

CITY OF MILWAUKIE
PLANNING COMMISSION MINUTES
TUESDAY, OCTOBER 10, 2006

COMMISSIONERS PRESENT

Jeff Klein, Chair
Lisa Batey
Teresa Bresaw
Catherine Brinkman
Scott Churchill

COMMISSIONERS ABSENT

Dick Newman

STAFF PRESENT

Katie Mangle,
Planning Director
Susan Shanks,
Associate Planner
Ryan Marquardt,
Assistant Planner
Zach Weigel,
City Engineer
JoAnn Herrigel,
Community Serv. Dir.
Gary Firestone,
Legal Counsel
Shirley Richardson,
Hearings Reporter

1.0 CALL TO ORDER

The meeting was called to order at 6:32 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA

3.1 Planning Commission Minutes -- August 8, 2006

Commissioner Churchill moved to approve the minutes of August 8, 2006 as presented. Commissioner Brinkman seconded the motion.

Ayes: Bresaw, Brinkman, Churchill, Klein

Nays: None

Abstentions: Batey

The motion carried 4-0 with one abstention; Commissioner Batey was not at that meeting.

4.0 INFORMATION ITEMS -- City Council Minutes

City Council minutes can be found on the City web site at www.cityofmilwaukie.org

5.0 PUBLIC COMMENT -- None.

6.0 Public Hearings

- 6.1 Applicant: JoAnn Herrigel
Owner: City of Milwaukie
Location: SE 19th & Sparrow Street
Proposal: Adopt the Spring Park Master Plan as an ancillary document to the Milwaukie Comprehensive Plan to guide development in Spring Park
File Numbers: CPA-05-02
NDA: Island Station

Commissioner Brinkman moved to initiate the hearing for the adoption Spring Park Master Plan per Comprehensive Plan Amendment 05-02.

Commissioner Churchill seconded the motion.

Ayes: Batey, Bresaw, Brinkman, Churchill, Klein

Nays: None

The motion carried 5-0.

Chair Klein opened the hearing on Comprehensive Plan Amendment 05-02 a legislative hearing to consider a recommendation to City Council for the adoption of the Spring Park Master Plan.

Chair Klein asked if there were any conflicts of interest or ex-parte contacts to declare. **Commissioner Batey** stated that she has been actively involved in working on this project for several years and feels this will affect her ability to vote on this issue. **Chair Klein** excused Commissioner Batey from this hearing; she left the podium and sat in the audience.

STAFF REPORT

Susan Shanks reported that this is a review of land use application Comprehensive Plan Amendment 05-02 which was submitted to the City by JoAnn Herrigel, Community Services Director, in collaboration with the Island Station Neighborhood District Association.

This proposal is to adopt the Spring Park Master Plan as an ancillary document to the Comprehensive Plan. The intention of the Spring Park Master Plan is to guide future development and management of Spring Park.

Spring Park is located in Milwaukie. It is approximately 6.87 acres in size in the southwest corner of the City with parts of the park bordering the Willamette River. It was purchased in 1971 as an undeveloped natural area and remains an

underdeveloped area on the Willamette River. In the 1980's the city undertook a natural resources inventory at which time Spring Park was identified as a significant natural resource.

The site is covered by the Willamette Greenway because of its proximity to the river and has some mapped and unmapped water quality resource areas within its boundaries. It is currently zoned R-5 on the zoning map and on the Comprehensive Land Use Map is designated for public use.

This property currently provides the only land access to Elk Rock Island, which is in the City of Portland and Clackamas County. Spring Park is owned by the city; that is why the City of Milwaukie is initiating and considering the Spring Park Master Plan. The park is maintained by the North Clackamas Parks & Recreation District; the maintenance is minimal because the park is undeveloped.

An aerial photo was shown of the subject site and surrounding area. Another map was displayed of Spring Park showing the designated R-5 zoning, the Willamette Greenway Overlay Zone, and the water quality resource buffer zone. There are some unmapped water quality areas in the center of the park that are currently not covered by legislation because they are unmapped.

The reason for the plan is to engage the community, identify community needs to address issues, and create a plan that meets those needs that creates a vision for the park for future development. The Master Plan will implement the community's vision for this park.

Master planning background started in the 1980's when the City of Portland, City of Milwaukie, Clackamas Parks District, Portland Parks District, a number of interested parties, Friends of Elk Rock Island, and a number of people got together to work on a plan back then called The Elk Rock Island Natural Area Management Plan (Management Plan). The Management Plan was developed by the City of Portland and adopted by the City of Milwaukie; it included Elk Rock Island, Elk Rock and Spring Park. In 1995 the City adopted the Management Plan, which called for the adoption of a Master Plan specific to Spring Park. In 2003 there was the first public meeting, which started the master planning process. There has been a lot of time and effort put into developing the Master Plan and working in the park for future more environmentally appropriate development. Historical pictures of people working in the park were shown.

The Master Planning Process brought out and identified the needs and issues for the community:

- Mini-park for local families
- Wetland delineation and trail relocation
- Restoration and protection of natural areas

- Long standing parking issues related to Spring Park; identify areas for relocation of parking spaces.
- Funding is needed. The community has put in time and work into the development of the park to this point; now there is a need for money and other resources for a play structure and consultant work.

The Master Plan intention was to satisfy the needs and address the issues that came out of the master planning process. The highlights of the Master Plan include the division of the development of Spring Park into two development phases. The first phase focuses on the mini-park development for the neighborhood's use in the northeast corner of the park. The second phase is the restoration of the remainder of the site as a natural preserve; delineating the wetlands, relocating the trail, etc.

Included in the Spring Park Master Plan is a proposed Concept Plan for the mini-park. This was approved by the neighborhood association as a conceptual plan to include a small play structure, benches, picnic tables, etc. Included in the Spring Park Master Plan are some potential parking areas as well as restoration and protection guidelines. Details of the proposed improvements were pointed out on a map.

The Master Plan will implement the vision of the community. It provides a framework for the land use and permitting process, provides leverage resources and funding from public and private sources as the Master Plan is in place to show how the park is proposed, to bolster community pride and involvement and continues to focus on volunteer efforts.

Key Issues

- Does the proposed Spring Park Master Plan meet relevant approval criteria for a Comprehensive Plan Amendment?

The proposed Plan does conform to existing adopted policy and furthers the goals of the 1995 Management Plan specific for Spring Park?

- Does the proposed Spring Park Master Plan further the goals, objectives, and policies of the Comprehensive Plan?

Chapter 2 of the Comprehensive Plan calls for protection and conservation of open spaces and natural resources. This Plan would identify this site as a significant resource designated for public use and provide more protection to the natural resource area in addition to providing the community for more passive and educational opportunities through development of phase II of the plan.

- Is there a public need for the proposed Spring Park Master Plan and is this need best satisfied by the proposal

The Master Planning Process came out of the community; part of the process was about identifying the real needs of the community and the issues that existed regarding Spring Park. The needs identified were physical improvements, mini-park development, more visual and physical access to the site to those with limited mobility and to increase public safety, to protect and restore the natural resource areas and a need to address the existing parking issues.

Because of the years of involvement by the community this particular plan meets the needs articulated by the community. It serves as an implementation tool for funding, providing direction and development.

The recommended findings are:

1. CPA-05-02 has been legally processed and noticed
2. The Master Plan meets all approval criteria
3. The Master Plan is the result of extensive public involvement and reflects the desires of the community Island Station residents, city staff, and others who have worked many years to bring this vision of Spring Park to fruition. It is ripe for adoption.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Churchill asked if the City of Portland has any input on this proposal. **Ms. Shanks** stated that the Plan was sent out far and wide for input. They received comments from Clackamas County Parks and Recreation District, the Department of State Lands, and all the affected city departments, but didn't hear anything specifically from Portland or Metro. JoAnn Herrigel has been in touch with the City of Portland and Clackamas County Parks and Recreation District over the years with regards to the intentions of the Spring Park improvements and the Master Plan. There has been ongoing dialogue but no formal comments have been submitted.

Commissioner Churchill asked if there are any plans for formally maintaining Elk Rock Island. **Ms. Shanks** stated that at the City of Portland there are a number of planners whose sole job is to plan for and manage Elk Rock Island. Spring Park provides the only land access to Elk Rock Island. Part of the parking problems experienced by the community is caused by those who come to visit Elk Rock Island--because they have to park at Spring Park. Some issues are generated from this.

APPLICANT PRESENTATION

Speaking: JoAnn Herrigel, Community Services Director, City of Milwaukie

Ms. Herrigel thanked everyone for all the help over the years and over the past few months. The staff report was well done. This project is another in a long line

of testaments that the community has a complete inability to take "no" for an answer. If they want something, they strive to get it done.

This neighborhood has been working on this since the City purchased the property in 1970. Carolyn Tomei and Gary Micheals have been very active and interested in moving this proposal forward. The Management Plan was the result of the City of Portland working with the City of Milwaukie as volunteers as well as staff, police and fire personnel. Gary Michaels developed the Pocket Park Concept Plan being shown this evening.

After learning that a master plan is needed for the development of the entire park, the two-phased concept was created. The draft Master Plan was distributed to the Park Districts and the neighborhoods. This was discussed throughout the neighborhood and concerns were expressed about crime and parking. This park is surrounded by people who have lived there for years have seen how this undeveloped park has performed. It is hoped that with the Master Plan the positive activities at the entrance to the park will decrease the un-welcome activity that takes place in the park and on the island.

Well into the master plan, the neighborhood association requested a design for the pocket park. An email was sent out for a consultant to do a pocket park design on a pro bono basis and Pat Landow and his firm stepped up to do the work. Volunteers have done all of the work that has been done to date.

The remaining issues for this proposal is managing to have adequate signage, parking enforcement in the area and in the park and consideration to be sensitive to the abutters to this site.

QUESTIONS FROM THE COMMISSIONERS -- None.

TESTIMONY IN FAVOR

Ms. Shanks reported that staff received two letters in support of this application; one letter from Mr. Chaimoff in support and he is no longer here. The letter was put into the record.

Speaking: Gary Shepherd, 3115 SE Salmon Street, Portland 97214

Mr. Shepherd stated that he is here tonight on behalf of Mr. Arnell. Mr. Arnell is appreciative of all the work staff and the community has done. He cares a lot about the park; he assists with park security and allows emergency personnel to cross his property to access the park and he paid for utility power lines to be moved out of the park.

Mr. Arnell's main concern with the proposal is the suggestion in the plan and in Attachment 4 to locate parking areas west of the Union Pacific Railroad Trestle. He indicated that maps were maps attached to his submission that will be entered into the record. Mr. Arnell's property was pointed out on the map.

Lark Street is the access to Mr. Arnell's property as well as neighbors to the south; for large portions of Lark Street the only improvements are those that have been done by the residents along S.E. 18th Avenue. The railroad trestle crosses over Lark Street. There is a large segment of unimproved Lark Street that is adjacent to a private road. The proposed parking spaces on the west end of Lark Street are west of the trestle in areas that are unimproved. SE 18th Avenue is a private street; if the parking is as proposed, the street is 15-18 feet wide. People who cannot find parking will park on 18th Street (a private Street) or back out under the 14-foot wide trestle, creating a safety hazard to everyone. The parking under the trestle will impede traffic and obstruct the access for emergency vehicles.

The proposed area constitutes a 600-700 foot dead end roadway; a one-way access from Sparrow along 20th through Lark (about 600 feet wide). It is a very secluded portion of the City of Milwaukie. There are not a lot of people who go down there besides the residents. If parking is encouraged here it will be creating risks that should be avoided. The only way you can see into the parking lot is from the parking lot itself; it will encourage the types of activities that will not be good for the neighborhood. Mr. Arnell himself has been subject to burglaries and trespass. This will create a situation where it will be easier to do this. He has witnessed paint-ballers and Aryan Nation in the park; a very unsafe situation. He would like to see this parking area excluded from the Master Plan.

The topographical map shows a steep drop on Lark Street. To propose parking here will put the parking on a steep hill and will make the creation of this parking option un-viable in the later stage. If this is included now, it will force the city to expend a substantial amount of time, money and resources in studying a parking proposal that is going to fail when put up against criteria (cost, existing street emergency access, topography, safety and the desire to reduce the negative and destructive aspects of people using Elk Rock Park). He asked that references to Attachment 4 to the parking areas west of the railroad trestle be removed from further study and consideration by the city as this process continues.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Brinkman asked if there were no assigned parking, would this encourage random unwanted parking. **Mr. Shepherd** stated that his client has put private property signs up to discourage parking by his home.

Speaking: Lisa Batey, 11912 SE 19th Avenue, Milwaukie

Ms. Batey stated that she is the Chair for the Island Station Neighborhood Association. She thanked Susan Shanks for the great presentation.

In regards to the public need, there are people in the audience (Carolyn Tomei, Charles Bird, and Gary Michael) that have been working on Spring Park and Elk Rock Island for many years. One of the reasons why the neighborhood has so long been looking for a small play area is that there are no sidewalks and the kids ride their bikes on the street. Lately there are kids 5 and 6 years old out in the street trying to learn how to skateboard. This park will answer some of the needs of the neighborhood as a play area for the kids who too often are playing in the street.

On the parking issue there is a parking problem because of the people who are coming to the park to go to Elk Rock Island, not Spring Park. There have been two years of discussions trying to work out the parking issues. The map displayed is the result of special meetings, numerous walk-throughs with staff and members of the neighborhood. Time will prove that the parking proposed may be too costly. The intent of the map was to identify possible parking; not all options will be used. There are three new spaces that do not exist now; this process is adding three spaces that don't exist now.

The City of Portland's naturalist, Mark Wilson, has been very active on Elk Rock Island. Charles Spurs, head of Friends of Elk Rock Island, has also done a lot of work the past couple of years. This is a testament to the neighborhood, even though the city of Portland had the money and the ability to do things there was not much interest. When the neighborhood started showing interest (work parties, etc.), Portland came to the plate and brought in gravel from Ross Island for the path work. Portland has done a lot of work on Elk Rock Island to delineate the paths that they want people to use to try and protect the natural area and deter some of the bad activity. This summer there were rent-a-cops on Friday and Saturdays and it had an impact; as a result, there have been less drinking parties.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Churchill asked for comments on the issue of no bicycles and no dog's off-leash. **Ms. Batey** stated that both issues of no bicycles and dogs off-leash are to protect the plant life. There is unique plant life in Spring Park and Elk Rock Island; there have been over 500 plants planted over the last three years; most of them native plants. There have been problems with bicycle riding down the hills of the park; they realize there is a need for a bike rack on the top. Paintball has currently been a large problem for the neighbors.

She encouraged the Commissioners to go out to Elk Rock in March and April and see the area that was sprayed for ivy. It is amazing what has come back as there are trillium and lilies; it is unbelievable what comes back when the ivy is gone.

Commissioner Bresaw asked if Ms. Batey had a percentage of people in favor, indifferent and against this proposal. **Ms. Batey** stated that the people who come to the meeting are overwhelmingly for the proposal and there have only been one person who voted against it; however, this is not everyone in the neighborhood.

Speaking: Charles Bird, 12312 SE River Road, Milwaukie

Mr. Bird stated that part of his property is on Sparrow. He is not close enough to the park to see the problems being expressed tonight. He has taken family members down to the park; that is how it is important to him. He has helped by volunteering to work as well as encouraging neighbors and volunteer groups to come down and help out.

He is excited that the plan is in front of the Commission and can be put into play; part of his frustration is that there has been a lot of interest by the neighborhood, but there is no process to have it addressed by the City. This puts a structure into place to address the problems of the park and its elements. He suggested to address parking in such a way that neighbors can control the parking; limits on hours, parking tags, closing the park at certain hours, handicapped parking and addressing enforcement issues.

He is encouraged that there is one spot for handicapped access. He is in favor of the plan. Some of the groups volunteering as well as neighbors include The Willamette River Keepers, Clackamas County Youth Core, Friends of Elk Rock Island, Rowing Team, Boy Scouts and a host of others. There have been tremendous strides in the work completed by volunteers and it is important to focus on these good behaviors. There has been a big improvement in accessibility in recent times. There is still camping and remnants of activities in the park from parties; there is a way to go. In the meantime, he is hearing more feedback from people that are not afraid to go into the park even though there are still negative activities there. He is very much in favor of the Master Plan. There are remaining issues to clear up with the neighbors but he is anxious to get the Master Plan into place.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Carolyn Tomei, Island Station Neighborhood

Ms. Tomei stated that she has resided in the Island Station neighborhood for over 40 years. She raised her children in this neighborhood and now her grandchildren visit here. She was a resident here when the city purchased the property at 19th and Sparrow and when they tore down the home that was there. There was jungle there and there was a path through Spring Park to Elk Rock Island; Spring Park was never used as a park at that time it was only a pathway to Elk Rock Island. She brought with her an invitation that she picked up twenty years ago which was

an invitation to a kegger party on the island which said "get ready to park on Elk Rock, don't mind the nature walk for the price at the end of the trail is well worth it. The invitation indicates that the party was \$3/head, 3 kegs and 14 gallons of hard alcohol. There was a map to the island; the young people who came to the party were from Washington County.

Through the years, the residents would hear these parties going on in the middle of the night and called the police. The Milwaukie police would say that this was not their property it belongs to the City of Portland. When they called the City of Portland they were not coming down to do anything at 4:00 Saturday morning. She contacted the City of Portland and got involved with the Parks Department and they formed the Friends of Elk Rock Island and Spring Park. She stated that she has drawers of files and presented a list of over 50 members of the group that came to a meeting in 1988 that were actively involved. She also had an article from The Review talking about the Friends groups and the citizens protecting the island. There is also a memo from Bill Adams, Community Development Director, regarding Elk Rock Island and Spring Park Process for Adoption of Management Plan, dated 1988.

Ms. Tomei stated that she has been hearing "no" for 20 years and she is getting impatient. She has been waiting for this day for a very long time and she hopes that the Commission recommends approval. There weren't only bicycles that were in the park; there were mountain bikes that were riding through the park. There were also motorcycles and horses that would ride through the park and Elk Rock Island.

Her children and now her grandchildren have to cross McLoughlin to get to the closest playground, which is Milwaukie Elementary School. There are new people coming into the neighborhood and their children need a place to play. The tot park is an important feature of the pocket park; it is important because the children need the play area. If there is activity going on, it may deter those going to Elk Rock Island for parties. Family activities may deter those entering the park with alcohol. The parking issue is for people going to Elk Rock Island; not people who are going to Spring Park.

Ms. Tomei stated that Lisa and Charles have done a wonderful job in picking up the responsibilities of the park activities; she had to step back and they have done a good job taking over. Don McCarty has done a fantastic job of cutting down the ivy from all the trees on both Spring Park and Elk Rock Island as well as the Scotch Broom. People at Willamette View Manner have also gotten involved in the protection of this park area; they too would like to make it a nice place for the neighborhood and the residents.

QUESTIONS FROM THE COMMISISONERS

Commissioner Churchill asked for comments regarding the parking on Lark Street. **Ms. Tomei** stated that she understands the residents concerns. The City of Portland needs to take some responsibility regarding parking in the community and they recognize that. The issue of people going to a Portland park and parking in the Milwaukie community; they need to be working on that, and she feels they will. She feels the important thing is to get through the pocket park to get some neighborhood involvement; then in the second phase Portland would be involved to take on part of the parking issues.

The City of Portland has been much more forthcoming than the City of Milwaukie. They immediately responded in 1987; it has been 19 years and Milwaukie is just now getting involved. It was a long time coming.

Commissioner Churchill asked for comments about the two zones west of the trestle being used for parking. **Ms. Tomei** stated that she has no comments; she knows this is one of the places looked at for potential parking. This is part of phase two and before this gets to phase two Portland needs to be involved with the parking problems.

QUESTIONS OR COMMENTS ABOUT THE APPLICATION -- None

TESTIMONY IN OPPOSITION

Bill Holt was called and he responded that he wanted to testify for the mini-park.

Speaking: Janet Larson, 2008 SE Sparrow, Milwaukie

Ms. Larson pointed out her property on the site map. She asked why parking spots are being proposed in front of neighborhood residence if this is to be a walk-to park for the neighborhood. It has been her experience that the people who are parking to go into the park are breaking into cars, throwing trash, committing burglaries, etc.

ADDITIONAL COMMENTS FROM STAFF

Susan Shanks reported that the right-of-way on Lark Street is 60 feet wide; more than what seems like is there. As Mr. Shepherd has testified, it is possible that upon further evaluation those areas may not be deemed appropriate. The areas pointed out are the most likely areas for parking, but they may not be developed. If parking is on the dead end street, there will probably be a turn around. There is a secondary entrance at the southeast corner of Spring Park. Some of the parking east and west of the trestle and on 20th Street may not work once the site is

reviewed in more detail. The Master Plan looks to the future as what could be possible. These things will be evaluated in the second phase.

In terms of the fact that the larger section of the park being a natural preserve and the smaller mini-park being considered a walk-to park, parking is not required for either of these parks per the Comprehensive Plan or the Municipal Code. However, parking is a problem and people will always come to it. This is a place people want to see. The plan recognizes that parking is an issue.

In terms of the development of parking areas, parking will have to be developed to city standards. The streets are narrow and the installation of parking will improve accessibility as well as provide designated parking for those driving and parking. It will only be done if it is done right.

QUESTIONS FROM THE COMMISSIONERS -- None

QUESTIONS FROM THE COMMISSIONERS REGARDING CLARITY
-- None

APPLICANT'S CLOSING COMMENTS

Ms. Herrigel stated that the public input process for this park was interesting in that they held several meetings but often different people came. In response to the comment why provide parking for a walk-to park Ms. Harringel said they were trying to avoid parking for this park; it is not easy to do. There were several people who expressed concern that there is a need for parking for those visiting the park. They came up with potential areas for parking for visitors to the park. There was enough concern about parking that they put it in.

QUESTIONS FROM THE COMMISSIONERS

Chair Klein asked if the potential parking is actually designated parking. **Ms. Herrigel** stated that these are areas that could be developed in the future and created as official on-street parking spaces; they are not that way now. The right of way is not developed to the full width for parking areas. This map is showing where parking can be installed. There is signage in that area now that says there is no parking because the right-of-way width is not wide enough to have parking as well as two travel lanes.

Gary Firestone noted a section of the Master Plan...page 5, upper corner page 19, third paragraph, "in an effort to avoid additional parking, parking spaces will be installed...installation of additional parking spaces in Phase 2." It may be more appropriate to change to "may be installed."

