		Total Length = 1,530 LF	
Prelim. Engr.	Design, contract dwgs. & specs. for <u>Phase I & II areas.</u>	\$ 450,000	\$ 184,000
Right-of-Way Acq.	3 Acq. files, 4 Const. Easement files	35,000	
Street Const:	JCB, 32nd Av to 36th Av (\$346/LFx1000') 32nd, JCB to Sherrett St (\$346/LFx400') JCB @ Springwater Line Xing (\$346/LFx130)	530,000	
Storm Sewer:	West Section (Ph I Area)	165,000	
Construction Mgmt. (15%)		104,000	
Sanitary Sewers	Ph I Area - \$220,000 BES funded item Ph II Area - \$100,500 Milwaukie funded item	-0- -0-	
12" Water Main	Phase I Area - \$75,000 Water Bur. funds)	-0-	
Street Trees	50 trees (est. \$20,000 - City funds)	-0-	
Total - Phase I Project Cost Estimate		<u>\$1,284,000</u>	<u>\$ 184,000</u>
(Paid from approx. 85% FHWA funds & 15% Portland funds)			
Phase II Work - Project Cost Estimate		Total Length = 2,985 LF	(1,850 LF)
Right-of-Way Acq.	Est. 30 files @ \$10,000 ea. (21 in Milw.)	\$ 300,000	\$ 210,000
Street Const.	JCB, 36th to Springwater Crossing (\$346/LFx2885')	1,033,000	680,000
Storm Sewer	East Section (Phase II Area)	285,000	213,000 (75% Benefit)
Water Quality Fac.	Serves Ph II storm water system	60,000	
Traffic Signal Upgrade		50,000	
Construction Mgmt. (15%)		214,000	128,000
Street Trees	Est. 125 @ \$200ea	25,000	15,000
Total - Phase II Project Cost Estimate		<u>\$1,967,000</u>	<u>\$1,206,000</u>
Total - Phase I + Phase II		\$3,251,000	\$1,390,000



**S.E. JOHNSON CREEK BLVD.
32nd Ave. to 45th Ave.
STREET IMPROVEMENT PROJECT**

FEB. 1996

RESOLUTION No. 35373

Endorse the proposed SE Johnson Creek Blvd., 32nd Avenue to 45th Avenue Street Improvement Project. (Resolution)

WHEREAS, SE Johnson Creek Blvd., 32nd Avenue to 45th Avenue is a 0.9 mile two lane road with gravel shoulders that passes through the Ardenwald neighborhood. Most of this road has no sidewalk, curb or storm drainage, and poor alignment. These conditions have an adverse affect on pedestrian, bicycle, and auto safety and neighborhood liveability in this residential area; and

WHEREAS, this section of Johnson Creek Blvd. is classified as a neighborhood collector, minor transit street, and bike route with relatively high traffic volume (12,000 ADT) being the most direct route between Sellwood Bridge and I-205/Johnson Creek Blvd. interchange area; and

WHEREAS, Portland City Council adopted Resolution No. 34625 on 10-11-89 endorsing the METRO Southeast Corridor Study's Transportation Improvement Plan which addresses east-west arterial traffic problems in the Southeast McLoughlin Corridor area; and

WHEREAS, this Plan recommended funding for safety and drainage improvements on SE Johnson Creek Blvd., 32nd Avenue to 45th Avenue to be designed to minimum acceptable widths so as not to encourage increased traffic volumes (by adding capacity) with planning to be a joint effort including City of Milwaukie, the Ardenwald neighborhood, and adjacent property owners; and

WHEREAS, Portland Transportation Engineering and Development managing the Project working closely with City of Milwaukie and a public involvement process with the Ardenwald Neighborhood developed a proposed improvement plan, 44 feet wide, including sidewalk, curb, two travel lanes with improved alignment, bike lanes, storm drainage, and illumination where needed; and

WHEREAS, the 44 foot design width is considered the minimum multi-modal section for this street and is recommended in response to adjacent owners concerns to minimize right-of-way impacts; and

WHEREAS, several other related projects are interfacing with this Project, including a Springwater Corridor crossing and trailhead near SE 45th Avenue, storm sewer lines, sanitary sewer lines, and water mains that will be shared between Portland and Milwaukie for improved efficiency and safety; and

WHEREAS, this Project is included in the current Metro Regional Transportation Plan, and the current Portland Office of Transportation Budget and CIP. The proposed Project Plan conforms with the current Transportation Element of the City's Comprehensive Plan.