Ms. Mangle stated that the City attorney suggested that the Commission consider replacing "will" with "may" on page 5 of 19, third paragraph, "...in an effort to avoid additional parking violations and minimize impact on Spring Park neighbors, parking spaces may be installed in two or more areas near Spring Park during phase one. Location and installation of additional parking spaces will occur as part of phase two."

Chair Klein closed the public testimony portion of the hearing and opened it to discussion among the Commissioners.

Commissioner Bresaw stated that she is in favor of the proposal. She is in agreement with changing the wording in the master plan to reflect "may" regarding the installation of the parking spaces. Parking is very difficult in that area and this is something that can be figured out later.

Commissioner Brinkman stated it is important to recognize the greater community use of the park and not just the people who are within walking distance; however, the entire impact will fall on the neighborhood. She is in favor of changing language to "may" so there is room for further discussion down the line.

Commissioner Churchill stated that one important issue is to get people out of their vehicles and walking or bicycling. He sympathizes with the appropriateness to deter motorcycling and keep in mind the sensitivity of the vegetation. He would like to see options kept open as much as possible for as much parking in all access points on the site. He hopes there is a means for bicycle parking or some means of bicycle access onto the site too.

Chair Klein stated that he is encouraged by Portland's willingness over the years; it shows some enthusiasm as they move forward in the progression for some development of parking areas. He would hope to minimize parking at that location; if they can get by with three parking spaces it would be to the benefit of the neighborhood. He believes that the idea behind this park is for it to be a walk-to park.

Commissioner Brinkman stated that she believes that if there are assigned parking areas there will be less of the soft-shoulder parking that is creating the problems that are there now; in the long run it will be better for the neighborhood.

It was the consensus of the Commission that the change from "will" to "may" be made to the Master Plan language on page 5.

Commissioner Brinkman moved to recommend to City Council the adoption of the Spring Park Master Plan File CPA-05-02 with the change to page 5, third paragraph: "...in an effort to avoid additional parking violations and

minimize impact on Spring Park neighbors, parking spaces may be installed in two or more areas near the Spring Park during phase one. Location and installation of additional parking spaces will occur as part of phase two."

Commissioner Bresaw seconded the motion.

Ayes: Bresaw, Brinkman, Churchill, Klein

Nays: None

Motion carried 4-0.

Recess was taken at 8:03 p.m. and the meeting reconvened at 8:15 p.m.

- 6.2 Applicant: JoAnn Herrigel for Island Station NDA
 Owner: City of Milwaukie
 Location: SE 19th & Sparrow Street
 Proposal: Develop a mini-park in the upland area in the
 northeast corner of Spring Park
 File Numbers: CSO-06-03 & WG-06-03
 NDA: Island Station

Chair Klein opened the public hearing on Community Service Overlay 06-03 and Willamette Greenway Overlay 06-03, a Minor Quasi-Judicial hearing to consider approval of the development of a mini-park in the northeast corner of Spring Park. The criteria to be addressed can be found in the Milwaukie Zoning Ordinance Section 19.303, Residential Zone R-5; Section 19.320, Willamette Greenway Zone; Section 19.321, Community Service Overlay Zone; Section 19.600, Conditional Uses; Section 19.1011.3 Minor Quasi-Judicial Review and Section 19.1400, Transportation Planning Design Standards and Procedures.

Chair Klein asked if there were any conflicts of interest or ex-parte contacts to declare. **Commissioner Batey** stated that she has been actively involved in working on this project for several years and feels this will affect her ability to vote on this issue. **Chair Klein** excused Commissioner Batey from this hearing; she left the podium and sat in the audience.

Commissioner Brinkman stated that in the past the law firm she works for has been involved with actions with the City of Milwaukie. She does not feel this will affect her ability to vote on this issue.

Chair Klein asked if any member of the Planning Commission visited the site; 3 hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the staff report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

STAFF REPORT

Ryan Marquardt introduced Zack Weigel, Civil Engineer with the City of Milwaukie who is here tonight to answer engineering questions that may come up regarding this application.

Mr. Marquardt reviewed the staff report with the Commission. He made a presentation of the subject site and surrounding area. The overview of the proposal is to construct a mini-park in the northeast corner of Spring Park which includes a play structure, landscaping, and a parking area. This application is for more specific development guided by the Master Plan done by Island Station NDA.

Site photos were shown of the north corner of the site, existing entrance on Sparrow, an example looking west over the site, and the existing park entrance on SE Sparrow Street.

There are a few park improvements at the park; picnic bench, regular bench, and a trash can. Sparrow Street is a narrow roadway next to the park. Vegetation blocks the views to and from the park. The site is relatively flat and doesn't have a lot of vegetation with a concrete pad near the bench.

The proposed site improvements include an existing mound at the site with some pavers and tree plantings on the mound, paving of the path to Elk Rock Island, space for a park bench, picnic bench and trash can, a circular area for the small play structure and parking proposed near the entrance of Spring Park in the right-of-way of Sparrow Street (three parking stalls).

The landscaping plans include keeping the existing 40-inch diameter Cedar tree on the site, trees on the mound, and landscaping on the eastern and southern area of the site. Pictures were shown of the proposed play structure and the mound landscaping proposed with tree plantings and pavers.

The conditions of approval submitted with the application do not tie the applicant to what is shown tonight on the site plan. The final document must include the path, picnic table and landscaping elements.

Key Issues

- Does the development of the mini-park meet the community service overlay public benefit test?

A map was shown that pointed out areas, parks and schools that have play equipment; Island Station is the only residential NDA that does not have some sort of park or play area with play equipment. This project will provide a neighborhood park for the Island Station neighborhood.

The existing Cedar tree is being kept; non-native trees are being moved and there will be new plantings that are native to the area. The signage and clearance of vegetation will better mark the site entrance and allow sight into the park for monitoring activity in the park.

This project was initiated and brought forth by Island Station NDA residents; this constitutes a public benefit. The improvements are being made in an existing city-owned park; no property is being taken off the tax roles and there is a Comprehensive Plan policy that calls for utilizing existing parks. The placement of the play structure will bring more family-type oriented uses into the park which will decrease inappropriate activity in Spring Park. There are currently parking problems on the site and the applicant is proposing parking improvements to alleviate that. The Elk Rock Island Management Plan, the Spring Park Plan and several policies within the Comprehensive Plan for land use and Willamette Greenway use are supportive of the placing of the mini-park.

Spring Park is a unique undeveloped natural area. Development of this park will disturb some ground area and increase impervious areas on the site. Even though this is designated as a walk-to park it may generate increased traffic along with the increased use of Spring Park. This may create a disturbance to the residents surrounding the park. There have been problems with vandalism and the repair and maintenance of the park facilities could be a burden financially for upkeep.

Staff believes that the benefits of the mini-park outweigh the adverse impacts.

- Does the proposed parking at the entrance adequately meet the needs of Spring Park and address the concerns of Island Station residents?

Visitors to Spring Park and Elk Rock Island cause parking problems; the improved right-of-ways are narrow and there have been problems in the past where residents have had their driveways blocked by visitors. Staff does not believe the development of this mini-park will generate more trips. The applicant proposes to develop additional parking spaces near the park entrance to alleviate the problems. The site plan shows parking in the right-of-way; anything proposed (on-street/off-street parking) will be subject to the Off-Street Parking Standards in the Development Zoning Code.

The proposed conditions of approval call for three parking spaces near the entrance and in the future more parking spaces could be added. Staff feels that the proposed parking does meet the needs of Spring Park and Island Station neighborhood areas.

- Does the proposed mini-park negatively impact the natural resources of Spring Park?

Both the Elk Rock Island Management Plan and proposed Spring Park Plan call for development of the upland area in the northeast corner for a mini-park. The proposed mini-park development is not in proximity to the riparian area, the Willamette River; it is upland near existing development and roads, and does not impact the natural areas and natural eco systems on the site.

Staff feels that the proposal meets the code criteria for Community Service Overlay in MMC Chapter 19.321, the development standards for the residential zone R-5 per MMC Chapter 19.303 and the Community Service Overlay development standards of MMC Subsection 19.321.10 for facilities not covered by other CSO development standards and meets the standards of the Willamette Greenway zone per MMC Chapter 19.320 and the minimum requirements of MMC Chapter 19.600, Conditional Uses, required for all uses within the Willamette Greenway.

The hours and levels of operation of the proposed use can be adjusted to be reasonably compatible with surrounding uses. The standard operating hours for City of Milwaukie parks is dawn until dusk; that is what is proposed for this park. Staff feels this is sufficient to be compatible with the surrounding uses of the area. Staff believes that the potential benefits to the public outweigh the potential adverse impacts of the use.

Decision Process options are:

1. Approve the applications and adopt the recommended findings and conditions in support of approval
2. Adopt additional findings and conditions in support of approval to comply with the Milwaukie Municipal Code
3. Deny the applications upon finding that they do not meet approval criteria

Staff recommends the Planning Commission approve the Community Service Overlay and Willamette Greenway Review and adopt the recommended findings and conditions of approval.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Churchill asked for comments on future improvements to the Park; would they come back to the Planning Commission for review and approval. **Mr. Marquardt** stated that the Planning Commission would approve the CSO based on the site plans submitted tonight. The conditions of approval will preserve the basic features of the site. There are things in the proposal that may change, as these are not the final development plans. Unless there was a drastic change it wouldn't come back to the Planning Commission; it would be under staff-level review. Approval of the development of the park is conditioned on the adoption of the Spring Park Master Plan.

Ms. Mangle stated that at the next stage is the building permits review and the applicant must submit plans that substantially conform with the plans in the application. The conditions of approval list specific elements that need to be in the plans. If the applicant makes small changes, they can ask for a Minor Modification to a CSU. If the changes are big, they may require Planning Commission approval.

CORRESPONDENCE

Chair Klein asked if there had been any correspondence received since the mailing of the packet. **Mr. Marquardt** said there was no additional correspondence.

APPLICANT PRESENTATION

Speaking: JoAnn Herrigel, Community Services Director, City of Milwaukie

Ms. Herrigel introduced Pat Landau who did the final design for the mini-park and is available to answer questions. The design was thoughtful and sensitive to the environment; there are wetlands on the site and it's a very natural setting. Mr. Landau brought with him an urban design that lends itself to saving the trees that are important and removing those that were non-native. Centennial Dogwood trees are being preserved to maintain the character of the area.

The design allows flexibility with materials; in many cases it calls for recycled materials. Staff will work with the engineering and planning staff to design appropriate parking. If the parking is to be in the right-of-way it is required that it be parallel parking; there will be no backing up into traffic. The ADA accessibility is important to the neighbors and will be provided for by the park. The mound is intended to provide an opportunity to see the river and an opportunity for an additional informal play area for the children. They would like to follow the proposed design as close as possible; minor modifications may be made but she is not looking for a lot of changes.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Bresaw asked if the shrubbery along the entrance will be short enough to see over. **Ms. Herrigel** stated that the idea of the placement of the plantings would be such that you can see into the park and there is adequate space under the canopy for walking the natural area. The concept of the ring was to keep people from going over towards the railroad; the plantings would be such that you can see inside the park but will also provide a natural barrier.

Commissioner Churchill asked if a chain-link fence will be put up in the future. **Ms. Herrigel** stated that they did not feel a fence would be very effective. It is possible that it may be required in the future. The railroad has been contacted but they have not responded that it would be required.

Commissioner Churchill asked if permeable asphalt has been considered in high erosion areas. **Ms. Herrigel** stated that there is always a possibility that permeable asphalt could be considered at a later time.

TESTIMONY IN FAVOR

Speaking: Lisa Batey, 11912 SE 19th Avenue, Milwaukie

Ms. Batey stated that the landscaping plan is a definite enhancement to what is there now. She is impressed with Mr. Landau's landscaping design. There was a lot of thought that went into the planning of this space. She thinks it is a great plan and she hopes the Commission approves it.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Carolyn Tomei, 11907 SE 19th Avenue, Milwaukie

Ms. Tomei stated that she is the Chair of the Island Station Neighborhood Association and she is in support of this proposal. The neighborhood really needs this park and she hopes that it is approved.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Brinkman asked for the status of funding for this project. **Ms. Tomei** stated that the neighborhood will be looking at grants.

Charles Bird was called; he had left.

QUESTIONS OR COMMENTS -- None.

TESTIMONY IN OPPOSITION

Speaking: Bill Holtz, 2001 SE Sparrow, Milwaukie

Mr. Holtz says that everyone is parking in front of his house now. He does not feel that three parking spaces will help the neighborhood. On most Saturdays or Sundays, even if the weather isn't good, there are 7-8 cars parked there; some are on the railroad property. He has been attending the neighborhood meetings and he has been the one "no" vote. The parking spaces continually change; first there was to be 8, then none, then five, and now three.

This is a walk-through park, not a pocket park. People who park in front of his house drag out fishing poles; they are not sitting in the park fishing. He feels something needs to be done with the parking now; this will enable people working on the park to have a place to put their trucks.

Mr. Holtz stated that he has resided there for 20 years and he and his dog were the only ones who walked that area so there was no problem with parking. They have done a nice job with the park. The better the park gets, the more people seem to come. There needs to be some parking. There were "no parking" signs put up a long time ago. He brought in pictures of the park for Commission review.

Mr. Holtz stated that Ms. Batey and Ms. Tomei live at the north end of 19th so the parking does not affect them at all.

QUESTIONS FROM THE COMMISISONERS

Commissioner Brinkman asked Mr. Holtz how many parking spaces he would like to see. Mr. Holtz stated that there should be at least five; in the summer time there won't ever be enough. Most of the people who park in front of his house, ask first. He is not against them parking there; there should be places for them to park at the Park. He feels that scattering the parking around the park would be a good idea. Some people get out of the car with canes; there should be five spaces including a handicap space. He voiced concern that there are no restrooms proposed for the park.

Speaking: Janet Lawson, 2008 SE Sparrow, Milwaukie

Ms. Lawson stated that at the neighborhood meetings there were many concerns raised about vandalism, trash, noise, break-ins in front of their homes, and parking issues did not get addressed. Residents did bring up concerns about parking; there needs to be parking at the park, not in front of the resident's homes. The police do not patrol the park; they drive by and see cars parked in the neighborhood, thinking that these are resident's cars. There is no access to the park so the police can patrol the park; they are not going to get out of their cars and walk in the park. There needs to be more parking down by the park so the police know when people are in the park.

QUESTIONS FROM THE COMMISSIONER -- None

ADDITIONAL COMMENTS FROM STAFF

Mr. Marquardt stated that the conditions of approval could be modified in terms of increasing the number of parking spaces if the Commission wishes to change the required parking. If the Commission wishes to increase the number of spaces and/or require an ADA parking space, that option is open.

Ms. Mangle stated that there is a requirement that 10% of the total parking spaces meet ADA standards. No parking spaces are required for this use. A provision of an ADA space is voluntary and a good idea.

QUESTIONS FROM THE COMMISSIONERS REGARDING CLARITY

Commissioner Churchill asked Ms. Batey if there is support for this plan from adjacent properties. **Ms. Batey** stated that none of the people who have been active in developing this plan live in the immediate adjacent area. There is one neighbor here tonight that lives adjacent to the park that has been very active in coming to the work parties and attending meetings. He is a new resident in the area, having moved here a year ago.

There are five houses owned by one family. Most of the parking is next to the fence along residential property and along the fence next to the trestle. Most of the people involved in the planning do not live adjacent to the site.

Currently there is no visibility into the park. She pointed out on the site map where some of the vegetation will be placed. The parking issue has to be revisited; it would be nice to have parking to the side and keep open visibility into the park. The intent was to have visibility of the play structure from the roadway.

Commissioner Churchill asked if property notification was given to the neighbors by staff. **Ms. Mangle** stated that a lot of this planning happened before the Planning Department was involved.

APPLICANT'S CLOSING COMMENTS

Speaking: JoAnn Herrigel, City of Milwaukie, Community Services Director

Ms. Herrigel stated that there have been more arguments made than heard tonight on the parking issue. There are three parking spots proposed close to the park. The design is intending to avoid putting a line of parking all along the entrance of the park. It is more inviting to go to a park if there is an entranceway as opposed to having to go in-between cars to get there.

Five cars could be proposed, but it was not felt that it would go with the design of the park. There is right-of-way for parking along the railroad; it is close to the

park, and not too far away. Staff may be able to negotiate a lease for use of that property for parking; it is on the map for potential parking. Staff has tried to scatter the parking; the three in the plan are the only ones being considered at this time.

Notices did go out for the planning meetings and sometimes they were returned; she is not sure that they penetrated all the neighbors and abutting residents. They did the best they could.

QUESTIONS FROM THE COMMISSIONERS -- None.

Chair Klein closed the public testimony portion of the hearing and opened it to discussion among the Commissioners.

Commissioner Bresaw stated that she is in favor of the proposal. It does meet the public benefits test. The park is there and she feels this playground is needed. The parking issues can be worked out later.

Commissioner Churchill stated that he feels it is an improvement to the current site. If you put too much parking in the front it will result in a visual barrier to the park for the police and the residents. He agrees with pushing all the parking as close to the trestle as possible.

Commissioner Brinkman stated that this proposal meets the public benefits test. There needs to be more parking. She would support the addition of two extra spaces, no matter where they are located. The more this property is improved the more popular it will get and the demand will increase. It is important to respect those that don't want parking, but the reality is that there is going to be parking. There needs to be a way to accommodate some of the people who are being burdened with having parking in front of their homes.

Chair Klein stated that they live by a park and at no time are there more than three cars outside the park. The people who will be using the park will be walking to the park; the people who will be using Elk Rock will be using the available parking. The three proposed parking spaces will not be able to handle the amount of traffic into Elk Rock; however there are adequate alternatives in some of the other areas to address the inadequacy. There are some parking and right-of-way issues that will need to be considered. He is in support of this proposal.

Commissioner Churchill voiced concern about how the parking will be planned in the future. **Mr. Firestone** stated that the way the Master Plan is set up, parking is largely a phase two issue. Phase one has limited impacts on parking. If public improvement requirements are imposed they will need to be tied to impacts of phase one and not phase two.

Commissioner Bresaw moved to approve **Community Service Overlay 06-03** and **Willamette Greenway Review 06-03** and adopt the recommended findings and conditions in support of approval authorizing the development of a mini-park in the northeast corner of Spring Park. **Commissioner Brinkman** seconded the motion.

Ayes: Batey, Bresaw, Churchill, Klein

Nays: None

Motion carried 4-0.

Commissioner Batey returned to the podium.

7.0 WORKSESSION ITEMS -- None.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS / UPDATES

Chair Klein announced that there will be an "grand opening ceremony" at Lewelling Neighborhood Park on October 21st from 10:00 a.m. to noon on Willow and Stanley Streets. He invited all to attend.

10.1 Matters from the Planning Director

Ms. Mangle stated that there are no hearings planned for the rest of the year. There will be work sessions to address several issues that need to be discussed.

Commissioner Churchill stated that he would like to have discussions at a worksession on the education of light rail. **Ms. Mangle** stated that this would be a possible work session issue.

Commissioner Brinkman asked for clarification regarding acknowledging any site visits during public hearings. **Mr. Firestone** stated that the opening phase could be changed to add clarity to the question, "Has anyone visited the site in connection with this application."


Commissioner Bresaw asked for an update on the Southgate Park and Ride issue. **Mr. Firestone** stated that oral arguments will be in November. The issue is at LUBA; he feels the decision should get affirmed. In speaking with the attorney for the opponents, he felt they had a good position.

Chair Klein asked if there was still funding for the project. **Ms. Mangle** stated that some of the funding was diverted to some other projects. It was a high priority at that time when Tri-Met had the funding. Tri-Met is dedicated to solving the transit problems in the region so she feels funding will be there if there is a way. Kenny Asher will be working with Tri-Met, Metro and the community to solve some of the outstanding transit issues in Milwaukie.

- 11.0 NEXT MEETING -- October 24, 2006
- 11.1 Transportation Planning 101

Commissioner Bresaw moved to adjourn the meeting of October 10, 2006. **Commissioner Batey** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:42 p.m.


Jeff Klein, Chair


Shirley Richardson, Hearings Reporter

MILWAUKIE PLANNING COMMISSION

MILWAUKIE CITY HALL
10722 SE MAIN STREET

AGENDA TUESDAY, OCTOBER 10, 2006 6:30 PM

| | | ACTION REQUIRED |
|------------|---|--|
| 1.0 | Call to Order | |
| 2.0 | Procedural Matters If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. Thank You. | |
| 3.0 3.1 | Planning Commission Minutes August 8, 2006 | Motion Needed |
| 4.0 | Information Items – City Council Minutes City Council Minutes can be found on the City web site at: www.cityofmilwaukie.org | Information Only |
| 5.0 | Public Comment This is an opportunity for the public to comment on any item not on the agenda | |
| 6.0 6.1 | Public Hearings Type of Hearing: Legislative Applicant: JoAnn Herrigel (Community Services Director) Owner: City of Milwaukie Location: SE 19 th & Sparrow Street Proposal: Adopt the Spring Park Master Plan as an ancillary document to the Milwaukie Comprehensive Plan to guide development in Spring Park File Numbers: CPA-05-02 NDA: Island Station Staff Person: Susan Shanks | Discussion and Motion Needed For These Items |
| 6.2 | Type of Hearing: Minor Quasi-Judicial Applicant: JoAnn Herrigel for Island Station NDA Owner: City of Milwaukie Location: SE 19 th & Sparrow Street Proposal: Develop a mini-park in the upland area in the northeast corner of Spring Park File Numbers: CSO-06-03 & WG-06-03 NDA: Island Station Staff Person: Ryan Marquardt | |
| 7.0 | Worksession Items | |
| 8.0 | Discussion Items This is an opportunity for comment or discussion by the Planning Commission for items not on the agenda. | Review and Decision |
| 9.0 | Old Business | |
| 10.0 | Other Business/Updates | Information Only Review and Comment |
| 11.0 | Next Meeting: October 24, 2006 – Transportation System Plan project update Traffic Studies 101 training (tentative) The above items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have. | |

Forecast for Future Meetings:

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.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** The staff report is followed by any verbal or written correspondence that has been received since the Commission was presented with its packets.
3. **APPLICANT'S PRESENTATION.** We will then have the applicant make a presentation, followed by:
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **COMMENTS OR QUESTIONS.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** We will then take testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** When you testify, we will ask you to come to the front podium and give your name and address for the recorded minutes. Please remain at the podium until the Chairperson has asked if there are any questions for you from the Commissioners.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all testimony, we will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. We will then enter into deliberation among the Planning Commissioners. From this point in the hearing we will not receive any additional testimony from the audience, but we may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION/ACTION.** It is our intention to make a decision this evening on each issue before us. Decisions of the Planning Commission may be appealed to the City Council. If you desire to appeal a decision, please contact the Planning Department during normal office hours for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** The Planning Commission may, if requested by any party, allow a continuance or leave the record open for the presentation of additional evidence, testimony or argument. Any such continuance or extension requested by the applicant shall result in an extension of the 120-day time period for making a decision.
12. **TIME LIMIT POLICY.** All meetings will end at 10:00pm. The Planning Commission will pause hearings/agenda items at 9:45pm to discuss options of either continuing the agenda item to a future date or finishing the agenda item.

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 Planning Department office at 786-7600.

Milwaukie Planning Commission:

Jeff Klein, Chair
Dick Newman, Vice Chair
Lisa Batey
Teresa Bresaw
Catherine Brinkman
Scott Churchill

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Associate Planner
Brett Kelver, Assistant Planner
Ryan Marquardt, Assistant Planner
Jeanne Garst, Office Supervisor
Karin Gardner, Administrative Assistant
Marcia Hamley, Administrative Assistant
Shirley Richardson, Hearings Reporter



To: Planning Commission
Through: Katie Mangle, Planning Director *KM*
From: Susan P. Shanks, Associate Planner *SPS*
Date: October 3, 2006 for October 10, 2006 Public Hearing
Subject: Comprehensive Plan Amendment CPA-05-02
Applicant: JoAnn Herrigel, Community Services Director for the City of Milwaukie
Site: Spring Park
NDA: Island Station

Action Requested

Recommend adoption of the *Spring Park Master Plan* to City Council. This action would result in a recommendation to amend the Comprehensive Plan to include the *Spring Park Master Plan* as an ancillary document.

Background Information

The City purchased the undeveloped natural area, now known as Spring Park, in 1971. During the late 1980's and early 1990's, a group of interested citizens and park staff from Milwaukie, Portland, and Clackamas County drafted a management plan for Spring Park, Elk Rock, and Elk Rock Island, entitled the *Elk Rock Island Natural Area Management Plan*. The City adopted this plan in 1995 as an ancillary document to the Comprehensive Plan. The *Spring Park Master Plan* is intended to augment—not replace—the *Elk Rock Island Natural Area Management Plan* by providing more specific development and management guidelines for Spring Park. See Attachment 3 for a draft copy of the *Spring Park Master Plan*.

Since the adoption of the 1995 management plan, Island Station residents have urged the City to develop a master plan for Spring Park that would include wetland delineation and enhancement and development of a neighborhood park in the northeast corner of the site. Residents, volunteer groups, and interested parties have worked for many years to return the site to a more natural state and to prepare it for future environmentally appropriate development. They have logged over one thousand hours planting native species and removing invasive species, accumulated debris, and dead and diseased vegetation.

The master planning process for Spring Park officially began in the summer of 2003 when the City convened a public meeting to discuss a neighborhood park design concept that was developed by a local resident. This was followed by the circulation of a draft master plan for the entire site in the spring of 2004. At a meeting held later that year, participants raised public safety and parking concerns and wanted these two areas of concern discussed and addressed in more detail. During the latter half of 2004 and the beginning of 2005, City staff met with relevant city agencies and residents about these two issues before finalizing and submitting the proposed master plan for adoption.

The proposed *Spring Park Master Plan* includes two distinct development phases:

Phase I

- Development of a mini-park in the site's northeast corner.
- Installation of parking spaces immediately adjacent to the mini-park development.

Phase II

- Restoration and protection of natural resource and habitat areas.
- Delineation and enhancement of the wetland area.
- Relocation and formalization of the site's path system.
- Installation of interpretive signage
- Installation of additional parking spaces

The final draft of the *Spring Park Master Plan* was submitted to the City's Planning Department in April of 2005. However, due to staff shortages and turnover, the plan adoption process was put on hold until August of 2006.

Site Description

Spring Park is a 6.87-acre site composed of multiple tax lots that are owned by the City of Milwaukie. The site is in Residential Zone R-5 and has a Comprehensive Plan designation of Public. It is located south of SE Sparrow Street, west of the Union Pacific railroad tracks, and east of the Willamette River in the Island Station neighborhood. Private property borders the site along its eastern and southern edges.

Spring Park is largely undeveloped and is currently maintained by the North Clackamas Parks and Recreation District as a natural area. A large unmapped wetland is located in its center, and the remainder of the site is composed of riparian forest and grasslands. The site is an important habitat resource for birds and plant life and portions of it are composed of geologically significant bedrock. Due to its proximity to the Willamette River, the entire site is within the Willamette Greenway Zone and portions of it contain mapped water quality resource areas.

The primary entrance to Spring Park is located on the northeast side of the site at the intersection of SE 19th Avenue and SE Sparrow Street. There is also a little-used path on SE Lark Street near the southeast corner of the site. Spring Park is primarily used to access the Willamette River and the seasonally accessible land bridge to Elk Rock Island. Elk Rock Island is owned by the City of Portland, located in Clackamas County, and only accessible by land via the City of Milwaukie.

Key Issues

1. Does the proposed *Spring Park Master Plan* meet the relevant approval criteria for a Comprehensive Plan amendment?

2. Does the proposed *Spring Park Master Plan* further the goals, objectives, and policies of the Comprehensive Plan?
3. Is there a public need for the proposed *Spring Park Master Plan* and is this need best satisfied by the proposal?

Analysis of Key Issues

Key Issue #1 – Does the proposed *Spring Park Master Plan* meet the relevant approval criteria for a Comprehensive Plan amendment?

Comprehensive Plan amendments are subject to approval criteria found in Policy 7 of Objective 1 of Chapter 2 of the Comprehensive Plan and in Milwaukie Municipal Code (MMC) Section 19.905. In general, all amendments must conform to the goals, policies, and objectives of the Comprehensive Plan and be consistent with all applicable portions of the Milwaukie Municipal Code, Metro Functional Plan, and Statewide Planning Goals. As demonstrated by Attachment 1 (Comprehensive Plan Compliance Report) and Attachment 2 (Zoning Compliance Report), the proposed amendment meets all applicable approval criteria.

Key Issue #2 – Does the proposed *Spring Park Master Plan* further the goals, objectives, and policies of the Comprehensive Plan?

The following three elements of the Comprehensive Plan are most relevant to the analysis of whether or not the proposed *Spring Park Master Plan* would further the goals, objective, and policies of the Comprehensive Plan.

Elk Rock Island Natural Area Management Plan

The *Elk Rock Island Natural Area Management Plan* was prepared by the City of Portland in cooperation with the City of Milwaukie, North Clackamas Parks and Recreation District, and Friends of Elk Rock Island Natural Area. It was adopted as an ancillary document to the Milwaukie Comprehensive Plan in 1995. The City of Milwaukie later adopted a policy¹ within the Open Spaces, Scenic Areas, and Natural Resources Element of the Comprehensive Plan to participate in its implementation. The 1995 management plan was developed by the City of Portland for the purpose of providing a general management framework for Elk Rock, Elk Rock Island, and Spring Park. One of the plan's implementation items called for the development and adoption of a master plan that was specific to Spring Park to provide for: (1) more local public involvement in the master planning process, and (2) more specific detail as to the future management and development of Spring Park than was possible to include in the 1995 management plan.

As many can attest, the Spring Park master planning process has been a grassroots effort. Island Station residents and other interested parties have been actively involved in every stage of the process. The resulting product, the proposed *Spring Park Master Plan*, includes two distinct development phases and a conceptual drawing for development of a neighborhood mini-park (Phase I). It also identifies existing parking problems, lays the groundwork for future parking solutions, and includes restoration and protection guidelines for natural resource areas. Moreover, the detailed design and

¹ Policy 12 of Objective 1 of the Open Spaces, Scenic Areas, and Natural Resources Element within Chapter 3 of the Comprehensive Plan.

management proposals contained in the master plan were specifically chosen to increase park visibility, public safety, and positive use while concurrently reducing negative, illegal, and destructive activities.

In summary, adoption of the *Spring Park Master Plan* would further the goals, objectives, and policies of the Comprehensive Plan by implementing a key element of the *Elk Rock Island Natural Area Management Plan* through the adoption of a detailed master plan to guide future park management and development.

Open Spaces, Scenic Areas, and Natural Resources Element

The goal of the Open Spaces, Scenic Areas, and Natural Resources Element of Chapter 3 of the Comprehensive Plan is to conserve open space and protect and enhance natural and scenic resources.

Existing Conditions. Spring Park is largely undeveloped but has been used for years to access the Willamette River and the seasonally accessible land bridge to Elk Rock Island. Past neglect over many years has resulted in the accumulation of debris and the proliferation of invasive species. Lack of a formal path system has resulted in and continues to result in damage to the site's plant communities, habitat areas, and natural hydrology.

Zoning Analysis. The entire site is within the Willamette Greenway Zone and portions of it contain mapped water quality resource areas. MMC Sections 19.320 (Willamette Greenway Zone) and 19.322 (Water Quality Resource Regulations) afford the site some protection from environmentally inappropriate development. However, these regulations only protect the site's natural resource areas when they are mapped as water quality resource areas or located in close proximity to the Willamette River.

Comprehensive Plan Analysis. As a result of a natural resources inventory in 1987, the City identified Spring Park as a significant natural resource area in the Comprehensive Plan. Its natural resource value is listed as riparian, habitat, and scenic. Spring Park is identified on the Natural Resource Sites Map² as Site #23 and on the Land Use Map³ as Public. While these listings and designations are important, they do not provide enough specific direction as to how to protect and conserve this significant natural resource.

Summary. The *Spring Park Master Plan* would provide specific direction for protecting and conserving Spring Park's natural resources. Phase II of the plan would protect this site's riparian, habitat, and scenic value through the following actions:

- Delineation and enhancement of the existing wetland area
- Relocation of the existing path outside of the wetland area
- Installation of interpretive signage educating users about the fragility of the natural resource area
- Planting of native species
- Removal of invasive/exotic species and hazardous/diseased vegetation

Community work parties have logged over a thousand hours working to restore this site to a more natural state. Adoption of the *Spring Park Master Plan* would bolster these efforts by providing specific direction for ongoing and future restoration activities as

² Map 5 of the Comprehensive Plan

³ Map 7 of the Comprehensive Plan

described above. Master plan adoption would also improve the ability of the City and the Island Station neighborhood to raise funds for restoration efforts. It is not uncommon for funding agencies to require such a plan before approving grant requests.

In summary, adoption of the *Spring Park Master Plan* would further the goals, objectives, and policies of the Comprehensive Plan by formalizing the City's intent to preserve Spring Park as open space for future residents and protect the natural resource areas contained within its boundaries.

Recreational Needs Element

The goal of the Recreational Needs Element of Chapter 4 of the Comprehensive Plan is to provide for the recreational needs of present and future City residents by maximizing the use of existing public facilities. Spring Park's use as an active and passive recreational facility has not yet been fully maximized.

Island Station neighborhood is deficient in developed park lands. As proposed, Phase I of the *Spring Park Master Plan* would include the development of a much needed mini-park for families in the Island Station neighborhood. The concept plan for the mini-park includes a play structure for children and the installation or relocation of benches and picnic tables. The existing entrance to Spring Park does not currently meet Federal standards for universal accessibility. Phase I proposes to remedy this situation and to construct a path from the park's entrance to the mini-park's seating areas that would allow those with limited mobility to access the mini-park area.

The City is deficient in publicly-owned natural areas that can be developed to accommodate human activity. As proposed, Phase II of the *Spring Park Master Plan* would include the development of the remainder of the site as a natural preserve with interpretive signage and a new environmentally sensitive trail system. This would provide Milwaukie residents with improved opportunities for environmental education and passive recreation while simultaneously protecting sensitive areas. Development of Spring Park as a natural preserve represents a unique opportunity for the City given the park's size, habitat value, proximity to the Willamette River and Elk Rock Island, and potential to serve a variety of educational and recreational purposes.

In summary, adoption of the *Spring Park Master Plan* would further the goals, objectives, and policies of the Comprehensive Plan by maximizing the recreational value of this publicly-owned park.

Key Issue #3 – Is there a public need for the proposed *Spring Park Master Plan* and is this need best satisfied by the proposal?

During the course of the master planning process, two main needs were identified:

- Island Station residents need a neighborhood park
- Natural resource areas within Spring Park need to be better managed and protected

As previously noted, the Island Station neighborhood is deficient in developed park lands, and Spring Park has sustained and continues to sustain damage to its natural resource areas. The *Spring Park Master Plan* was specifically designed to address these two issues. Phase I of the master plan calls for the development of a mini-park, and Phase II calls for the restoration and protection of the remainder of the site as a natural preserve.

In order for the *Spring Park Master Plan* to realize the community's vision and satisfy the needs identified above, it must be implemented. Partial implementation could be accomplished with City resources and through volunteer efforts; however, full implementation would most likely require additional funding and/or resources. Having an adopted plan strengthens the ability of the City and the Island Station neighborhood to obtain funding and leverage resources from public and private sources. In other words, an adopted master plan is a powerful fundraising and organizing tool.

In addition to master plan implementation, mini-park development, and natural resource restoration and protection, the following table lists additional needs identified by the public during the course of the master planning process.

Table 1: Identified Public Needs

| Identified Need | Master Plan Proposal |
|---|---|
| Encourage positive uses and activities and eliminate unintentional trespassing, illegal uses, and destructive activities. | <ul style="list-style-type: none"> ■ Install fencing, shrubs, formal trail system, and regulatory and educational signage. ■ Develop mini-park for local families. ■ Remove visual and physical barriers at park entrance. ■ Remove debris and vegetation that screens and/or harbors illegal activities. ■ Coordinate enforcement activities with City of Portland. |
| Address parking issues. | <ul style="list-style-type: none"> ■ Study potential parking areas identified in master plan at time of development. ■ Install approved parking spaces at time of development. ■ Coordinate with City of Portland regarding Elk Rock Island parking issues. |
| Make park accessible to those with limited mobility. | <ul style="list-style-type: none"> ■ Remove physical barriers at park entrance. ■ Install accessible path from entrance to mini-park. ■ Install accessible parking space(s) if feasible. |
| Improve site entrance. | <ul style="list-style-type: none"> ■ Remove visual and physical barriers. ■ Install entrance signage. ■ Install parking areas near entrance. |
| Clarify park rules and expectations. | <ul style="list-style-type: none"> ■ Install entrance signage. ■ Coordinate with City of Portland (ongoing). |

Concurrence

The proposed master plan for Spring Park has been reviewed and approved by the following individuals and boards: JoAnn Herrigel, Community Services Director; Larry Kanzler, Chief of Police; Ron Schumacher, Clackamas County Fire District #1 Deputy Fire Marshal; Milwaukie Park and Recreation Board; Island Station Neighborhood District Association; and the North Clackamas Parks and Recreation District Advisory Board.

Comments

City departments, state and regional agencies, the neighborhood district association, and interested parties reviewed the applicant's proposal. The following is a summary of the comments received by the City. See Attachment 6 for more detail.

1. Larry Kanzler, City Chief of Police. The Chief of Police would like to reserve the option to designate an emergency vehicle parking area near the park's entrance, should the need arise in the future.
2. Tom Larsen, City Building Official. The Building Official has no comments at this time.
3. Ron Schumacher, Deputy Fire Marshal for Clackamas County Fire District #1. The Fire Marshal has no comments at this time.
4. Michelle Healy, Senior Planner for North Clackamas Parks and Recreation District (NCPRD). NCPRD is supportive of the proposed *Spring Park Master Plan* but does not currently have staffing or funding to devote to its implementation.
5. Tami Hubert, Land Manager for Department of State Lands (DSL). DSL does not have any objection to the proposed *Spring Park Master Plan*. DSL is responsible for managing the bed and banks of the Willamette River. If relocation of the trail system or other improvements in Phase II were proposed in the area under DSL management, the City would need to obtain the appropriate DSL licenses and/or permits.
6. Island Station Neighborhood District Association (NDA). The Island Station NDA urges the Planning Commission to recommend adoption of the *Spring Park Master Plan* for the following reasons: so many have given so much of their time and resources to prepare this master plan for adoption; adoption of this master plan would put the City and the NDA in a better position to raise funds for the desired improvements; adoption of this master plan would allow the NDA to proceed with their plans to develop a mini-park for neighborhood families; mini-park development has been envisioned and actively pursued by neighborhood residents for more than a decade.

Code Authority and Decision Making Process

Comprehensive Plan amendments are legislative actions governed by MMC Section 19.1011.5 and Chapter 2 of the Comprehensive Plan. The Planning Commission is required to hold a public hearing, make a recommendation, and prepare findings and conclusions for City Council consideration. Since the proposed amendment did not originate from the City Council or the Planning Commission, the Planning Commission needs to initiate it by motion pursuant to MMC Section 19.901.

The Planning Commission has the following decision making options:

1. Forward a recommendation for adoption of the proposed amendment and draft ordinance.
2. Forward a recommendation for adoption of the proposed amendment and draft ordinance with modifications.
3. Deny the proposed amendment and draft ordinance.

Recommended Findings in Support of Approval

1. Land Use Application CPA-05-02 has been processed and public notice has been provided in accordance with MMC Sections 19.902 (Amendment Procedure) and 19.1011.3 (Legislative Actions).
2. The proposed Comprehensive Plan amendment meets the approval criteria found in Policy 7 of Objective 1 of Chapter 2 of the Comprehensive Plan and in Milwaukie Municipal Code Section 19.905. The proposed amendment is consistent with applicable provisions of the Milwaukie Municipal Code, Milwaukie Comprehensive Plan, Metro Functional Plan, and Statewide Planning Goals.
3. The proposed Comprehensive Plan amendment is the result of extensive public involvement and reflects the desires of the community. Island Station residents, City staff, and others have worked many years to bring this vision for Spring Park to fruition. It is ripe for adoption.

Conclusion

Staff believes that the proposed amendment is consistent with the spirit of the Comprehensive Plan and represents the desires of the immediate neighborhood and the broader community. The proposed amendment is consistent with applicable provisions of the Milwaukie Municipal Code, Milwaukie Comprehensive Plan, Metro Functional Plan, and Statewide Planning Goals. Staff recommends that the Planning Commission recommend adoption of the proposed amendment to City Council.

Attachments

1. Comprehensive Plan Compliance Report
2. Zoning Compliance Report
3. *Spring Park Master Plan*: Final Draft
4. *Spring Park Master Plan*: List of Changes Made after Plan Referred for Public Comment
5. *Spring Park Master Plan*: Draft Ordinance
6. Comments

ATTACHMENT 1

Comprehensive Plan Compliance Report

Milwaukie Comprehensive Plan (MCP) Chapter 2 – Plan Review and Amendment Process. Objective 1.7 – All Plan amendments will be evaluated based on the following criteria:

A. Conformance with the Comprehensive Plan, its goals, policies, and spirit.

1. MCP Chapter 1 – Citizen Involvement.

Citizen involvement was instrumental in developing the Spring Park Master Plan (the Plan). The City's Community Services Department worked closely with the Island Station Neighborhood District Association, the Friends of Elk Rock Island Natural Area, and other interested parties. The Plan was distributed to all Neighborhood District Associations in the City for review and comment prior to the first public hearing. The public was properly notified of all public hearings pursuant to Milwaukie Municipal Code (MMC) Section 19.1011.5.

2. MCP Chapter 3 – Environmental and Natural Resources

- (a) Natural Hazards Element. Spring Park is located within the 100-year floodplain. All development will comply with MMC Title 18, the City's flood hazard regulations.
- (b) Historic Resources Element. The Clackamas Indians originally inhabited the Milwaukie area. No specific archaeological sites are currently identified in the Spring Park area. If any are discovered in the course of the park's development, appropriate measures will be taken.
- (c) Open Spaces, Scenic Areas, and Natural Resources Element. The Plan will serve to conserve Spring Park as open space and preserve and enhance it is a natural resource area.

3. MCP Chapter 4 – Land Use

- (a) Recreational Needs Element. Phase I of the Spring Park Master Plan includes the development of a much needed mini-park for families in the Island Station neighborhood. Phase II identifies the remainder of the site as a natural preserve. Restoration and protection of this area will provide Milwaukie residents with improved opportunities for environmental education, passive recreation, and access to the Willamette River.
- (b) Willamette Greenway Element. The master plan will protect, conserve, enhance, and maintain the natural, scenic, historical, and recreational qualities of the Willamette River through the following actions: adoption of Natural Resource Restoration and Protection Guidelines (Attachment 5 of the Spring Park Master Plan); formal classification of the majority of the park as a natural preserve; and installation of a new path system to provide improved access to the Willamette River that minimizes adverse impacts to the park's natural resource and habitat areas.

(c) Neighborhood Element: Neighborhood Area 1. The master plan will conserve Spring Park as open space and provide the community with active (Phase I) and passive (Phase II) recreational opportunities.

4. MCP Appendix 2 – Natural Resources Property List

Spring Park is listed as Site 23. Its natural resource value is listed as riparian, habitat, and scenic. Phase II of the Spring Park Master Plan will protect this site's riparian, habitat, and scenic value through the following actions: delineation and enhancement of the existing wetland area; relocation of the existing path outside of the wetland area; installation of interpretive signage educating users about the fragility of the natural resource area; planting of native species; removal of invasive and exotic species; and, removal of hazardous and/or diseased vegetation.

5. MCP Ancillary Document – Elk Rock Island Natural Area Management Plan

The Spring Park Master Plan implements a key element of the Elk Rock Island Natural Area Management Plan, namely the adoption of a master plan for Spring Park that guides its development and protects it as a natural resource area.

B. Public need for the change.

The Milwaukie Comprehensive Plan does not currently contain a master plan for Spring Park. The adoption of the Spring Park Master Plan will provide specific direction for the development of this park and enable the community to move forward with its plans to: (1) install a play area for children, (2) restore, protect, and enhance the site's natural resource areas, and (3) provide for improved environmental education and passive recreational opportunities.