WHEREAS, final design of the Project and proposed Phase I activities will be entirely funded with allocated Federal Highway Funds (85%) and local Transportation Funds (15%). Phase II will be completed as additional funds become available; and

WHEREAS, on February 7, 1995, the City of Milwaukie adopted Resolution No. 6-1995 endorsing the proposed improvement and phasing plan and to continue the cooperative relationship with the City of Portland to complete the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, Oregon endorses the proposed street improvement plan and direct staff to proceed with final design and construction according to the Phasing Plan shown in Exhibit A.

BE IT RESOLVED, by the Council that Portland Staff will continue working cooperatively with the City of Milwaukie and Clackamas County through the completion of this intercity Project and to continue working with the adjacent property owners in mitigating right-of-way impacts where feasible.

Adopted by the Council, **MAR 15 1995**

Commissioner Earl Blumenauer
Mulvey Johnson
March 9, 1995

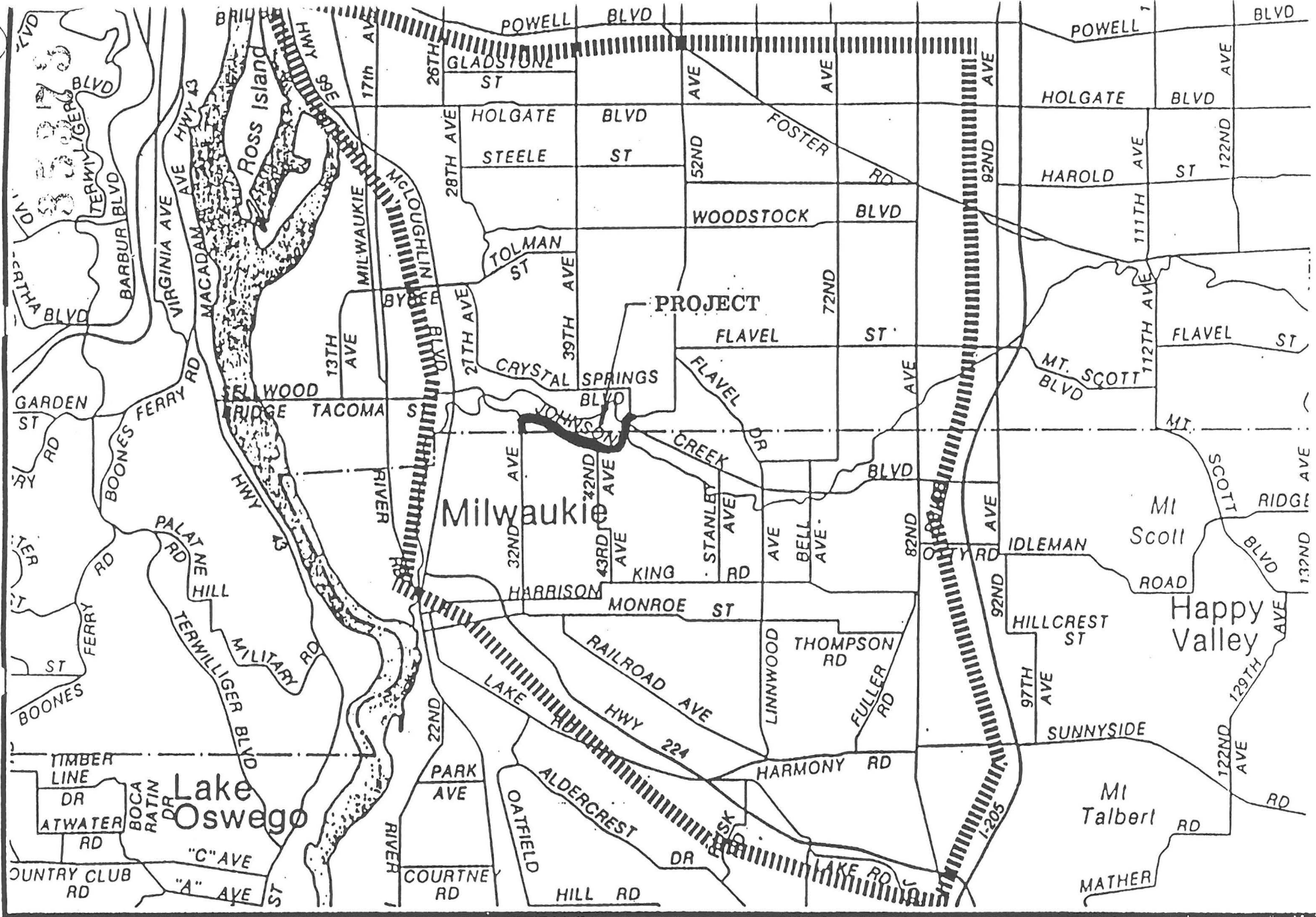
[3285.AGMTS]RESOL

BARBARA CLARK
AUDITOR OF THE CITY OF PORTLAND

BY

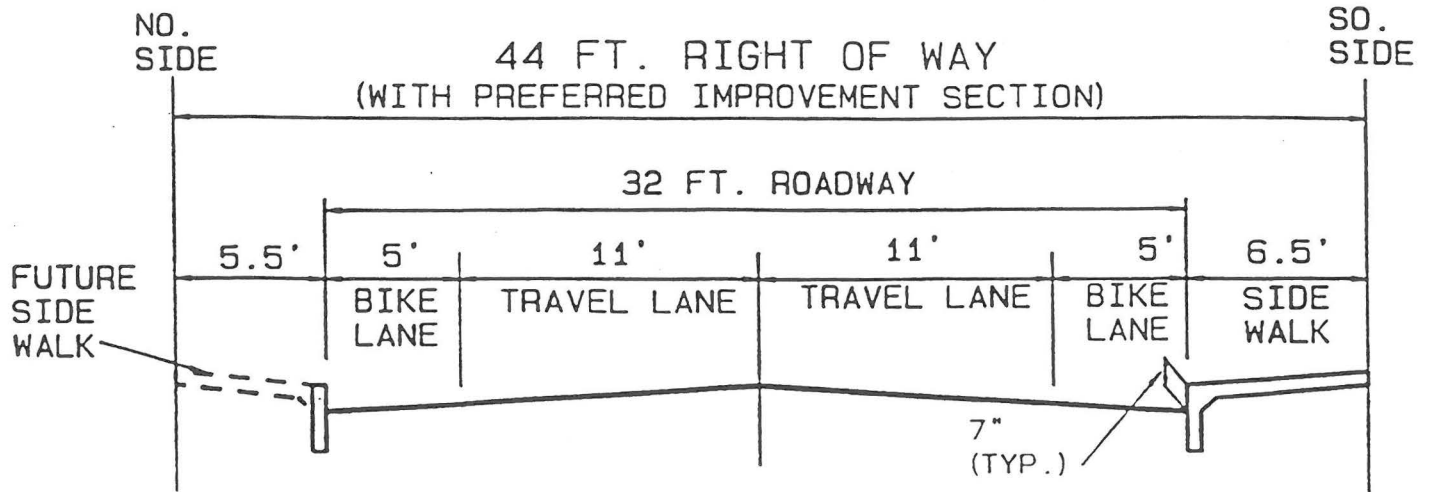


DEPUTY



METRO Southeast Corridor Study Area

Figure 1



PROPOSED SECTION
(32d AVE. TO JOHNSON CREEK BRIDGE)

S.E. JOHNSON CREEK BLVD.

32ND AVE. TO 45TH AVE.