C. Public need is best satisfied by this particular change.

The Spring Park Master Plan was specifically designed to address the public needs identified above. It will also improve public safety, address longstanding parking issues, and make the park more accessible to those with limited mobility.

In order for the *Spring Park Master Plan* to realize the community's vision and satisfy public need, it must be implemented. Partial implementation could be accomplished with City resources and through volunteer efforts; however, full implementation would most likely require additional funding and/or resources. Having an adopted plan strengthens the ability of the City and the Island Station neighborhood to obtain funding and leverage resources from public and private sources.

D. The change will not adversely affect the health, safety, and welfare of the community.

The proposed changes will not adversely affect the health, safety, and welfare of the community. As indicated above, the proposed improvements will improve access for those with limited mobility and improve public safety throughout the site.

Phase I mini-park development includes the installation of a universally accessible path from the entrance to the mini-park area. Public safety around the park's main entrance will be improved through increased visibility and positive use. Visibility will be increased through the removal of the existing berm at the site's main entrance on SE Sparrow Street and by keeping this entrance clear of vegetation over three feet in height. Positive use will be increased through the installation of a play area and park furniture that will draw additional users to the site, specifically families with young children. Phase II development will include the installation of a formal path system through the park that will keep users out of hazardous and sensitive areas and off of private property.

Improvements to Spring Park may draw more park users. There are currently no formal parking areas, on or off street, around the park's main entrance. Parking will be evaluated and installed during both development phases as described in the Spring Park Master Plan to alleviate existing parking problems in the area that are associated with Spring Park. Street and pedestrian improvements will also be evaluated during both development phases and installed as required by the Milwaukie Municipal Code.

E. The change is in conformance with applicable Statewide Planning Goals.

The Spring Park Master Plan conforms to the following applicable Statewide Planning Goals.

Goal 1: Citizen Involvement. See Response A.1 above.

Goal 2: Land Use Planning. See Response A.3 above.

Goal 5: Open Spaces, Scenic and Historic Spaces, and Natural Resources. See Response A.2.b and A.2.c above.

Goal 7: Areas Subject to Natural Disasters and Hazards. See Response A.2.a above.

Goal 8: Recreational Needs. See Response A.3.a and A.3.c above.

Goal 15: Willamette River Greenway. See Response A.3.b above.

F. The change is consistent with Metro Growth Management Functional Plan and applicable regional policies.

The Spring Park Master Plan is consistent with the Metro Growth Management Functional Plan. Staff has complied with all applicable Metro noticing requirements and functional plan analysis requirements.

ATTACHMENT 2

Zoning Compliance Report

Milwaukie Municipal Code (MMC) Chapter 19.900 – Amendments. Section 19.905 Approval criteria for all amendments. Subsection 19.905.1 – For all proposals, the applicant shall have the burden of proof regarding the following criteria:

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

MMC: Prior to the proposed Spring Park Phase I and Phase II development, the City will submit the appropriate land use applications and building permit applications, showing compliance with all applicable city regulations.

Phase I required applications may include, but are not limited to, the following: Community Service Use and Willamette Greenway Review.

Phase II required applications may include, but are not limited to, the following: Community Service Use, Willamette Greenway Review, Water Quality Resource Review, and a Zoning Map Amendment (for the addition of a protected water quality feature, i.e. wetland, to the water quality resource map).

MCP: See Attachment 1 (Comprehensive Plan Compliance Report).

Metro: See Section F of Attachment 1 (Comprehensive Plan Compliance Report).

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

Not applicable. The site is zoned R5 with a Comprehensive Plan designation of Public. The City uses its community service use regulations to site park uses, as it does not have a Parks or Open Space zone. The City will seek approval of Spring Park as a community service use; consequently, no zone change is requested or required.

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

The proposed improvements outlined in Phase I and II of the Spring Park Master Plan will meet all applicable regional, state, and federal regulations. Any work

performed in the floodplain will comply with the City's flood hazard regulations and all applicable FEMA regulations. Delineation and enhancement of the site's wetland area will comply with all applicable requirements of the Department of State Lands and the Army Corps of Engineers. The proposed path system through the site will not be formalized until the wetland delineation process has been completed and will comply with all applicable requirements of the Department of State Lands and the Army Corps of Engineers if it encroaches onto state land or into any mapped water quality resource areas.

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

The Spring Park Master Plan provides for minimal intensification of use on the site in the form of a mini-park for local families. No public facilities, such as water or sewer, are proposed or required. The proposed park improvements will not restrict delivery of public services to any existing or future development in the area.

- E. The proposed amendment is consistent with the functional classification, capacity, and level of service of the transportation system. A transportation impact analysis may be required subject to the provisions of Chapter 19.1400. (Ord. 1893 (part), 2001: Ord. 1854 (part), 1999)**

Spring Park fronts three local streets: SE Sparrow Street to the north, SE 20TH Avenue to the east, and SE Lark Street to the south. Based on the park's size, classification, and nature of proposed improvements, the City's Engineering Department has determined that the proposed improvements, as outlined in the Spring Park Master Plan, do not trigger a traffic impact study. The City's Engineering Department made this determination by applying the "threshold scoring" system contained in the Transportation Design Manual. Since the proposed improvements do not score over 100 points, a traffic impact study is not required. Staff will, however, evaluate the need for a traffic impact study at the time of land use application for each phase of development as outlined in the Spring Park Master Plan.

Phases I and II of the Spring Park Master Plan may include improvements within the public right-of-way. All improvements (such as street, parking, and pedestrian improvements) within the public right-of-way will be constructed in accordance with the Milwaukie Municipal Code, Transportation Design Manual, and standards for construction.

Required public improvements, if any, will be determined at the time of land use application for each phase of development as outlined in the Spring Park Master Plan. Off-street parking is not required as part of the Spring Park Master Plan. However, if off-street parking is provided, parking areas will be designed and constructed in accordance with the Off-Street Parking and Loading section of the Milwaukie Municipal Code.

Spring Park

Master Plan

**An Ancillary Document to the
Milwaukie Comprehensive Plan**

Adopted: _____ 2006

SPRING PARK MASTER PLAN

SITE DESCRIPTION

Spring Park is a 6.87-acre site composed of multiple tax lots (Tax Assessor Map 1S 1E 35DD, Tax lots 5900, 6100, 6200, 6300, 6400, 6500, and 6601) that are owned by the City of Milwaukie (the City). The site is in Residential Zone R-5 and has a Comprehensive Plan designation of Public. It is located south of SE Sparrow Street, west of the Union Pacific railroad tracks, and east of the Willamette River in the Island Station neighborhood. Private property borders the site along its eastern and southern edges. See the attached Spring Park Location Map for more detail (Attachment 1).

Spring Park is largely undeveloped and is currently maintained by the North Clackamas Parks and Recreation District (NCPRD) as a natural area. A large unmapped wetland is located in its center, and the remainder of the site is composed of riparian forest and grasslands. The site is an important habitat resource for birds and plant life and portions of it are composed of geologically significant bedrock. Due to its proximity to the Willamette River, the entire site is within the Willamette Greenway Zone and portions of it contain mapped water quality resource areas.

The primary entrance to Spring Park is located on the northeast side of the site at the intersection of SE 19th Avenue and SE Sparrow Street. There is also a little-used path on SE Lark Street near the southeast corner of the site. Spring Park is primarily used to access the Willamette River and the seasonally accessible land bridge to Elk Rock Island. Elk Rock Island is owned by the City of Portland, located in Clackamas County, and only accessible by land via the City.

HISTORY

The City purchased Spring Park in 1971. In 1980, the City vacated a section of SE Lark Street located on the south side of Spring Park. A portion of this vacated area (0.25 acres) was traded to a property owner to the south for property along the Willamette River (0.36 acres).

In 1989, a group of interested citizens and park staff from Milwaukie, Portland, and Clackamas County drafted a management plan for Spring Park, Elk Rock, and Elk Rock Island, entitled the Elk Rock Island Natural Area Management Plan. The City adopted this plan in 1995. This plan identified important issues related to natural resource protection, public use, and provision of public safety services. One of its recommendations was that the City develop a master plan for Spring Park to guide its management and development. The Spring Park Master Plan is intended to augment, not replace, the Elk Rock Island Natural Area Management Plan.

Since the adoption of the 1995 management plan, Island Station residents have urged the City to develop a master plan for Spring Park that would include wetland delineation and enhancement and development of a neighborhood park in the northeast corner of the site. Volunteers have worked for several years to remove invasive plants in the northeast corner of

the site and along the path that leads to the Willamette River. The thinning of this underbrush and the removal of obstructions and debris have increased visibility and safety throughout the site.

MASTER PLANNING PROCESS

In the summer of 2003, the City convened a public meeting to discuss a neighborhood park design concept for the northeast corner of the site, which was developed by Island Station resident Gary Michael. All in attendance approved of the neighborhood park design, and, at the urging of City staff, agreed to expand the scope of the master plan to include the entire 6.87-acre site. In order to expedite the neighborhood park development process, however, it was suggested that the master plan be divided into two phases. See the attached map of the Spring Park Master Plan Development Phases (Attachment 2) for more detail.

Phase I.

- Development of a neighborhood park in the site's northeast corner.
- Installation of parking spaces immediately adjacent to the neighborhood park development.

Phase II.

- Restoration and protection of natural resource and habitat areas.
- Delineation and enhancement of the wetland area.
- Relocation and formalization of the site's path system.
- Installation of interpretive signage
- Installation of additional parking spaces.

A draft master plan was circulated in the spring of 2004, and a meeting was held in June of 2004 to discuss it. Notices were sent to property owners adjacent to Spring Park and to the Island Station Neighborhood District Association. At that meeting, public safety and parking concerns were raised. It was decided that these two areas of concern needed to be addressed and included in the final master plan.

To address public safety concerns, the City's Chief of Police met with Island Station residents to discuss public safety concerns and city staff from Milwaukie and Portland and the chiefs from the Milwaukie Police Department and the Clackamas County Fire District #1 met to discuss emergency response service improvements to Spring Park and Elk Rock Island. The outcomes of these various meetings are contained in the Public Safety section of each development phase.

To address parking concerns, neighborhood association members and City staff visited the site and compiled a list of 14 potential parking areas near Spring Park, which was later reduced to eight potential parking areas. See the attached Parking Diagram (Attachment 4) for more detail. A public meeting was held in January of 2005, wherein it was decided that the potential parking areas identified in the Parking Diagram should be evaluated and implemented concurrently with Phase I and Phase II development.

PHASE I – MINI-PARK DEVELOPMENT**Park Classification**

Pursuant to the park classification system in the Recreational Needs Element of Chapter 4 of the City's Comprehensive Plan, the proposed park development meets the definition for a Mini-Park, Playlot, or Totlot due to its location, targeted population, and size (greater than 2500 square feet but less than 1 acre). The entire site is greater than 1 acre; however, only a small portion of the site will be developed as a mini-park for use by the local neighborhood. Since the larger portion of the site will remain mostly undeveloped and serve a completely different recreational purpose, it will receive a different park classification.

Development Proposal

Refer to the Mini-Park Concept Plan (Attachment 3) for a graphic rendering of the proposed development.

- **Equipment.** Proposed equipment and structures include the following:

| Quantity | Item |
|----------|--|
| 1 | Play structure for children aged 7 and younger |
| 2 | Picnic tables |
| 2 | Benches |
| 1 | Bike rack |
| 1 | Welcome sign |
| 1 | Display shelter |
| 1 | Garbage receptacle |

An existing asphalt area (approximately 140 square feet) will be removed prior to the installation of the play equipment and surrounding fall zones.

- **Landscaping.** A native plant landscape will be planted around the perimeter of the mini-park area. The entrance on SE Sparrow Street will be kept clear of vegetation over three feet in height to ensure adequate visibility of the mini-park from the street. It is anticipated that installation of the proposed park equipment and structures will not necessitate the removal of any trees. Removal of any species that are exotic or invasive or of any trees or vegetation that are dead or dying will follow the practices outlined in the attached Natural Resource Restoration and Protection Guidelines (Attachment 5).
- **Park Entrance.** The berm constructed at the SE Sparrow Street entrance to impede bicyclists from riding into Spring Park will be removed to provide improved visual and physical access to the mini-park area. In place of the berm, signage and bollards may be installed to prevent the entry of those on motorcycles, scooters, or bicycles, as these types

of activities are prohibited in Spring Park due to the fragility of the plant and wildlife habitat areas.

- **Signage.** A welcome sign will be installed at the Spring Park main entrance to welcome users to the site area and to identify the site as being owned by the City and jointly maintained by the City and NCPRD. This sign may also mention that Spring Park serves as a gateway to Elk Rock Island and that the Island Station Neighborhood District Association was instrumental in enhancing facilities at Spring Park. City of Milwaukie park rules will be posted on this sign or on a separate sign close to the entrance. All park signage will be located outside of the public right-of-way.
- **Kiosk.** An interpretive kiosk may be installed within the mini-park area. It may include a description of the natural environments found in Spring Park and Elk Rock Island and a list of prohibited activities.
- **Path.** A fairly level path will lead from the SE Sparrow Street entrance to the mini-park area. The path will be constructed of permeable material and to Federal ADA standards. A split rail fence may be installed along SE Sparrow Street in order to guide park users to the designated pathway. Any fencing will be located outside of the public right-of-way.
- **Fencing.** The 1995 management plan calls for fencing along the site's northeastern boundary to keep mini-park users away from the railroad tracks that run parallel to the site's eastern boundary. Upon further evaluation by City staff and residents, it was determined that fencing in this location is neither feasible nor necessary. A steep berm exists between the proposed mini-park location and the railroad tracks that acts as a natural barrier. Native plants that are thorny or otherwise repellant will be installed at the base of the berm to further discourage park users from playing near the railroad.
- **Utilities.** No public utilities are currently proposed, but access to water and sewer may be necessary or desirable in the future.

Maintenance

Spring Park is listed on the intergovernmental agreement between the City and NCPRD as an NCPRD-maintained park. NCPRD currently provides maintenance of a sign and regular removal of waste from a garbage can, both of which are located at the SE Sparrow Street entrance. The City intends to continue to work with and coordinate the efforts of NCPRD staff, the Island Station Neighborhood District Association, and The Friends of Elk Rock Island to ensure adequate maintenance of the mini-park. The Adopt-a-Park program will be utilized to the greatest extent possible.

Parking

The Planning Department has determined that the Milwaukie Municipal Code does not require installation of parking spaces for mini-park development. Moreover, additional vehicular traffic is not expected as a result of the proposed mini-park development since it is intended for local neighborhood use as a walk-to park. However, parking in this area and for

Spring Park, in particular, has been problematic for residents with property in and around the Spring Park main entrance.

The streets of the Island Station neighborhood are generally narrow with no curbs or sidewalks. Due to these conditions and emergency vehicle access issues, the City has installed “No Parking” signs along SE Sparrow Street and SE 19th Avenue within 500 feet of the Spring Park main entrance. Park users frequently park in these areas anyway, resulting in numerous parking violations and towings. Also, even park users who park legally occasionally contribute to the parking problem by obstructing the private driveways of Spring Park neighbors.

In an effort to avoid additional parking violations and to minimize the impact on Spring Park neighbors, parking spaces will be installed in two or more areas near the entrance to Spring Park concurrent with Phase I development. Location and installation of additional parking spaces will occur as part of Phase II.

Potential parking areas identified by the neighborhood and City staff are shown in the attached Parking Diagram (Attachment 4). The following will be taken into consideration when evaluating which potential parking areas are most appropriate for development during Phase I.

- Cost
- Proximity to mini-park entrance
- Location of existing street pavement and right-of-way boundaries
- Location of Spring Park property lines
- On-site versus off-site (i.e. street) parking construction requirements
- Emergency access to and through the area
- Topography and drainage

Any parking constructed on site will be designated for park use only. Parking that is constructed in the public right-of-way, i.e. street parking, will not be designated for park use only. Street parking will be designed and installed in accordance with the Milwaukie Municipal Code, Transportation Design Manual, and standards for construction.

Public Safety

Mini-park development will increase public safety in this part of Spring Park through increased visibility and positive use. Visibility will be increased through the removal of the existing berm at the site’s main entrance on SE Sparrow Street and by keeping this entrance clear of shrub vegetation over three feet in height and tree limbs below eight feet in height. Positive use will be increased through the installation of a play area and park furniture that will draw additional users to the site, specifically families with young children.

Funding

The City will work with NCPRD, the Island Station Neighborhood District Association, the City of Portland Parks Department, and other interested parties to identify funding for Phase I. Potential funding sources include, but are not limited to: Metro Local Share Bond Measure

funds (assuming passage of the measure in November of 2007), Oregon Parks and Recreation Department grants, and City of Milwaukie neighborhood grants.

The Island Station Neighborhood District Association and other interested parties will commit volunteer labor toward the installation of equipment, site preparation, and other tasks as identified. City staff and contract crews will be used as needed to complete various portions of the project.

PHASE II – HABITAT RESTORATION AND PRESERVATION

Park Classification

Pursuant to the park classification system in the Recreational Needs Element of Chapter 4 of the City's Comprehensive Plan, the proposed park development for the portion of site not included in Phase I of the Spring Park Master Plan meets the definition for a Natural Preserve due to its natural character, proposed use, and targeted population. Natural preserves are meant to provide environmental education and passive recreation opportunities for the entire community.

Development Proposal

Phase II of the Spring Park Master Plan is composed of four distinct elements: restoration and protection of natural resource and habitat areas; delineation and enhancement of the unmapped wetland area; relocation and formalization of the site's path system; and, installation of interpretive signage.

- **Natural Resource Restoration and Protection.** Most of the restoration and protection activities will take place in and around the large unmapped wetland area as described below. Additional restoration and protection activities will take place as staffing and funding allows. Any such activities will follow the attached Natural Resource Restoration and Protection Guidelines (Attachment 5).
- **Wetland Delineation and Enhancement.** The area to the west and south of the entrance to Spring Park contains an unmapped wetland. In order to correctly identify the extent of the wetland boundary and corresponding enhancement efforts, Phase II will include a formal delineation of the wetland boundary by a licensed professional, which will comply with all applicable state and federal regulations pertaining to wetland delineation and enhancement activities.

Because the area has not been maintained for many years, invasive and exotic species have proliferated in the wetland area. In order to return this area to a more natural wetland habitat, staff from the cities of Milwaukie and Portland, with assistance from volunteers, will continue to hold work parties in this area to remove invasive and exotic species. Work party activities will enhance the native plant diversity and protect the health and safety of abutting property owners and park users. The following activities are proposed in and around the wetland area and will follow the attached Natural Resource Restoration and Protection Guidelines (Attachment 5).

1. Identification and removal of exotic and invasive plant species. These species include, but are not limited to: thistle, ivy, holly, blackberries, morning glory, reed canary grass, purple looseris, Japanese knotweed, English hawthorn, cherry-laurel, and scotch broom. Removal efforts will be directed to invasive eradication. Invasive species may be sprayed with herbicide or may be removed manually or with power equipment.

2. Removal of existing trees and vegetation that are dead or diseased where such trees and vegetation could potentially harm adjacent property owners, park users, or native plant health and habitat.
 3. Thinning of existing trees and vegetation to enhance native plant health and habitat.
 4. Planting of appropriate native species. These plantings will be selected to best protect the local wildlife habitat and the wetland area as a natural aquatic resource.
 5. Protection of wetland area from unauthorized human activities. Native shrubs that are thorny or otherwise repellant to park users will be installed along the perimeter of the wetland area to encourage park users to use the designated path system and to discourage them from entering the wetland area.
- **Path Relocation and Formalization.** The existing path through Spring Park was never formally designed or constructed. It was created over time by park users walking through the site en route to Elk Rock Island and/or the Willamette River. Unfortunately, sections of this informal path encroach upon the large wetland area in the middle of the site, decreasing the wetland's utility as a natural habitat and bio-filtration system.

In order to minimize the impact of the path system on the wetland area and neighboring properties, the following steps will be taken:

1. All existing informal paths will be closed and replanted to the degree practicable. Barricades and signs will caution park users against using these areas.
 2. A new path system will be installed that is clearly marked with signs directing park users through the site. The new path system will be located outside of the wetland boundary as determined by the wetland delineation survey and will be constructed of permeable materials.
 3. Fencing and native shrubs will be installed to define the new path system and to prevent park users from wandering into the wetland area. Fencing and native shrubs will also be installed through a cooperative effort between the City and adjacent property owners to prevent park users from trespassing onto private property to the south. Fencing will be selected based on its appropriateness for use in a natural resource area, and may include split rail and/or cedar fencing.
- **Interpretive Sign Installation.** There is no signage in Spring Park, with the exception of a large sign near the main entrance. Neighbors and advocates for Spring Park and Elk Rock Island want clear and consistent signage that conveys to park users the sensitive nature of the plant and wildlife habitat within Spring Park. Rather than emphasize prohibited activities, it is felt that signs should educate visitors about the sensitive natural environment and the damage caused by certain activities. With this in mind, the following signage will be installed in Spring Park during Phase II development:

1. An interpretive kiosk may be installed near the entrance to the path that leads to the Willamette River and Elk Rock Island. It may include a description of the natural environments found in Spring Park and Elk Rock Island and a list of prohibited activities. A reference may be made to the application of City of Portland park rules on Elk Rock Island and City of Milwaukie park rules in Spring Park.
2. Smaller interpretive signs will be installed along the formal path describing the natural habitat and encouraging users to stay on the path. All park signage will be located outside of the public right-of-way.

Maintenance

Spring Park is listed on the intergovernmental agreement between the City and NCPRD as an NCPRD-maintained park. NCPRD currently provides maintenance of a sign and regular removal of waste from a garbage can, both of which are located at the SE Sparrow Street entrance. The City intends to continue to work with and coordinate the efforts of NCPRD staff, the Island Station Neighborhood District Association, and The Friends of Elk Rock Island to ensure adequate maintenance of Spring Park. The Adopt-a-Park program will be utilized to the greatest extent possible, and, given the site's unique connection to Elk Rock Island, the City will partner with the City of Portland whenever feasible.

Parking

The Planning Department has determined that the Milwaukie Municipal Code does not require the installation of parking spaces for Phase II development. The definition for a Natural Preserve in the Milwaukie Comprehensive Plan states that travel to such parks is primarily by foot or bike, with limited provisions for vehicle parking. However, parking for Spring Park has been problematic for residents with property in and around the Spring Park main entrance, especially during the summer months, and it is anticipated that enhancement of Spring Park facilities will only compound the problem by attracting more park users.