STREET IMPROVEMENT PROJECT

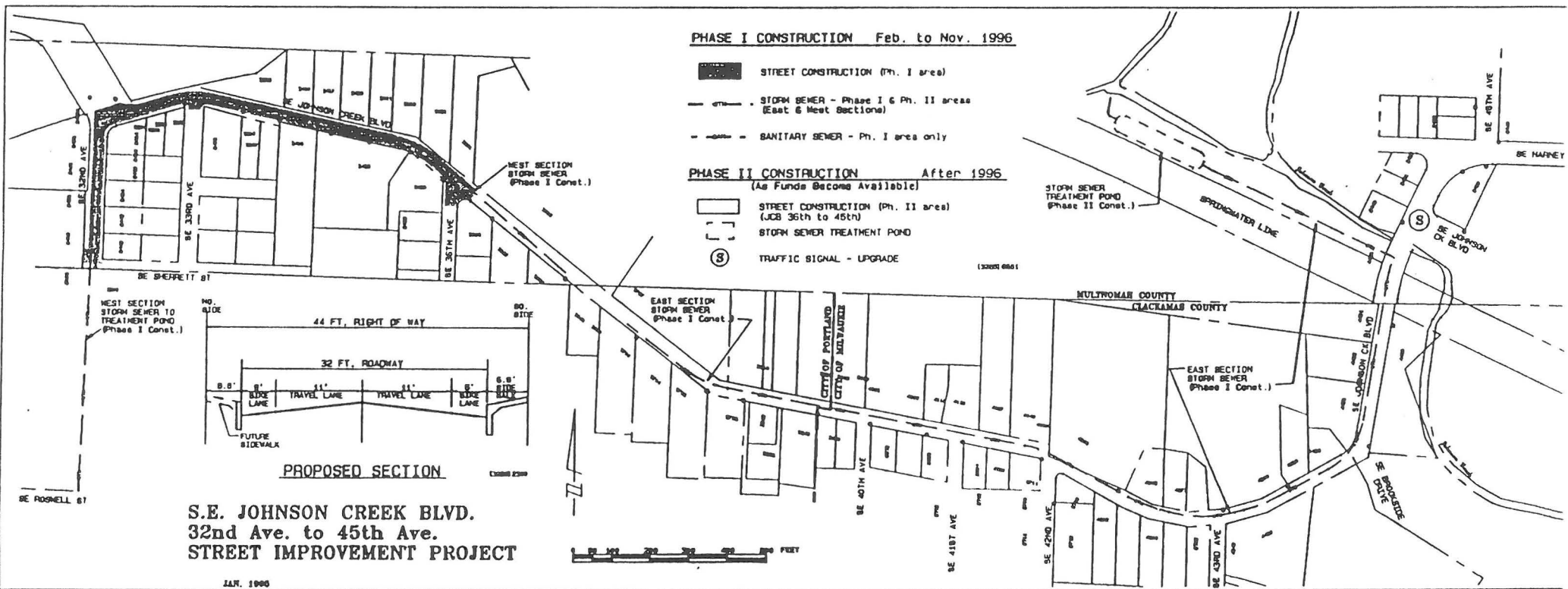
Dec. 1993

SE JOHNSON CREEK BLVD
32ND AVE TO 45TH AVE
Street Improvement Project

PROPOSED PHASING PLAN

Due to lack of sufficient allocated funds to complete construction of the entire length of the project, the following two phase plan has been developed as summarized below. Phase II may be completed in segments as sufficient funds become available. See map.