As previously stated, parking spaces will be installed as part of Phase I development, and the need for additional parking will be evaluated at the time of Phase II development. Additional restrictions on on-street parking will also be considered at the time of Phase II development. Any new on-street parking will be designed and installed in accordance with the Milwaukie Municipal Code, Transportation Design Manual, and standards for construction.

The following will be taken into consideration when evaluating which potential parking areas identified in the attached Parking Diagram (Attachment 4) are most appropriate for development during Phase II.

- Cost
- Location of existing street pavement and right-of-way boundaries
- Location of Spring Park property lines
- Emergency access to and through the area
- Topography and drainage

Public Safety

As previously stated, Spring Park is owned by the City and maintained by NCPRD per an intergovernmental agreement. Elk Rock Island, however, is owned by the City of Portland

and is located in unincorporated Clackamas County. Elk Rock Island is maintained by the City of Portland.

Police, fire, and safety response to both Spring Park and Elk Rock Island have been inconsistent in the past, which has caused great concern for neighbors. It is anticipated that enhancement of Spring Park facilities may increase the use of the site and Elk Rock Island, thereby increasing the need for speedy and consistent emergency response to both areas. It is hoped that by fostering positive use of the site through the development of a mini-park, vandalism and inappropriate uses of Spring Park and Elk Rock Island will decrease during daylight hours. However, since both areas have been historically misused and vandalized, advocates and neighbors strongly feel that an effective and coordinated response plan is needed.

In November of 2003, city staff from Milwaukie and Portland and the chiefs from the Milwaukie Police Department and the Clackamas County Fire District #1 met to discuss current and future emergency response services to Spring Park and Elk Rock Island. The following is a summary of the proposed work plan for improving emergency response services to Spring Park and Elk Rock Island:

- **Fire.** Clackamas County Fire District #1 (the District) has jurisdiction over both Spring Park and Elk Rock Island. The District is the provider of fire services for the City under a contract signed in 1997. The District provides fire services to Elk Rock Island under another agreement that obligates their response to areas of unincorporated Clackamas County. The District is able to respond to Spring Park by land and to Elk Rock Island by land and water. Fire response to Spring Park and Elk Rock Island is currently adequate. Until such time as it becomes necessary, no action will be taken to modify the existing fire response services to Spring Park and Elk Rock Island.
- **Police.** The Milwaukie Police Department (the Department) has jurisdiction in Spring Park. The City adopted park rules in 2004 that are enforceable by staff from the Department, the City's Code Enforcement team, and NCPRD. These rules will be posted on a sign toward the entrance of the park during Phase I development.

The Department and the City of Portland are both able and willing to respond to disturbances on Elk Rock Island. However, due to the island's location, the Department is usually able to respond more quickly than the City of Portland. The City will work with the City of Portland's parks and police departments to install both short and long term strategies for responding to disturbances.

In the short term, the City will discuss with the City of Portland the feasibility of granting the Department "Agent in Charge" status. This could potentially increase the City's ability to respond to incidents on the Island as well as strengthen their authority to cite offenders into court. The City may also consider adopting Portland's park rules to be applied solely to Elk Rock Island.

In the long term, the City will pursue incorporation of Elk Rock Island for the sole purpose of law enforcement. This will strengthen the ability of the Department to respond to incidents on Elk Rock Island and to cite offenders into court.

Funding

The City will work with NCPRD, the Island Station Neighborhood District Association, the City of Portland Parks Department, and other interested parties to identify funding for Phase II. If the Metro Local Share Bond Measure passes in November of 2007, these funds may be used to complete the wetland delineation and begin the natural area restoration and path relocation work. The City will also solicit funding assistance from the City of Portland for some of the path relocation work and construction and installation of interpretive signage.

The City will solicit the Portland Bureau of Environmental Services Watershed Revegetation Program for wetland enhancement design ideas and installation work. This "Revegetation Program" initiates and installs biologically complex environmental restoration projects in Portland and in surrounding watershed areas. A similar design and installation project was recently completed by this program at the ODS campus site near the mouth of Johnson Creek in Milwaukie.

As with many City projects, volunteers will play a large role in the completion of this Phase of Spring Park development. Neighborhood residents, interested parties, and local biologists and wetland enthusiasts will contribute ideas and labor toward the completion of this project in cooperation with City staff and crews.

LIST OF ATTACHMENTS

Attachment 1 – Spring Park Location Map

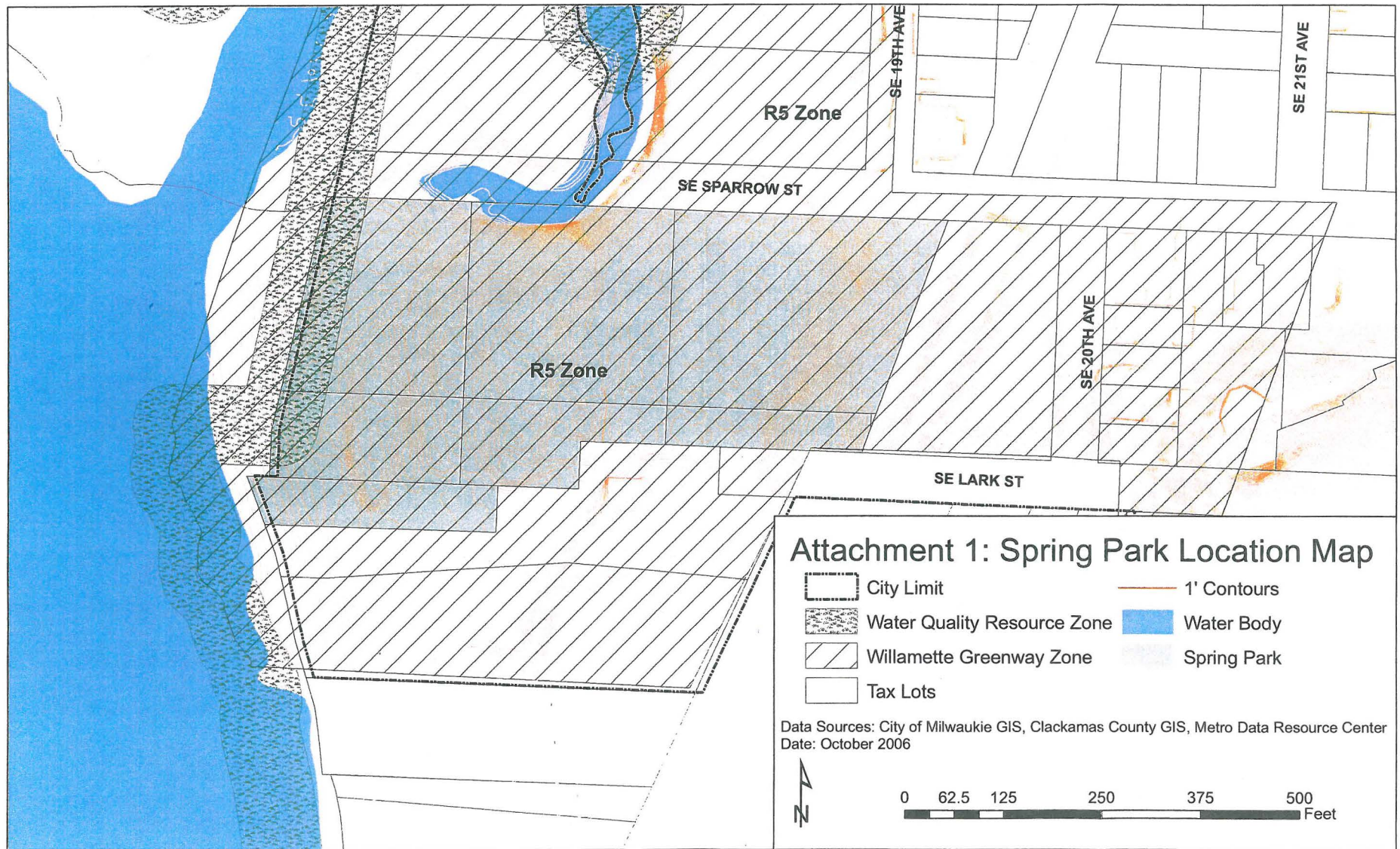
Attachment 2 – Spring Park Master Plan Development Phases

Attachment 3 – Phase I: Mini-Park Concept Plan

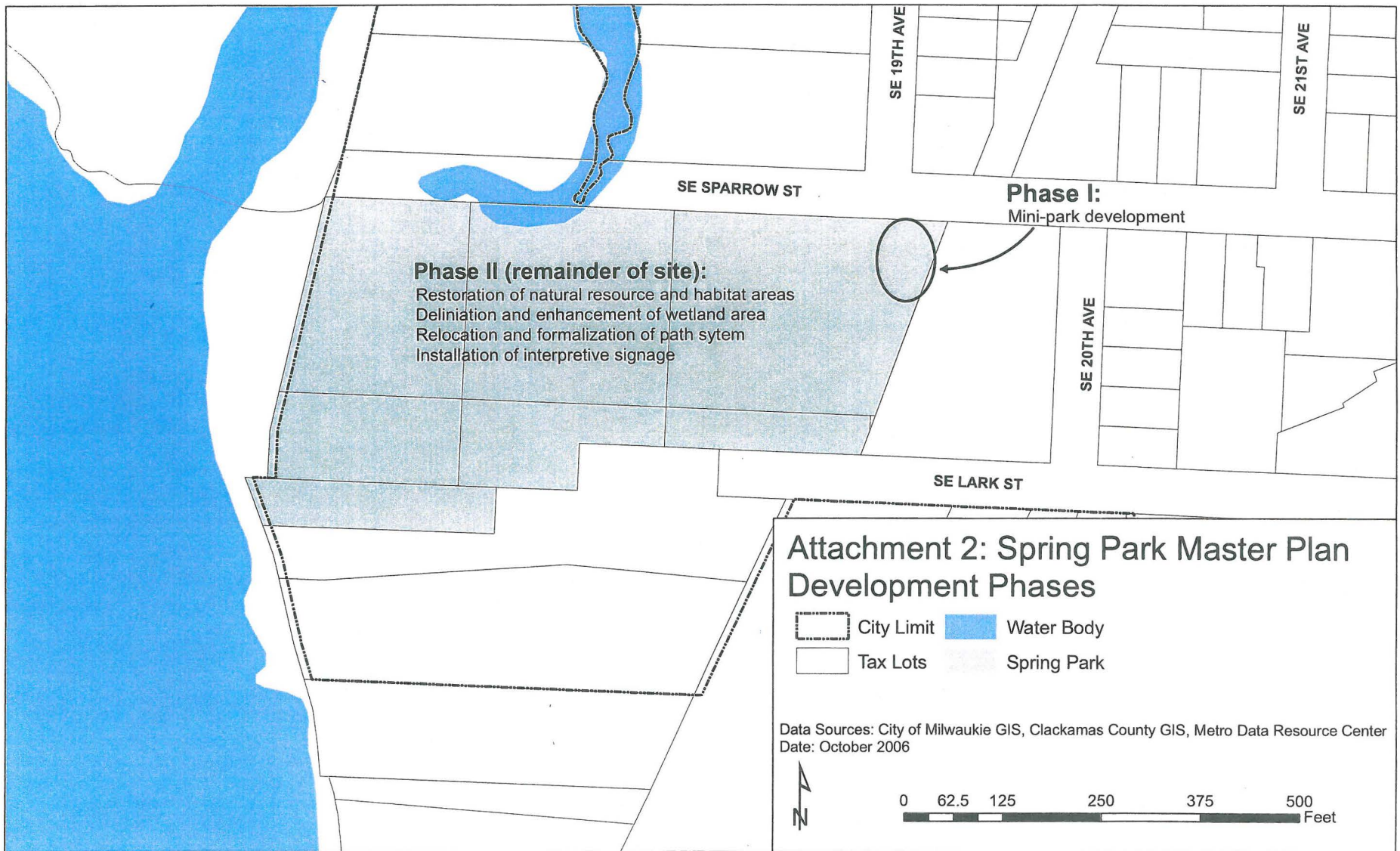
Attachment 4 – Parking Diagram: Potential Parking Areas for Spring Park

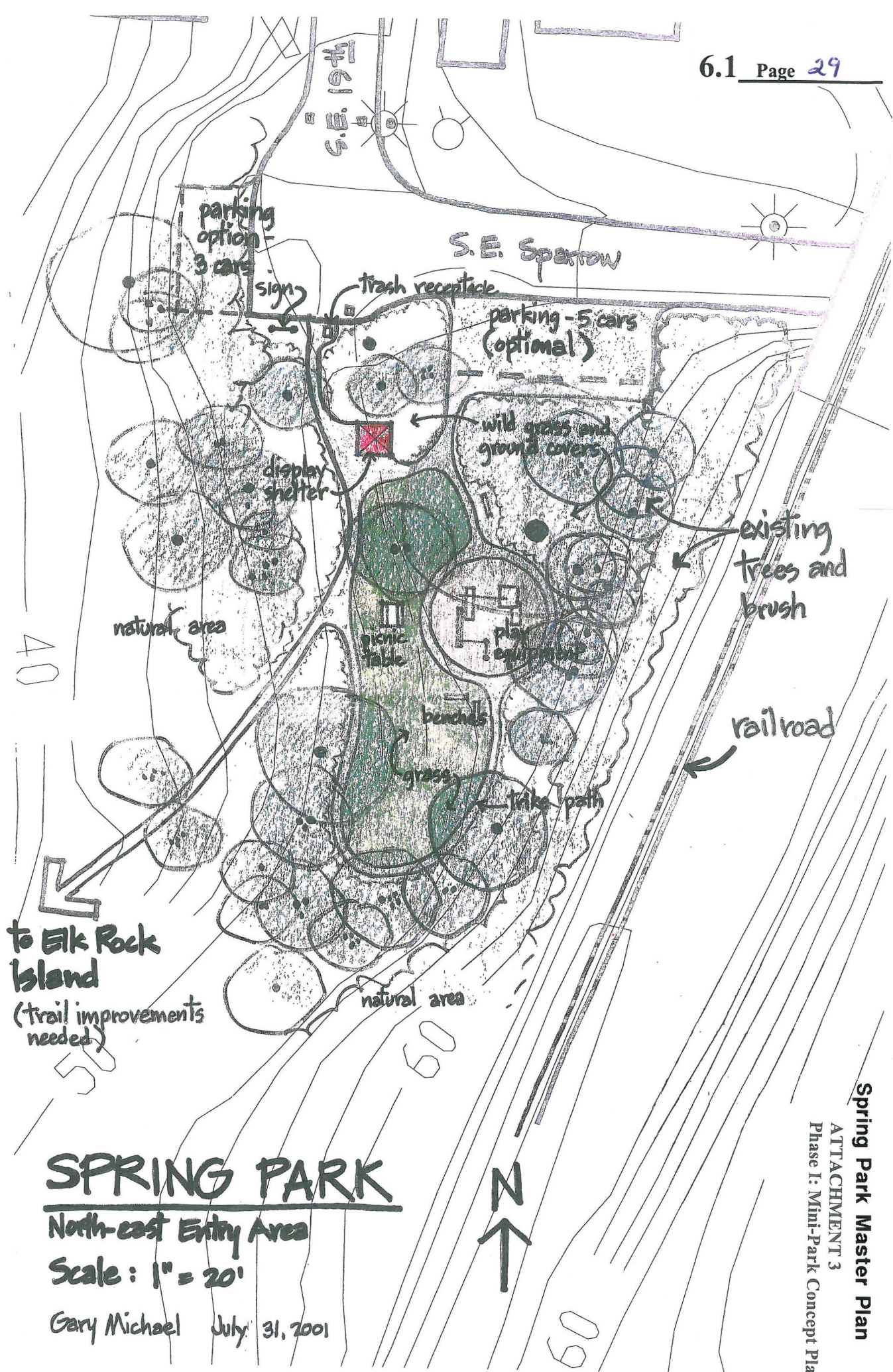
Attachment 5 – Natural Resource Restoration and Protection Guidelines

Spring Park Master Plan Attachment 1

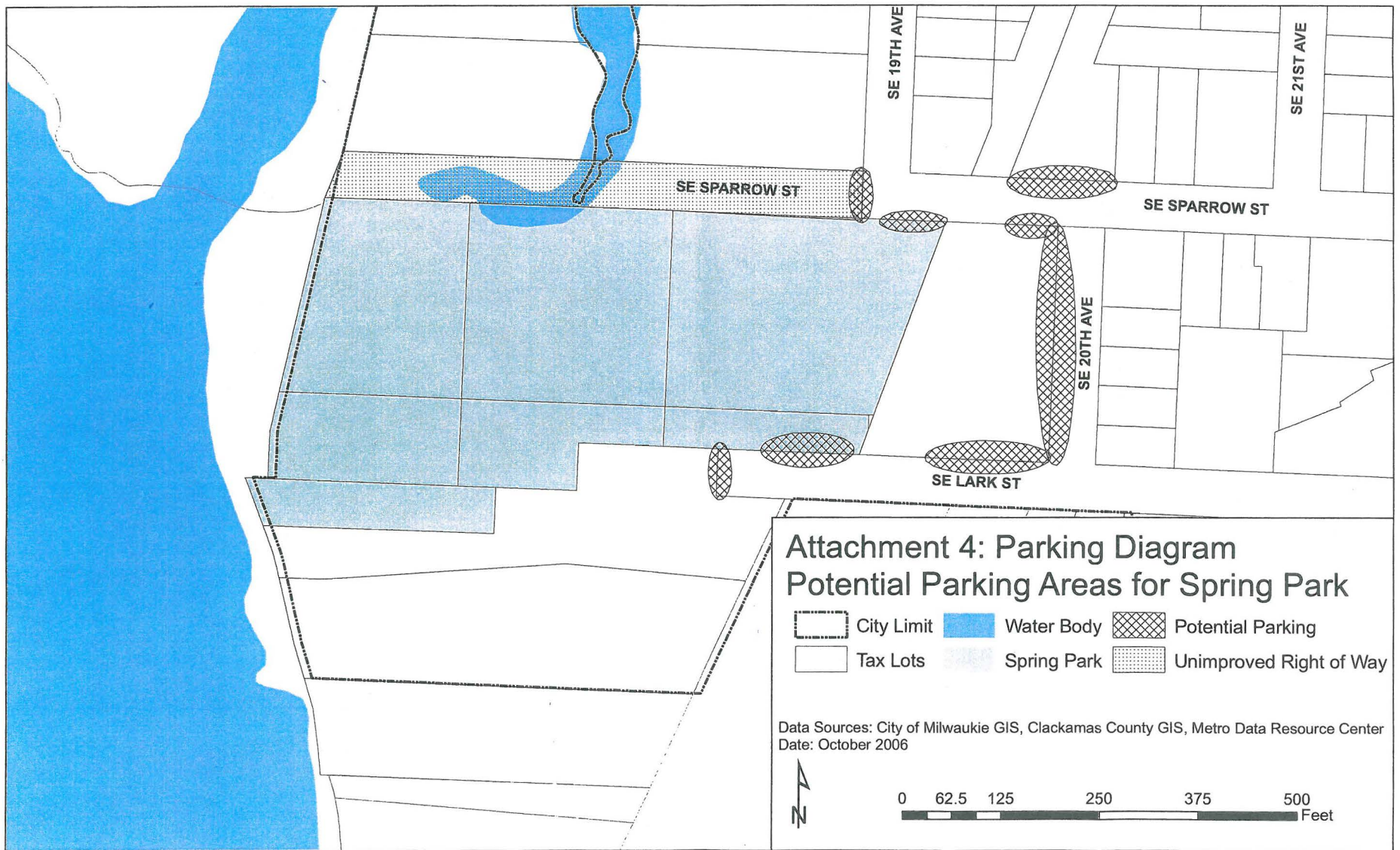


Spring Park Master Plan Attachment 2





Spring Park Master Plan Attachment 4



ATTACHMENT 5
Natural Resource Restoration and Protection Guidelines

Removal of invasive and exotic species:

- Invasive woody trees, shrubs, and vines such as holly, ivy, and scotch broom will be either pulled out at the roots or cut at the base.
- Invasive species may be sprayed with herbicide bi-annually. See Herbicide Application section below for more detail.
- Invasive species found on the site but not specifically mentioned in this document will be removed using the most appropriate method available.
- Plants that can safely remain after removal will be left to decay in place. Plants that have the potential to re-root will be physically removed from the site.

Control of invasive grasses:

- Invasive grasses and weeds will be removed to allow new plantings to compete.
- Weed eaters, scythes, and machetes will be used to cut grasses and weeds.
- Plant materials will be removed when necessary and left as mulch where appropriate.
- Mulch and weed cloth will be used sparingly due to their cost.

Herbicide Application:

- All herbicide applications will be applied in a responsible and conservative manner only where necessary. Applications will take place during periods of low wind and dry weather conditions.
- All application activities will be performed by certified and registered applicators according to state and federal regulations
- Invasive woody trees and shrubs will be cut and herbicide applications will be applied to stumps. Identified target species of vines, forbs, and grasses will be given foliar applications.
- Target invasive species include, but are not limited to, the following: thistle, ivy, holly, blackberries, morning glory, reed canary grass, purple loosetrife, Japanese knotweed, English hawthorn, cherry-laurel, and scotch broom.

Removal of trees and vegetation that are dead or diseased:

- Plants, trees and shrubs that appear to be diseased or dead will be inspected to determine whether they pose a safety problem or whether their continued presence will cause disease to spread to other trees, shrubs, or plants.
- The City will cut only those native trees that present a real danger to adjacent property owners, park users, or the local habitat.
- Trees that can safely remain on site after cutting will be left on site for animal, insect, and plant habitat.
- Trees that require removal will be chipped or cut and recycled at a yard debris facility.

Thinning of existing trees and vegetation:

- Plant materials will remain on site for animal, insect, and plant habitat whenever possible.

ATTACHMENT 4

Spring Park Master Plan: **List of Changes Made after Plan Referred for Public Comment**

Some relatively minor changes were made to the proposed *Spring Park Master Plan* after it was referred for public comment. These changes are included in Attachment 3 – *Spring Park Master Plan: Final Draft*. The Planning Department has retained a copy of the master plan final draft that shows the exact changes that were made. The purpose of this document is to summarize those changes.

Some of the changes consisted of the following:

- Correcting minor word omissions or errors
- Adding factual information to clarify purpose, meaning, intent, or rationale
- Wordsmithing to improve readability

Other changes were more substantive and are summarized below:

- Language was added in a number of sections stating that all park signage and fencing will be located outside of the public right-of-way.
- Language was added in a number of sections stating that any parking installed in the public right-of-way, i.e. street parking, will be designed and installed in accordance with the Milwaukie Municipal Code, Transportation Design Manual, and standards for construction.
- The development proposal for Phase I was amended to include the potential for kiosk installation during this phase.
- The development proposal for Phase I was amended to allow for the possibility for future public utility hook-ups.
- The development proposal for Phase II was amended to allow for more kiosk use and location flexibility.
- Attachment 5 (Natural Resource Restoration and Protection Guidelines) was amended to delete the provision for herbicide application forms.

ATTACHMENT 5

Spring Park Master Plan: Draft Ordinance

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE CITY OF MILWAUKIE COMPREHENSIVE PLAN BY ADOPTING THE SPRING PARK MASTER PLAN AS AN ANCILLARY DOCUMENT (CPA-05-02).

WHEREAS, the City of Milwaukie desires to review, amend, and revise its Comprehensive Plan on a regular basis; and

WHEREAS, the *Spring Park Master Plan* has been reviewed by the Island Station Neighborhood District Association, Milwaukie Park and Recreation Board, North Clackamas Parks and Recreation District, and other affected agencies; and

WHEREAS, the *Spring Park Master Plan* has been referred to the Department of Land Conservation and Development in accordance with Oregon Revised Statutes, and;

WHEREAS, the *Spring Park Master Plan* has been reviewed and recommended for adoption by the Planning Commission at a duly advertised Public Hearing on October 10, 2006, and;

WHEREAS, the City Council held a duly advertised Public Hearing on November 7, 2006.

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

SECTION 1. FINDINGS. Findings of fact in support of the proposed amendment are attached as Exhibit A.

SECTION 2. COMPREHENSIVE PLAN ANCILLARY DOCUMENT. The *Spring Park Master Plan* (Exhibit B) is adopted as an Ancillary Document to the Comprehensive Plan.

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

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Jim Bernard, Mayor

ATTEST:

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

Pat DuVal, City Recorder

City Attorney



Application Referral

| | | |
|---------------------------------------|---|---|
| Date: 5-13-05 | Tentative Planning Commission hearing date: 6-28-05 | Please respond by: 5-27-05 |
| Application type: Comp Plan Amendment | | File #(s): CPA-05-02 |
| Applicant: City of Milwaukie | | Site location: 19 th and Sparrow |

TO:

- | | |
|--|--|
| <input type="checkbox"/> CD/PW Director | <input type="checkbox"/> Planning Director |
| <input checked="" type="checkbox"/> Engineering Dept. | <input type="checkbox"/> Lindsey Nesbitt |
| <input checked="" type="checkbox"/> Building Official | <input type="checkbox"/> Keith Jones |
| <input checked="" type="checkbox"/> Police Dept. | <input type="checkbox"/> NDA Staff Liaison |
| <input type="checkbox"/> Administration | |
| <input type="checkbox"/> City Attorney | |
| <input type="checkbox"/> Clackamas County | |
| <input type="checkbox"/> Nbhd. District Assoc.: | |
| <input checked="" type="checkbox"/> North Clack. Fire Prevention: Ron Schumacher | |
| <input type="checkbox"/> ODOT: | |
| <input type="checkbox"/> DSL: | |
| <input type="checkbox"/> Tri-Met: | |
| <input checked="" type="checkbox"/> Other: Portland Parks & Rec. and Oregon Parks and Rec. | |

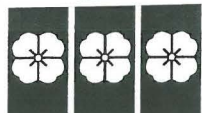
FROM:

- | |
|---|
| <input type="checkbox"/> VACANT, CD/PW Director (503) 786-7654 NAME@ci.milwaukie.or.us |
| <input type="checkbox"/> John Gessner, Planning Director (503) 786-7652 gessnerj@ci.milwaukie.or.us |
| <input type="checkbox"/> Lindsey Nesbitt, Assoc. Planner (503) 786-7658 nesbittl@ci.milwaukie.or.us |
| <input checked="" type="checkbox"/> Keith Jones, Assoc. Planner (503) 786-7653 jonesk@ci.milwaukie.or.us |

Planning Department
6101 SE Johnson Creek Blvd.
Milwaukie OR 97206
PHONE: (503) 786-7630
FAX: (503) 774-8236

PROPOSAL: Approve a master plan for Spring Park and adopt as part of the City's Comprehensive Plan.

Please comment on the following: *Parking & Emergency vehicle Access were my main concerns and this addresses them. Please leave the option to designate an emergency vehicle parking space should that need arise - Time will tell*
L. Kany 5/16/05
Chief



MILWAUKIE

Application Referral

| | |
|---|---|
| DATE SENT: September 1, 2006 | PLANNING COMMISSION HEARING |
| COMMENTS DUE: September 15, 2006 | TENTATIVE DATE: October 10, 2006 |
| Site location: Spring Park (Sparrow & 19 th) | Review type: Legislative |
| Applicant: JoAnn Herrigel (Community Svcs Dir) | File #(s): CPA-05-02 |
| Applicant phone: 503-786-7508 | Application type(s): Comp Plan Amendment |

TO:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CD/PW Director <small>COVER SHEET</small> | <input type="checkbox"/> PW Operations |
| <input checked="" type="checkbox"/> Planning Director | <input checked="" type="checkbox"/> Police Dept. |
| <input checked="" type="checkbox"/> Engineering Dept. | <input type="checkbox"/> Administration |
| <input checked="" type="checkbox"/> Building Official | <input type="checkbox"/> Susan Shanks |
| <input checked="" type="checkbox"/> Fire Marshal | <input type="checkbox"/> Brett Kelter |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Ryan Marquardt |
| <input checked="" type="checkbox"/> NDA: Island Station | |
| <input checked="" type="checkbox"/> NDA Liaison: Beth Ragel (Island Station) | |
| <input checked="" type="checkbox"/> Clackamas County: Doug McClain | |
| <input type="checkbox"/> ODOT: | |
| <input checked="" type="checkbox"/> DSL: Tami Hubert | |
| <input type="checkbox"/> Tri-Met: | |
| <input checked="" type="checkbox"/> Other: See Attached Sheet | |

FROM:

- ☐ Katie Mangle, Planning Director (503) 786-7652
manglek@ci.milwaukie.or.us
- ☒ Susan Shanks, Assoc. Planner (503) 786-7653
shankss@ci.milwaukie.or.us
- ☐ Brett Kelter, Assistant Planner (503) 786-7657
kelverb@ci.milwaukie.or.us
- ☐ Ryan Marquardt, Assist. Planner (503) 786-7658
marquadr@ci.milwaukie.or.us

Planning Department
6101 SE Johnson Creek Blvd.
Milwaukie OR 97206
PHONE: (503) 786-7630
FAX: (503) 774-8236

PROPOSAL:

ZONE: R5

Adopt the Spring Park Master Plan as an ancillary document to the Milwaukie Comprehensive Plan to guide development in Spring Park.

Please comment on the following applicable code sections:

- Milwaukie Municipal Code (MMC) 19.1011.5 (Legislative Actions)
- MMC 19.900 (Amendments)
- Milwaukie Comp Plan (MCP) Chapter 2/Objective 1 (Plan Amendments)
- MCP Chapters: 1 (Citizen Involvement), 3 (Environmental and Natural Resources), 4 (Land Use)
- State Planning Goals: 1 (Citizen Involvement), 2 (Land Use Planning), 5 (Natural Resources), 7 (Areas subject to Natural Hazards/Disasters), 8 (Recreational Needs), 15 (Willamette River Greenway)
- Metro Functional Plan: Title 3 (Water Quality and Flood Management)

No Comment at this time *9-6-06*

Attachment 6

Clackamas County Fire District #1

Fire Prevention Office



E-mail Memorandum

To: Susan Shanks, City of Milwaukie Planning Dept
From: Ron Schumacher, Deputy Fire Marshal, Clackamas County Fire District #1
Date: 9/6/2006
Re: CPA-05-02; Spring Park Comp Plan Amendment

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

COMMENTS:

The fire department has no comments on this proposal.

Shanks, Susan

From: Healy, Michelle [MichelleHea@co.clackamas.or.us]
Sent: Monday, September 11, 2006 5:16 PM
To: 'shankss@ci.milwaukie.or.us'
Subject: FW: Spring Park

Hi Susan, We received the land use application for Spring Park (CPA-05-06). Our comments are the same as those sent previously to Ryan for the CSO application. Please see below.

Please let us know if you need anything else.

Thanks,
Michelle

Hi Ryan,

We have reviewed the land use application for Spring Park (File CSO-06-03 and WG-06-03) and have the following comments:

NCPRD and the City are at the very beginnings of discussions regarding possible amendments to the existing intergovernmental agreement between our agencies for parks - but right now NCPRD does not have the capacity to build or maintain the new improvements proposed at this site. We are supportive of this effort to the extent that it can be built with City or grant funds and maintained by the City or with volunteer effort.

Thank you for the opportunity to review the application.
Sincerely,
Michelle Healy

Michelle Healy
Senior Planner
North Clackamas Parks &
Recreation District
503-794-8004

PUBLIC RECORDS LAW DISCLOSURE:

This e-mail is a public record of the City of Milwaukie and is subject to public disclosure unless exempt from disclosure under Oregon Public Records law. This email is subject to the State Retention Schedule.

--



Oregon

Theodore R. Kulongoski, Governor

September 7, 2006

RECEIVED
SEP 08 2006
CITY OF MILWAUKIE
PLANNING DEPARTMENT

Susan Shanks, Associate Planner
City of Milwaukie Planning Department
6101 SE Johnson Creek Blvd.
Milwaukie, OR 97206

RE: Proposed Spring Park Master Plan

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 378-3805
FAX (503) 378-4844
www.oregonstatelands.us.

State Land Board

Theodore R. Kulongoski
Governor

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

Thank you for the opportunity to comment on the proposed Spring Park Master Plan.

The Department of State Lands (Department) is responsible for managing the bed and banks of the Willamette River to ensure the collective rights of the public, including riparian owners, to fully use and enjoy this resource for commerce, navigation, fishing, recreation and other public trust values (OAR 141-082-0000 through -0210). Public access to the river is encouraged to facilitate these uses.

I understand that the Phase II area of the park is to remain mostly undeveloped and serve as a Natural Preserve. If future use patterns dictate the need for direct access to the Willamette River, such as a transient dock structure or canoe/kayak landing, you may apply for a Public Facility License for the placement of the necessary public access structure(s).

Again, thank you for providing a copy of the proposed Master Plan. If you have any questions regarding the Departments management responsibilities, please call me at (503) 378-3805, extension 272.

Sincerely,

Tami Hubert
Land Manager
Willamette Metropolitan Region
Land Management Division

Island Station Neighborhood Association

c/o Lisa Batey, Chairperson
11912 SE 19th Avenue
Milwaukie, Oregon 97222

RECEIVED
SEP 26 2006
CITY OF MILWAUKIE
PLANNING DEPARTMENT

September 22, 2006

Milwaukie Planning Commission
c/o Susan Shanks, Associate Planner
City of Milwaukie Planning Department
6101 SE Johnson Creek Blvd
Milwaukie, Oregon 97206

Dear Planning Commission Members:


The Island Station Neighborhood Association voted on Thursday, September 21 to submit this letter in support of approval of both the Spring Park Master Plan and the Community Service Overlay for Phase I of the park.

As noted in those documents, the Spring Park Master Plan has been envisioned by the City since adoption of the Elk Rock Island Management Plan in 1995. The pocket park, or mini-park, has been a goal of the neighborhood since at least the late 1980s. So we are glad that nearly two decades of work are finally coming to fruition, and urge the Planning Commission to approve both applications.

Volunteer groups from the neighborhood and from around the region have been working in Spring Park and on Elk Rock Island to help remove invasive species and plant new plants for many years. In just the past four years, the neighborhood and SOLV volunteers have put in over 1,000 hours, which doesn't include hundreds of additional hours put in by workers from the Clackamas Environmental Youth Corps or volunteer groups of Boy Scouts, PGE employees, the Willamette Riverkeepers and local school and church groups.

As a result of this work, the area is much more open and safe now for legitimate users, and less attractive to those park users who engaged in illegal or harmful activities. We ask you to keep that momentum going by adopting the Master Plan and CSO. With those approvals in place, we'll be better able to obtain funding for continuing improvements to this significant community asset.

Sincerely,


Lisa M. Batey



To: Planning Commission
From: Ryan Marquardt, Assistant Planner and Zach Weigel, Civil Engineer *RM ZW*
Through: Katie Mangle, Planning Director, and Paul Shirey, Engineering Director *KM*
Date: October 3, 2006, for October 10, 2006 Hearing
Subject: Files: CSO-06-03, WG-06-03
 Applicant: JoAnn Herrigel, Community Services Director for Island Station Neighborhood District Association
 Address: Southeast of SE 19th Avenue and SE Sparrow Street; Tax Map 1S 1E 35DD Lots 5900, 6100, 6200, 6300, 6400, 6500, and 6601
 NDA: Island Station

Action Requested

Approve applications CSO-06-03 and WG-06-03 and adopt the recommended findings and conditions in support of approval, authorizing development of a mini-park in the northeast corner of Spring Park.

Existing Conditions and Project Description

The applicant proposes to develop a mini-park in the northeast corner of Spring Park, and parking near the park entrance on SE Sparrow Street. Spring Park is owned by the City of Milwaukie, and the Island Station Neighborhood District Association has led the development of the park. The base zone for Spring Park is Residential zone R5. The entire park is within the Willamette Greenway overlay, and portions of the park near the Willamette River are within the Water Quality Resource Overlay.

The applicant requests review for a Community Service Overlay (CSO) for the development of the mini-park in the upland, northeast corner of the park (referred to as the 'site'). Because the application was submitted prior to the enactment of new Community Service Use regulations on July 20, 2006, the application is subject to the CSO standards in place prior to these amendments. A Willamette Greenway Conditional Use review is required for this development because of the presence of the Willamette Greenway overlay zone.

Adoption of the *Spring Park Master Plan* as an ancillary document to the Milwaukie Comprehensive Plan is being considered at the same time as this

application. A concept development plan for the proposed mini-park is included as Attachment 3 to the *Spring Park Master Plan*. The concept plan presents a preliminary view of the community's vision for Spring Park through the master plan process. Though it is different from the concept plan, the development plan for this application proposes a similar scale of development. Staff recommends that approval of this application be conditioned upon the adoption of the *Spring Park Master Plan* by City Council.

The 12,000 square foot site for development of the mini-park has several unique characteristics. It is separated from SE Sparrow Street by a small earthen berm and vegetation. There are approximately ten trees of various size and species on relatively flat ground. The railroad bed from the adjacent railroad property forms a high berm on the site's eastern border, and the ground slopes downward toward the river to the west of the site. (See Attachment 3 – Spring Park Site Map).

The only improvements on site are a concrete pad of approximately 1,200 square feet, one picnic bench, one bench, and a trashcan. The unofficial trail through the park, which leads to Elk Rock Island, goes through the site and begins at the site's entrance.

The applicant proposes parking near the entrance to Spring Park. The plans submitted for this application show parking within the right of way for SE Sparrow Street, which has an improved street width of 18 feet and a total right of way width of 60 feet. The proposed parking is referred to as on street parking in this report because of its depiction on the site plans. The actual location of the proposed parking may be on or off street, depending on where the mini-park improvements are located.

The proposal includes multiple site improvements (see Attachment 4 – Applicant's Site Plan). These include:

- A paved trail through the site. The trail will be in approximately the same location as the existing trail. It will provide access to the site and serve as a trailhead for the trail to Elk Rock Island.
- A small play structure in the southern area of the site. The structure is intended for young children. The structure's footprint is approximately 200 square feet. A cement ledge installed three-quarters of the way around the play area will allow seating for those visiting the play area.
- A raised mound to the west of the trail. The mound will be approximately 3 feet tall, 1,200 square feet, and covered with recycled-concrete pavers.
- A permeable paved area to the west of the path near the proposed mound.
- Picnic tables, benches and trashcans at the permeable paved area and a bench near the play structure.
- Parking near the entrance to Spring Park on SE Sparrow Street and a connection between on-street parking and the park entrance.
- A welcome sign at the entrance to the park and an information kiosk to display information about Spring Park and Elk Rock Island.

- Landscaping in and around the perimeter of the mini-park.

The *Spring Park Master Plan* divides all improvements proposed for Spring Park into two phases. This application implements the proposed improvements for Phase I. Phase II implementation will be proposed at a later date. The major improvements in Phase II are delineation and rehabilitation of an emergent wetland in Spring Park, relocation and rehabilitation of the trail through Spring Park to the Willamette River and Elk Rock Island, and interpretive signage about Spring Park and Elk Rock Island.

Key Issues

- 1) Does the development of the mini-park meet the Community Service Overlay public benefits test?
- 2) Does the proposed parking at the entrance adequately meet the needs of Spring Park and address the concerns of Island Station residents?
- 3) Does the proposed mini-park negatively impact the natural resources of Spring Park?

Analysis of Key Issues

Key Issue #1 - Does the development of the mini-park meet the Community Service Overlay public benefits test?

Milwaukie Municipal Code (MMC) subsection 19.321.4.D requires that the Planning Commission weigh the public benefits of the proposed use against its possible adverse impacts. A list of benefits and impacts that the commission may consider is presented below:

Benefits

- *Provides a neighborhood park to an area that does not have a nearby park.*

The Island Station neighborhood does not have an improved park similar to parks in other areas of the city. The development of a mini-park will provide Island Station residents with a space to play and congregate outdoors.

- *Improvements to the park will enhance the site's natural characteristics.*

The mini-park improvements will be made in a manner that preserves and enhances Spring Park. The 40" diameter tree in the northeast corner of the park will be preserved, and non-native tree species will be removed. Some of the pedestrian pavers proposed for the site are permeable to allow storm water infiltration. The applicant indicates that landscaping will be done with plants native to the area. Finally, the proposed landscaping will result in a net increase of trees and shrubs for the mini-park area.

- *Better-defined parking and entrance for Spring Park.*

The proposed on-street parking, path, and landscaping will increase Spring Park's visibility. Currently, the entrance to the park is not well marked; parking near the entrance is not allowed; and vegetation screens the interior of the park from the street. The proposed improvements will provide an appropriate on-street parking area, increase visual access from the street to the mini-park, and establish a welcoming entrance with a path and signage.

- *The mini-park is a Neighborhood District Association (NDA) project.*

The development of the mini-park is the initiative of the Island Station NDA. This is a public benefit because residents in the vicinity support the proposed improvements. Island Station NDA members will aid in the creation of the park and will have a strong sense of ownership. A letter submitted by Lisa Batey, Chair of the Island Station NDA, on behalf of that NDA, documents the important and sustained involvement of Island Station residents in maintaining and developing the park. Additionally, City approval of NDA-initiated projects may increase participation in NDA activities.

- *Improvements proposed in existing, city-owned park.*

The development of the mini-park enhances an existing city park. No buildable land will be affected by this development, and no additional land will be tax exempt. The maximization of existing parks is an objective of the Recreational Needs Element of the Land Use section of the Comprehensive Plan.

- *The improvements will increase the level of appropriate activity in Spring Park.*

The community has identified unwanted activity, such as paintball, bicycling, and vandalism, as problems for Spring Park and Elk Rock Island. The mini-park development will increase the park's visibility from the street and encourage family-oriented uses. The use of the park for children's recreation and picnics may mean more "eyes on the park" and the Island and a decrease in unwanted and damaging activity in the park.

- *Parking improvements.*

The applicant proposes to construct parking near the entrance to Spring Park. These improvements are not required and cannot be reserved exclusively for park users if located within the right of way, but will alleviate the parking problems that exist near the site. Creation of parking will reduce the incidents of illegal parking that block access for private residences and create a safety hazard.

- *Comprehensive Plan implementation.*

The Milwaukie Comprehensive Plan supports development of a mini-park on the upland area of Spring Park. The *Elk Rock Island Natural Area Management Plan* recommends development of a children's playground in the upland area of the park near a public-right-of-way. The proposed *Spring Park Master Plan* also calls for development of the mini-park as Phase I of the development of Spring Park. Approval of this CSO implements the established policy of the Management Plan and the community's long-range vision for the park embodied in the proposed *Spring Park Master Plan*.

Adverse Impacts

- *Development in a natural area.*

The development activity will occur in a relatively undisturbed natural area. The ground and vegetation on the existing site will be disturbed if the proposed mini-park were developed. There may be a net increase in impervious area on or near the site due to the installation of path, pavers, and parking area paving, even though the existing concrete pad on site will be removed.

- *Increased traffic and use to Spring Park.*

Development of a mini-park may draw increased traffic and use to the park, which sits in the relatively quiet and isolated Island Station neighborhood. New park developments and on-street improvements could result in an increased level of park use and impacts on the neighborhood. Potential adverse impacts include increased vehicular traffic, noise from park development, and noise from park users.

- *Park maintenance.*

Spring Park has a history of vandalism problems, and it is possible that improvements to the park could be damaged or defaced by vandals. The City, Island Station NDA, and North Clackamas Parks and Recreation District could bear additional costs associated with policing the area against vandalism and repairing damaged items in the park.

In summary, staff believes that the benefits of a mini-park in the northeast corner of Spring Park outweigh the potential adverse impacts. It maximizes an existing park area and provides a space for picnic and recreation for Island Station residents. In weighing the benefits and impacts, the proposed park improvements will attract park users who wish to enjoy the play and picnic areas, and can counteract negative activity that exists at Spring Park. Most patrons of the mini-park reside near the park, and would not significantly increase traffic in the area. The improvements are limited to the public right of way and a small upland

area, and would not degrade any natural park features. Addition of parking in the vicinity of the site will alleviate existing parking problems.

Key Issue #2 - Does the proposed parking at the entrance adequately meet the needs of Spring Park and address the concerns of Island Station residents?