<u>Item</u>	<u>Period</u> (Current Schedule)
PHASE I Total Estimated Cost: \$1.176 million = Current funding allocation	
o Complete design and plans for entire project (JCB-32nd to 45th, 32nd-JCB to Sherrett)	Thru Sept 1995
o Right-of-way purchases for Ph I area (affecting 3-4 properties, JCB-32nd to 36th)	Thru Nov 1995
o Street Construction -JCB, 32nd to 36th Ave & 32nd Ave-JCB to Sherrett. (0.3 mile)	Feb - Oct 1996
o Construct Storm Sewer in <u>Ph I & Ph II areas</u>	Feb - June 1996
o Construct Sanitary Sewer in Phase I area (Bur. Environmental Services funded project)	Feb - June 1996
o Install new 12" dia water main in Phase I area (Water Bureau funded project)	Feb - June 1996
 PHASE II Total Estimated Cost: \$1.42 million (Work to be completed as add'l. funds become available)	
o Right-of-Way purchases for PH II area (JCB, 36th Ave east to Johnson Creek Bridge. (Approx. 4 ft wide strip - mostly on south side)	After June 1995
o Street Construction - JCB, 36th Ave east to Johnson Creek Bridge. (0.6 mile)	After 1996
o Traffic Signal - Upgrade (at JCB and SE 45th Ave)	After 1996
o Storm Water Treatment Pond (serves Ph II storm sewer)	After 1996



PROJECT MAP

RESOLUTION NO 6-1995

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON ENDORSING A PROPOSED SAFETY IMPROVEMENT PROJECT FOR JOHNSON CREEK BOULEVARD FROM 32ND AVENUE TO 45TH AVENUE.

WHEREAS, the Milwaukie City Council adopted Resolution No. 30-1989 supporting the findings and recommendations of Metro's Southeast Corridor Study; and

WHEREAS, the Southeast Corridor Study Improvement Plan listed safety improvements to Johnson Creek Boulevard from 32nd to 45th Avenue as one of a series of projects to be undertaken within the Southeast Corridor Study area; and

WHEREAS, the Metro Council adopted Resolution No. 89-1135 endorsing the Southeast Corridor Study Improvement Plan; and

WHEREAS, an improvement project for Johnson Creek Boulevard -- 32nd to 45th Avenue is included in Metro's October 1991 Transportation Improvement Plan (Metro ID No. 902); and

WHEREAS, the City of Portland, as lead agency, has developed a proposed improvement plan for Johnson Creek Boulevard from 32nd to 4th Avenue that is coordinated with the needs of the City of Milwaukie, and fulfills the intent of providing traffic and pedestrian safety mitigation improvements in the form of sidewalk, curb, improved roadway alignment, bike paths, storm drainage and illumination where needed, without increasing travel lanes; and

WHEREAS, the Cities of Milwaukie and Portland have conducted a public involvement process on the proposed design for adjacent property owners and the neighborhood in general;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Milwaukie endorses the proposed improvement design and coordinated phasing schedule as shown in EXHIBIT A. It is further resolved that the City will continue in a cooperative relationship with the City of Portland to implement the improvements set out in EXHIBIT A.

Introduced and adopted by the City Council on February 7, 1995

Craig J. Lomnicki
Craig Lomnicki, Mayor

ATTEST:

Pat Duval
Pat DuVal, City Recorder

APPROVED AS TO FORM:

Linette K. Crew
O'Donnell Ramis Crew Corrigan Bachrach
City Attorney

**POSSIBLE STEPS FOR NDA MASTER PLANS
Milwaukie Community Development Department**

draft

A. EVALUATE EXISTING SITUATION (JANUARY THROUGH APRIL)

- * Maps (Plan and Zoning)
- * Comprehensive Plan
- *Planning Commission Notes
- *Input from Neighborhood Strategic Planning Process (March)

B. DEVELOP LAND USE GOALS AND OBJECTIVES (MAY AND JUNE)

- *Undertake exercises to define "livability"
- *Consider long-term 2040 targets

C. DEVELOP AND REVIEW CONCEPTUAL LAND USE MAP(S) (JULY)

- *Check for fit with Draft Goals and Objectives

D. DEVELOP AND REVIEW MASTER PLAN TEXT (AUGUST AND SEPTEMBER)

**E. DEVELOP AND REVIEW RECOMMENDED PLAN/ORDINANCE CHANGES
(OCTOBER)**

**F. TAKE COMPLETED MASTER PLANS THROUGH REVIEW PROCESS
(NOVEMBER AND DECEMBER)**

* = minimum pieces of information; local input to each step has not yet been determined.