The availability of parking for Spring Park has been an issue of concern for the Island Station neighborhood. Currently, no parking is allowed on-street at the intersection of SE Sparrow Street and SE 19th Avenue. This is because the improved roadway is 18 feet wide on SE Sparrow Street, and on-street parking could block access for emergency vehicles on the right-of-way and to Spring Park.

Spring Park and Elk Rock Island draw visitors from outside of Island Station to use the park and creates a need for parking. The lack of parking at the entrance forces park users to park elsewhere in the neighborhood. This results in the issuance of parking citations for illegal parking and blocked driveways.

As stated in the *Spring Park Master Plan*, parking is not required for the development of the proposed mini-park. The mini-park is considered a walk-to park that will be used by local residents. Even though no off-street parking is required, the applicant proposes to create space for on-street parking to alleviate the current parking problems. The installation of on-street parking will be required to meet the Milwaukie Engineering Department's standards for right-of-way improvements. The applicant and the Planning Department have discussed on-street parking and believe that at least three spaces, including an ADA space, can be installed near the entrance of Spring Park.

Future improvements may necessitate the installation of additional parking areas. The *Spring Park Master Plan* has identified potential parking areas in and around the park. The decision to locate future parking will consider cost, proximity to the park entrance, existing right-of-way improvements, boundaries of Spring Park, on-street versus off-street construction requirements, emergency access, drainage, and topography.

Key Issue #3 - Does the proposed mini-park negatively impact the natural resources of Spring Park?

Spring Park is a 6.87-acre park that is almost entirely undeveloped. The North Clackamas Parks and Recreation District maintains Spring Park as a natural area. Spring Park has important riparian areas, habitat for flora and fauna, and contains interesting geological features. The Willamette Greenway Overlay and Water Quality Resource Overlay zones cover portions of Spring Park.

Staff believes that the development of the mini-park in the proposed location is appropriate and does not pose significant negative impacts to Spring Park's natural features. As demonstrated in the Findings in Support

of Approval (Attachment 2), the proposal meets the code requirements of the Willamette Greenway zone. The physical location of the park is far removed from the protected water quality resource areas in Spring Park. The development and related vegetation changes do not alter views to or from the Willamette River.

The *Elk Rock Island Natural Resource Area Management Plan* included an inventory of many of the significant natural features of Spring Park and Elk Rock Island. The Plan calls for determining and monitoring types of use within the park to assess impacts on the natural resources. However, the plan makes an exception for the upland area of Spring Park as an "area...suitable for development for neighborhood park uses."¹ The physical features that support this recommendation are the separation of the park from the river and riparian area, proximity to existing development, existing man-made features, and generally flat topography.

Because of these features and the recommendations of the Management Plan and Master Plan documents, staff believes that development of the mini-park will not significantly impact the natural resources of Spring Park.

Summary

As conditioned, staff believes the applicant has demonstrated compliance with applicable criteria as follows:

- 1) The proposal meets the code criteria for a Community Service Overlay in MMC Chapter 19.321. These criteria include the consideration of the public benefits and adverse impacts of the proposed use.
- 2) The proposal meets the development standards for the Residential zone R5 per MMC Chapter 19.303 and the Community Service Overlay development standards of MMC Subsection 19.321.10 for facilities not covered by other CSO development standards.
- 3) The proposal meets the standards of the Willamette Greenway zone, per MMC Chapter 19.320, and the requirements of MMC Chapter 19.600, Conditional Uses, required for all uses within the Willamette Greenway.

Code Authority and Decision Making Process

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance as follows:

- 19.303, Residential zone R5
- 19.320, Willamette Greenway zone WG
- 19.321, Community Service Overlay
- 19.600, Conditional Uses
- 19.1011.3, Minor Quasi-Judicial Review
- 19.1400, Transportation Planning, Design Standards and Procedures

¹ *Elk Rock Island Natural Resource Area Management Plan*, Page 13

This application is subject to minor quasi-judicial review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In quasi-judicial reviews, the Planning Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The Commission has the following options:

1. Approve the applications and adopt the recommended findings and conditions in support of approval.
2. Adopt additional findings and conditions in support of approval to comply with the Milwaukie Municipal Code.
3. Deny the applications upon finding that they do not meet approval criteria.

The final decision on this application, which includes any appeals to the City Council, must be made by November 24, 2006, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

Comments

Comments were received from city departments, the North Clackamas Parks and Recreation District, and the Island Station Neighborhood District Association. The following bullet points summarize comments received:

- The Engineering Department found that the development is exempt from the requirements of MMC Chapter 19.1400. Advisory notes specify that park-related improvements be located outside of the right-of-way, and improvements in the right-of-way be constructed to Engineering Department standards.
- The North Clackamas Parks and Recreation District commented that they are supportive of the proposed improvements, but does not have funding to assist with development or maintenance.
- The Island Station NDA discussed the proposal at their August 15, 2006 meeting. They commented that no objections were made and that the proposed plants be reviewed to ensure that they are appropriate. The Island Station NDA also submitted a letter on September 22, 2006 in support of approval for the *Spring Park Master Plan* and Community Service Overlay application.

Attachments

1. Recommended Findings in Support of Approval
2. Recommended Conditions of Approval
3. Spring Park Site Map

4. Applicant's Site Plan (11"x17" copy to Planning Commission only)
5. Applicant's Narrative
6. Comments

ATTACHMENT 1

Recommended Findings in Support of Approval

Milwaukie Municipal Code sections and subsections not addressed in these findings are found not to be applicable to this application.

1. The applicant is the Island Station Neighborhood District Association, represented by JoAnn Herrigel.
2. Spring Park is located at the corner of SE Sparrow Street and SE 19th Avenue, and consists of Tax Lots 5900, 6100, 6200, 6300, 6400, 6500 and 6601 of Tax Map 1S 1E 35 DD. These tax lots are owned by the City of Milwaukie. The proposed improvements are limited to Tax Lot 5900.
3. The applicant has applied for a Community Service Overlay (File# CSO-06-03) and Willamette Greenway Review (File# CSO-06-03). The applicant's proposal is to construct a play structure, raised mound, path and pervious paved area with a bench and picnic table in the northeast corner of Spring Park (the site). Associated improvements in the right-of-way are also proposed to allow on-street parking on SE Sparrow Street.
4. Public notice has been provided in accordance with the Milwaukie Municipal Code (MMC) Section 19.1011.3 – Minor Quasi Judicial Review. A public hearing was held October 10, 2006 as required by law.
5. The site is in the Residential zone R5, and is covered entirely by the Willamette Greenway Overlay. The western edge of Spring Park is covered by the Water Quality Resources Overlay zone. The comprehensive plan designation for the site is P-Public.
6. The proposal is subject to the following sections of the Milwaukie Zoning Ordinance, Title 19:
 - 19.303, Residential zone R5
 - 19.320, Willamette Greenway zone WG
 - 19.321, Community Service Overlay
 - 19.600, Conditional Uses
 - 19.1011.3, Minor Quasi-Judicial Review
 - 19.1400, Transportation Planning, Design Standards and Procedures
7. MMC Chapter 19.321 governs the approval and development standards for Community Service Overlays. The Planning Commission finds that the Spring Park Community Service Overlay (CSO) meets the requirements of Chapter 19.321 as follows:

- A. MMC Section 19.321.2, Applicability, lists the types of uses subject to the provisions of the Community Service Overlay zone. Section 19.321.2(C)(2) lists public and/or privately owned parks as community service uses subject to Chapter 19.321. The Planning Commission finds that the requirements of this chapter are applicable to the proposed development of a mini-park on the Spring Park site.
- B. MMC Section 19.321.3, Notice requirements, requires that notices and public hearings for CSO uses be conducted in accordance with MMC 19.1011.3, Minor Quasi-Judicial Review, Community Service Overlay. The Planning Commission finds that the public notice and public hearing for this application satisfy the requirements of this section.
- C. MMC Section 19.321.4 provides approval standards for granting a Community Service Overlay. The Planning Commission finds that the standards of this section are met, as follows:
 - i. MMC Section 19.321.4(A) allows a community service use to be granted if the standards of the underlying zone are met, the specific standards for the community service use are met, and the hours and levels of operation are compatible with surrounding uses. Findings 7(E) and 8 demonstrate that the base zone and community service use standards are met. The proposed hours of operation for the park are from dawn to dusk each day. The level of operations is limited to use of the play structure, picnic table and benches. As conditioned, the Planning Commission finds that the proposed use is compatible with surrounding uses.
 - ii. MMC Section 19.321.4(B) authorizes the Planning Commission to impose conditions of approval to make the proposed use compatible with surrounding uses. The Planning Commission has added conditions of approval that accomplish this criterion.
 - iii. 19.321.4(D) directs the Planning Commission to consider whether the public benefits of the proposed use outweigh the possible adverse impacts of the proposed use.

The public benefits of the proposed use are: the site is already owned by the City and used as a park, so a community service use will not remove any additional buildable and taxable land; the proposal will provide a mini-park within walking distance for residents of the Island

Station Neighborhood; the application was made and is supported by the Island Station Neighborhood District Association; the useable recreation area of the park will be improved; the entrance to Spring Park will be better defined; and the applicant proposes public improvements to allow on street parking.

The possible adverse impacts of the proposal are: increased traffic to the neighborhood; noise from play structure and picnic area use; costs of maintaining the improvements to the park; vandalism and other illegal activity within the park; and man-made improvements in a natural area.

In weighing the benefits and impacts, the proposed park improvements will attract park visitors who wish to enjoy the play and picnic areas, and can counteract negative activity that exists at Spring Park. The majority of park patrons will reside near the park, and will not significantly increase traffic in the area. The improvements are limited to the public right of way and a small upland area, and will not degrade any natural park features. The addition of parking in the vicinity of the site may alleviate existing parking problems. The Planning Commission finds that the public benefits of the proposed use outweigh the possible adverse impacts.

- D. MMC Section 19.321.5 specifies the materials that must be submitted with an application for a community service use. Based on the materials contained in the Land Use File# CSO-06-03, the Planning Commission finds that the applicant has submitted all required materials.
- E. MMC Section 19.321.10, Specific Standards for Institutions-Public/Private and Other Facilities not Covered by Other Standards, contains the development standards for the proposed community service use. As demonstrated below, the proposal complies with the section.
 - i. MMC Subsection 19.321.10.A requires that public improvements necessary for the proposed use be constructed by the agency constructing the use. The Planning Commission finds this criterion is met because no public improvements are required for the proposed mini-park. The applicant proposes to voluntarily construct on-street parking, and may connect to city water service in the future. As conditioned, these improvements will be constructed by the applicant.

- ii. MMC Subsection 19.321.10.B requires that CSOs in or adjacent to residential zones take access on a collector street, if available. If access is to a residential street, the application must analyze the projected daily trips, their distribution pattern, and impact on the street system. CSO uses generating fewer than 20 trips per day are exempted from this requirement.

The proposed mini-park takes access from SE Sparrow Street, which is designated as a local residential street in the Milwaukie Transportation System Plan. The applicant has submitted traffic generation rates from the ITE Manual. Trip generation for a city park by picnic sites is 5.87 trips per site. The proposed mini-park proposes one picnic site. The Planning Commission finds that the development of the mini-park will generate fewer than 20 trips per day, and is exempt from the requirements of MMC Subsection 19.321.10.B.

- iii. MMC Subsection 19.321.10.C requires setbacks of $\frac{2}{3}$ the height of the principal structure when the proposed use is located in a residential zone. The proposed use is in a residential zone. The play structure is the principal structure on site, and the application states that its height will not exceed 16 feet. The required setbacks for this use are 10.56 feet. The proposed play structure location exceeds the setback required by the subsection. As conditioned, the Planning Commission finds that this standard is met.
- iv. MMC Subsection 19.321.10.D allows the height limitation of any zone to be exceeded to 50 feet, provided that MMC Subsection 19.321.10.C is met. The Planning Commission finds that no structure proposed for the mini-park exceeds this height, and that this standard is met.
- v. MMC Subsection 19.321.10.E and F require noise and glare from the proposed CSO to be mitigated. No lighting or noise generating equipment will be placed on site. Noise will be associated with park construction and periodic maintenance, but these disturbances will not be part of the normal operation of the park. The Planning Commission finds that these criteria are not applicable.
- vi. MMC Subsection 19.321.10.G states that the hours and levels of operation shall be adjusted to be compatible with adjacent uses, where possible. As stated in Finding 7(C)(i)

the hours and level of operation will be compatible with the existing neighborhood. As conditioned, the Planning Commission finds that this criterion is met.

8. MMC Section 19.303, Residential zone R5, contains development standards for lots within the zone. As demonstrated below, the Planning Commission finds that the proposed development complies with the standards of the zone.
 - A. MMC Subsection 19.303.3.F requires compliance with the off-street parking and loading provisions of MMC Chapter 19.500. The proposed development meets the description of a Mini-park in the Milwaukie Comprehensive Plan. The *Spring Park Master Plan* states that this park is designated as a walk-to park. The development will not generate additional vehicular traffic because it is intended for use by Island Station residents. Due to the park's designation and proximity of its intended users, the Planning Commission finds that off-street parking is not required for this proposal.
 - B. As demonstrated in the table below, the Planning Commission finds that the remaining applicable development standards for the R5 zone are met.

Standards of the Residential zone R5 (MMC Section 19.303)

| | Standard | Proposed | Complies? |
|--------------------|-------------------|------------------------------|------------------|
| Lot Area | 5,000 square feet | 76,700 square feet (TL 5900) | Yes |
| Front yard setback | 20 feet | >60 feet | Yes |
| Side yard setback | 5 feet | 20 feet/ >100 feet | Yes |
| Rear yard setback | 20 feet | >100 feet | Yes |
| Building height | 35 feet | 16 feet | Yes |
| Lot coverage | 35% maximum | <500 square feet / <1% | Yes |
| Minimum vegetation | 25% minimum | ~3,500 square feet / 95% | Yes |

9. MMC Chapter 19.320, Willamette Greenway zone WG, contains standards and criteria for uses within the Willamette Greenway zone. As demonstrated below, the Planning Commission finds that the proposal meets the requirements of the chapter.
 - A. MMC Subsection 19.320.6 contains the criteria to be considered for application of a Willamette Greenway conditional use.
 - i. MMC Subsection 19.320.6.A considers whether the land to be developed has been committed to an urban use. The

Planning Commission finds that the land is almost entirely undeveloped and has not been committed to an urban use.

- ii. MMC Subsection 19.320.6.B considers the compatibility with the scenic, natural, historic, economic and recreation character of the river. The Planning Commission finds that the proposed use enhances the natural and recreational character of the river by providing new landscaping in the upland area while maintaining the vast majority of the natural features on site, and by creating a place for family oriented recreation in proximity to the river. The Planning Commission also finds that the proposed use does not detract from the scenic, historic, or economic characteristics of the river.
- iii. MMC Subsection 19.320.6.C considers the protection of views toward and away from the river. The area for the proposed development is not visible to the river. The major visual change associated with the mini-park is related to landscaping, and a vast majority of the existing landscaping in Spring Park will be unaltered. The Planning Commission finds that the development has no appreciable impact on views toward or away from the river.
- iv. MMC Subsection 19.320.6.D considers landscaping, aesthetic enhancement, open space, and vegetation between the activity and the river. The proposed development is located in an upland corner of Spring Park and does not alter the existing vegetation and open space between the site and the river. The Planning Commission finds that this criterion is met.
- v. MMC Subsection 19.320.6.E considers public access to and along the river. The proposed development enhances the trailhead of the trail through Spring Park to the river and provides better signage for the park and river. These improvements enhance a key public access point to the river for this neighborhood. The Planning Commission finds this criterion is met.
- vi. MMC Subsection 19.320.6.F considers emphasis on water-oriented and recreational uses. The proposed mini-park increases the opportunity for recreational use near the river. The Planning Commission finds this criterion is met.

- vii. MMC Subsection 19.320.6.G considers maintaining or increasing views between downtown and the river. The Planning Commission finds that this criterion is not applicable because the park is not visible from downtown.
- viii. MMC Subsection 19.320.6.H considers protection of the natural environment according to regulations in the natural resource overlay zone. The proposed improvements are located in an upland area away from the riparian area protected by the natural environment. The *Elk Rock Island Natural Area Management Plan* and proposed *Spring Park Master Plan* have identified the site as appropriate for development of a small park. Most of Spring Park will remain as a natural area. The Planning Commission finds that this criterion is met.
- ix. MMC Subsection 19.320.6.J considers conformance with applicable Comprehensive Plan policies. The proposed development complies with the *Elk Rock Island Natural Area Management Plan*, which is an ancillary document to the Comprehensive Plan. The proposed development is found to be in conformance with the following policies of the Comprehensive Plan:
 - Chapter 3, Open Space, Scenic Area, and Natural Resource Element; Objective 1 –Open Space, Objective 2 – Natural Resource Areas, Objective 3 – Scenic Areas
 - Chapter 4, Land Use, Recreational Needs Element, Objective 5- Neighborhood and Community Parks, Objective 6 – Maximization of Existing Parks, Objective 7 – Riverfront Recreation
 - Chapter 4 – Land Use, Willamette Greenway Element, Objective 4 – Recreation, Objective 5 – Public Access and View Protection
- x. MMC Subsection 19.320.6.K considers consistency with the applicable plans and programs of the Division of State Lands. The Planning Commission finds that the proposed development is not inconsistent with any known plans or programs of the Division of State Lands. Notice of this proposal was sent to the Division of State Lands, and no comments were received from that agency.
- xi. MMC Subsection 19.320.6.L considers a vegetation buffer that meets the requirements of MMC Subsection 19.320.8. The vegetation buffer, as defined in MMC 19.320.8, is an area between the river and twenty-five feet upland from the

ordinary high water line. The site for proposed development is approximately 800 feet from the edge of the river. No changes are proposed that affect the vegetation buffer area, and the Planning Commission finds that this criterion is not applicable.

- B. MMC Subsection 19.320.7 considers setbacks for uses that are not water dependant or related, so that they may be directed away from the river. The proposed mini-park is not water related or dependant, and is located as far as possible away from the river within Spring Park. The Planning Commission finds that this criterion is met.
10. MMC Chapter 19.600 has standards for the review and approval of conditional uses. Because all uses within the Willamette Greenway zone are conditional uses, the applicant's proposal must meet the applicable sections of MMC Chapter 19.600. As demonstrated below, the Planning Commission finds that the standards of this chapter are met.
- A. MMC Subsection 19.601.2 contains the review criteria for conditional uses.
 - i. MMC Subsection 19.601.2.A requires that the use meet the requirements of a conditional use in the zone currently applies to the site. The application is for a Community Service Overlay over an R5 base zone. Based on the approval of the Community Service Overlay, the Planning Commission finds that the proposed use meets this criterion.
 - ii. MMC Subsection 19.601.2.B requires that the use meets the standards for the underlying zone. As demonstrated in Finding 8 above, the Planning Commission finds that the use meets the standards of the underlying zone.
 - iii. MMC Subsection 19.601.2.C requires that the proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use. The Planning Commission finds that this criterion is met, based on the Finding 9(A)(ix) above.
 - iv. MMC Subsection 19.601.2.D requires that the existing conditions on site are suitable for the proposed use. The *Elk Rock Island Natural Area Management Plan* and proposed *Spring Park Master Plan* identify the site for the proposed improvements as appropriate, based on the physical characteristics of Spring Park. The improvements are on a relatively flat, upland area that is close to existing

development. The Planning Commission finds this criterion is met.

- v. MMC Subsection 19.601.2.E requires that the conditional use is timely based on civic infrastructure. As stated above, the mini-park generates fewer than 20 trips per day, and is exempt from further analysis of traffic impacts. No utility connections are planned for the site at this time, although a water connection may be added in the future. Based on the minimal traffic impacts and limited demand on infrastructure, the Planning Commission finds that this criterion is met.
 - vi. MMC Subsection 19.601.2.F requires that the proposed use comply with MMC Chapter 19.1400. The Milwaukie Engineering Department reviewed the proposal and commented that it is exempt from the requirements of MMC Chapter 19.1400. The Planning Commission finds that this criterion is not applicable.
- B. MMC Subsection 19.602.1 requires that conditional uses in residential zones have a yard setback of 2/3 the height of the principal structure. As demonstrated in Finding 7(E)(iii), the Planning Commission finds this criterion is met.
 - C. MMC Subsection 19.602.2 requires that a conditional use structure may exceed the underlying zone height limitations to a maximum height of 50 feet. Based on the finding 8(B) above, the proposed structures on this site do not exceed the underlying zone standards. The Planning Commission finds this criterion is not applicable.
 - D. MMC Subsection 19.602.3 allows the city to limit access to residential streets, and to prohibit building openings within 50 feet of a residential property based on glare and noise impacts. The site cannot take access from other than a residential street. As discussed in Finding 7(E)(ii) the site does not trigger an analysis of the traffic impacts related to the use. Limiting trips onto a residential street is not practical or necessary for the site. The proposed mini-park does not have any glare or noise impacts associated with the development that would impact residential properties within 50 feet. As conditioned, the impacts of the use are mitigated through the operating hours of the park. The Planning Commission finds that this criterion is met.
- 11. The applicant proposes to construct space for parking near the park entrance on SE Sparrow Street. Provision of parking is found to be one of the public benefits of the proposed Community Service Use. As

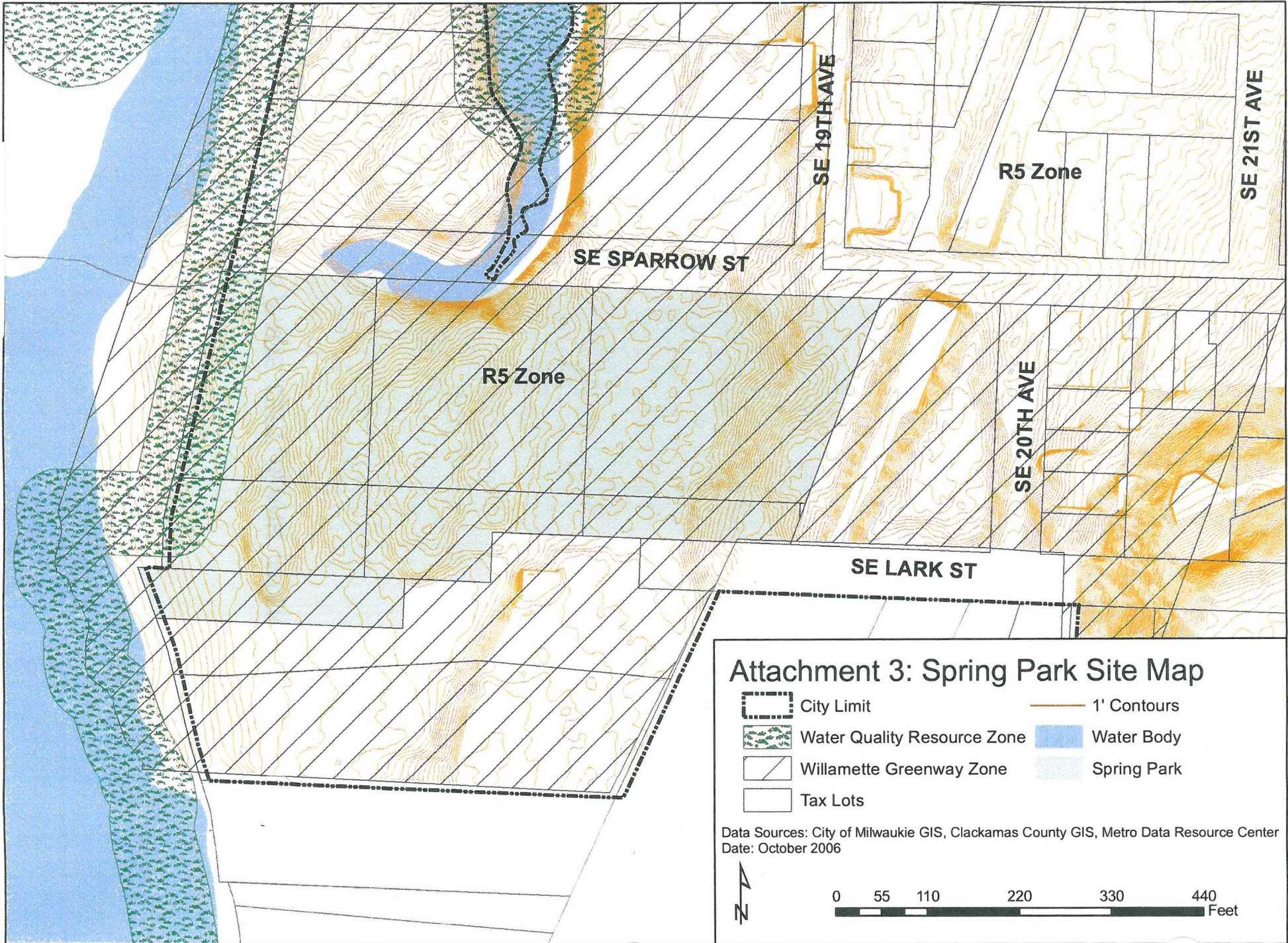
conditioned, the applicant will construct improvements in the right-of-way appropriate to allow three on-street parking spaces, or construct off-street parking to allow the same number of spaces. Improvements in the right of way are required to conform to the design standards of MMC Chapter 19.1400 and Milwaukie Engineering and Public Works standards. Off-street parking is required to conform to the standards of MMC Chapter 19.500.

Attachment 2

Recommended Conditions of Approval

1. Final site plans shall be in substantial conformance with the plans approved by this action. Reference is made to development plans stamped received at the Milwaukie Planning Department, dated July 3, 2006, application materials, and minutes of the Planning Commission's public hearing.
2. Approval of this application is conditioned upon the City Council's adoption of the *Spring Park Master Plan* as an ancillary document to the Comprehensive Plan. The plans submitted for development of the mini-park shall be in substantial conformance with the policy and recommendations set forth by the adopted *Spring Park Master Plan*.
3. At the time of submission of development plans for the mini-park, the following shall be submitted:
 - A. A narrative explaining the actions taken to comply with these conditions of approval and a description of all changes to the plans that are not required by the conditions of approval.
 - B. The final site development plan for the park shall be in substantial conformance with the plans in Conditions 1 and contain the elements listed below.
 - i. Paved path extending from the SE Sparrow Street right of way through the mini-park, and connecting with the trail through Spring Park to the Willamette River.
 - ii. Play structure for a similar targeted age population and of a similar footprint, location, and height as proposed with the plans approved with this application.
 - iii. A level and hard-surfaced area that includes a picnic table, bench, and garbage can.
 - iv. Sign at the entrance to the mini-park with posted open hours from dawn until dusk and the days that the park is open.
 - v. Adequate parking for at least three automobiles, either through the construction of on-street parking or off-street parking, with a paved connection between the parking area and the path or park entrance. On street parking shall conform to the design standards of MMC Chapter 19.1400 and Engineering Department Standards. Off street parking areas shall conform to MMC Chapter 19.500.
 - vi. Setbacks for the play structure on site must be equal to or greater than 2/3 of the height of the play structure. Setbacks do not apply to any future kiosk or other accessory structures for the park.

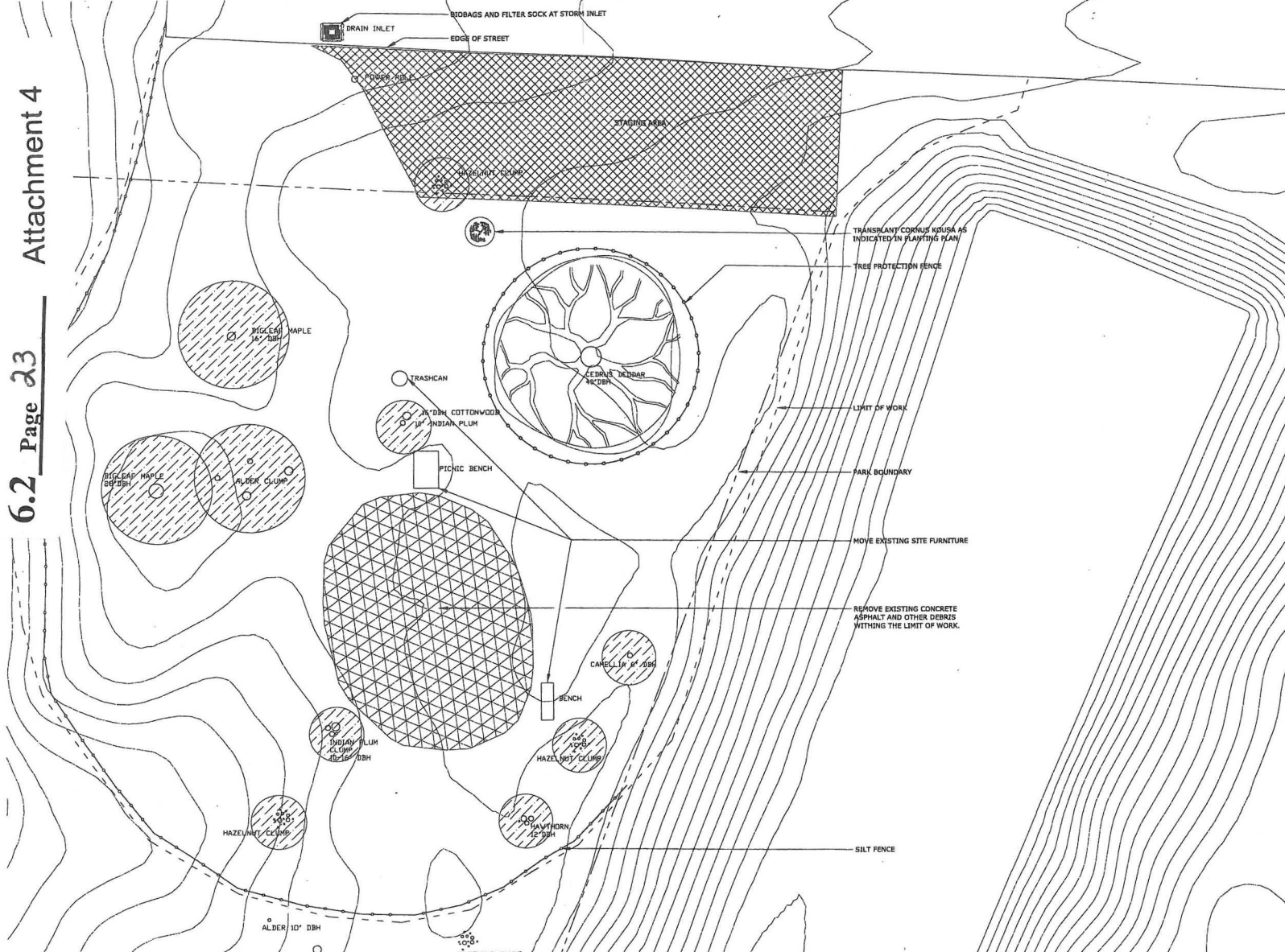
- C. The final site landscaping plan for the park shall be in substantial conformance with the plans in Condition 1 and contain the following specific elements:
 - i. Preservation of the existing 40" diameter cedar in the northeast area of the site.
 - ii. Trees within the site similar in number and species to the five shown along the proposed paved path and the five shown on the proposed paver mound.
 - iii. A line of trees or shrubs delineating the eastern and southern extent of the mini-park area.
 - D. For any public improvements within the right of way, the following is required:
 - i. Engineered plans for public improvements, including street, sidewalk and utility, are to be submitted for review and approval to the Engineering Department.
 - ii. Payment of an inspection fee of 5.5% of the cost of the public improvements.
 - iii. Provision of a payment and performance bond for 100% of the cost of the public improvements.
 - E. An erosion control plan for all proposed ground disturbing activities.
4. Prior to issuance of Planning Department approval for mini-park development plans, the following shall be resolved:
- A. The applicant shall obtain an erosion control permit for all earth disturbing activity.
 - B. Construct and receive Engineering Department approval for all public improvements.
 - C. Submit a final approved set of Mylar "As Constructed" drawings to the City of Milwaukie for any public improvements constructed.



Attachment 3: Spring Park Site Map

| | | | |
|--|-----------------------------|--|-------------|
| | City Limit | | 1' Contours |
| | Water Quality Resource Zone | | Water Body |
| | Willamette Greenway Zone | | Spring Park |
| | Tax Lots | | |

Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center
 Date: October 2006



1 SITE PLAN
1/8" = 1'0"

NOTES:

CONDITIONS OF USE

INFORMATION CONTAINED WITHIN THIS DOCUMENT AND ASSOCIATED SPECIFICATIONS IS PROPERTY OF LANDO AND ASSOCIATES, LANDSCAPE ARCHITECTURE, INC., AND IS NOT TO BE USED IN WHOLE OR PART FOR ANY OTHER PROJECT. THIS DOCUMENT IS NOT TO BE REPRODUCED AND/OR MODIFIED IN ANY WAY, NOR SHALL ANY REPRODUCTION OCCUR WITHOUT PRIOR CONSENT FROM LANDO AND ASSOCIATES. THIS DOCUMENT HAS BEEN PREPARED TO DESCRIBE PROPOSED AND / OR FIELD WORK AND DOES NOT NECESSARILY REPRESENT AS-BUILT OR EXISTING CONDITIONS. THE LANDSCAPE ARCHITECT DOES NOT WARRANT, IN ANY WAY, THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

NOTES:

DEMOLITION NOTES

- 1.) THIS DEMOLITION PLAN IS BASED ON THE SITE SURVEY INFORMATION PROVIDED BY THE CITY OF MILWAUKEE ON AUGUST 8, 2005. THE CONTRACTOR IS TO VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION. NOTIFY THE CLIENT OR CLIENT REPRESENTATIVE OF ANY DISCREPANCIES FOUND.
- 2.) PROTECT ALL TREES AND SHRUBS INDICATED TO REMAIN.
- 3.) COORDINATE WITH AND ALLOW OWNER AMPLE TIME TO SALVAGE PLANT MATERIAL SCHEDULED FOR DEMOLITION.
- 5.) REMOVE TREES AND STUMPS TO 36" BELOW GRADE. DISPOSE OF MATERIAL OFF SITE.
- 6.) EROSION CONTROL MEASURES ARE TO BE IN PLACE AND MAINTAINED AT ALL TIMES. MEASURES MUST CONFORM TO CITY OF MILWAUKEE REGULATIONS. CONTRACTOR TO SUPPLY A COMPLETE EROSION CONTROL PLAN FOR APPROVAL PRIOR TO START OF WORK.
- 7.) CONTRACTOR IS TO SUPPLY A "SOLID WASTE AND RECYCLING PLAN" TO THE CLIENT, AND CITY OF MILWAUKEE PRIOR TO THE COMPLETION OF THE JOB. THE PLAN MUST INCLUDE: THE VOLUME OF MATERIAL MOVED OFF-SITE AND THE MATERIALS RECYCLER OR RECYCLING DEPOT.

NOTES:

EROSION CONTROL NOTES

EROSION CONTROL (ESC) IS REQUIRED ON THIS PROJECT. IMPLEMENTATION OF THE ESC AND THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, AND UPGRADING OF THESE ESC FACILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED. PROVIDE CATCH BASIN PROTECTION TO DOWNSTREAM INLETS FROM THE SITE.

NOTES:

TREE PROTECTION NOTES

TREES NOTED TO BE SAVED ABOVE SHALL BE PROTECTED PER CITY OF MILWAUKEE TREE PROTECTION REQUIREMENTS:

- 1.) A CONSTRUCTION FENCE MUST BE PLACED AROUND EACH TREE AT THE EDGE OF THE ROOT PROTECTION ZONE. THE FENCE MUST BE PLACED BEFORE CONSTRUCTION STARTS AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETE. THE FENCE MUST BE 6 FOOT HIGH ORANGE PLASTIC AND BE SECURED TO THE GROUND WITH 8-FOOT METAL POSTS.
- 2.) WITHIN THE ROOT PROTECTION ZONE OF EACH TREE, THE FOLLOWING DEVELOPMENT IS NOT ALLOWED:
 - A. NEW BUILDINGS
 - B. GRADE CHANGE OR CUT AND FILL DURING OR AFTER CONSTRUCTION
 - C. NEW IMPERVIOUS SURFACES
 - D. UTILITY OR DRAINAGE FIELD PLACEMENT
 - E. STAGING OR STORAGE OF MATERIALS AND EQUIPMENT DURING CONSTRUCTION
 - F. VEHICLE MANEUVERING AREAS DURING CONSTRUCTION
- 3.) CONSTRUCTION TRAUMA PREVENTION:
 - A. FERTILIZE AND PRUNE 2-3 MONTHS PRIOR TO CONSTRUCTION START
 - B. FENCE AROUND TREE AT CANOPY EXCEPT WHERE CONSTRUCTION INTERFERES
 - C. KEEP HEAVY VEHICLES AND EQUIPMENT OFF OF ROOT ZONE (CANOPY AREA)
 - D. HAND DIG WHEN AND IF ROOTS ARE HIT
 - E. CONSULT ARBORIST WHEN ROOTS ARE EXPOSED FOR ADVICE ON CLIPPING ROOTS BACK.

SYMBOLS:

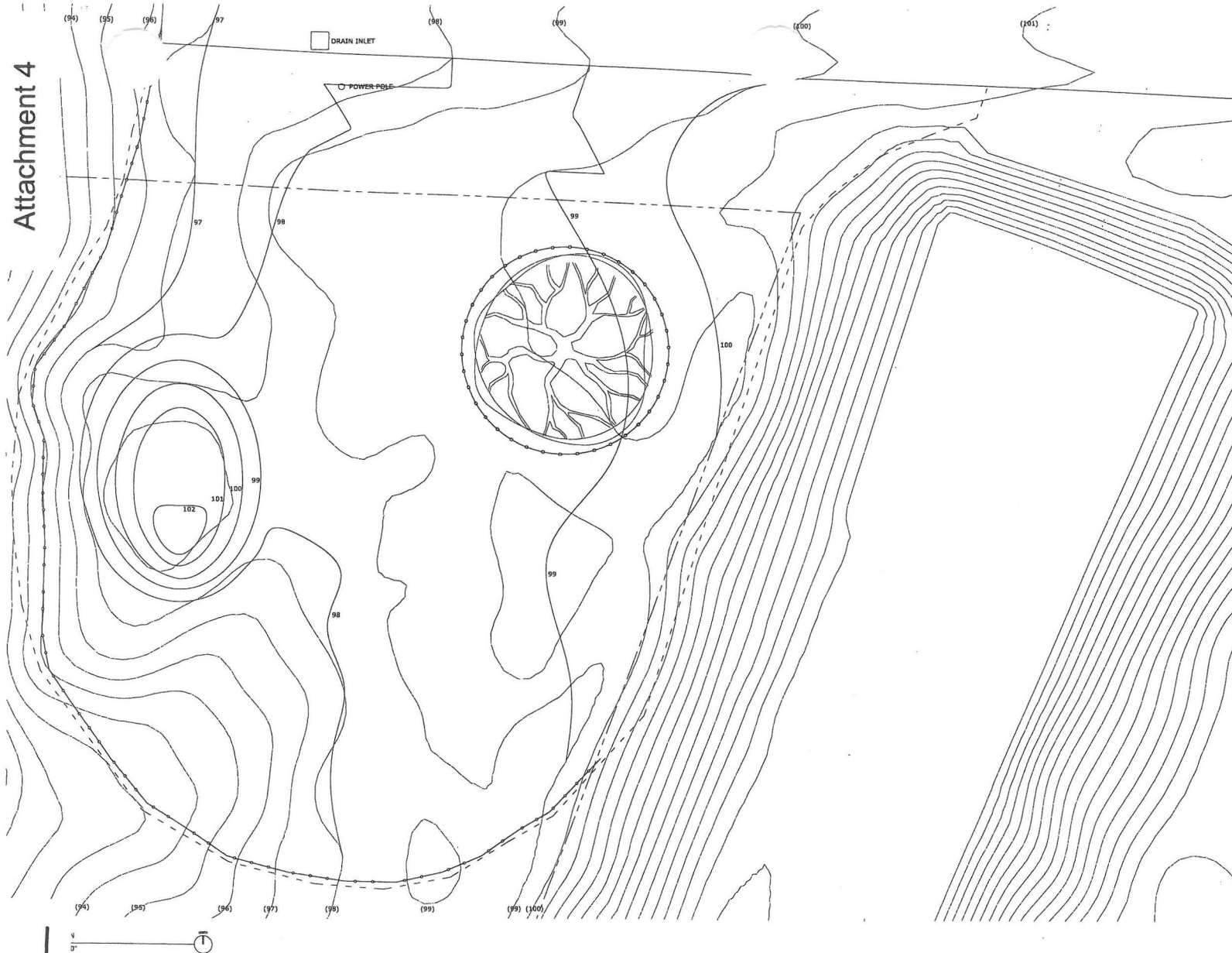
- [Cross-hatched box] STAGING AREA
- [Diagonal lines box] DEMO AREA
- [Circle with cross-hatch] TREE OR SHRUB TO BE REMOVED OR TRANSPLANTED
- [Circle with dot] TREE PROTECTION FENCE
- [Dashed line] SILT FENCE
- [Solid line] LIMIT OF WORK
- [Dashed line] PARK BOUNDARY

LANDO AND ASSOCIATES, LANDSCAPE ARCHITECTURE, INC.
1000 N. MICHIGAN AVE., SUITE 1000
MILWAUKEE, WI 53233
TEL: 414.224.1100
WWW.LANDO.COM

REGISTERED
PROFESSIONAL LANDSCAPE ARCHITECT
STATE OF WISCONSIN
NO. 10000
EXPIRATION 12/31/2009

SPRING PARK
DEMO AND EROSION CONTROL
L1.0

RECEIVED
JUL 3 2006
CITY OF MILWAUKEE
PLANNING DEPARTMENT



NOTES:

CONDITIONS OF USE

INFORMATION CONTAINED WITHIN THIS DOCUMENT IS THE PROPERTY OF LAND AND ASSOCIATES, INC. AND IS NOT TO BE USED FOR ANY OTHER PROJECT. THIS DOCUMENT IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT PRIOR CONSENT FROM LAND AND ASSOCIATES. THIS DOCUMENT HAS BEEN PREPARED TO DESCRIBE PROPOSED AND / OR FIELD WORK AND DOES NOT NECESSARILY REPRESENT AS-BUILT OR EXISTING CONDITIONS. THE LANDSCAPE ARCHITECT DOES NOT WARRANT, IN ANY WAY, THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

GRADING NOTES

1.) THIS GRADING PLAN IS BASED ON THE SITE SURVEY INFORMATION PROVIDED BY THE CITY OF MANAUAKE ON AUGUST 8, 2005. THE CONTRACTOR IS TO VERIFY ALL EXISTING ELEVATIONS PRIOR TO CONSTRUCTION. NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES FOUND.

2.) PROTECT ALL TREES AND SHRUBS INDICATED TO REMAIN.

3.) ROUGH AND FINE GRADING SHALL BE REVIEWED AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PLANTING.

4.) SET STRAIGHT GRADES BETWEEN ELEVATIONS UNLESS OTHERWISE NOTED.

5.) MATCH EXISTING ELEVATIONS WHERE NEW PAVING ABUTS EXISTING PAVING.

7.) PROTECT EXISTING UTILITIES.

8.) PROVIDE CROSS SLOPE OF 1% MINIMUM ON ALL PAVED PATHS.

NOTES:

TREE PROTECTION NOTES

TREES NOTED TO BE SAVED ABOVE SHALL BE PROTECTED PER CITY OF MANAUAKE TREE PROTECTION REQUIREMENTS:

1.) A CONSTRUCTION FENCE MUST BE PLACED AROUND EACH TREE AT THE EDGE OF THE ROOT PROTECTION ZONE. THE FENCE MUST BE PLACED BEFORE CONSTRUCTION STARTS AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETE. THE FENCE MUST BE 6-FOOT HIGH ORANGE PLASTIC AND BE SECURED TO THE GROUND WITH 8-FOOT METAL POSTS.

2.) WITHIN THE ROOT PROTECTION ZONE OF EACH TREE, THE FOLLOWING DEVELOPMENT IS NOT ALLOWED:

A. NEW BUILDINGS

B. GRADE CHANGE OR CUT AND FILL DURING OR AFTER CONSTRUCTION

C. NEW IMPERVIOUS SURFACES

D. UTILITY OR DRAINAGE FIELD PLACEMENT

E. STAGING OR STORAGE OF MATERIALS AND EQUIPMENT DURING CONSTRUCTION

F. VEHICLE MANEUVERING AREAS DURING CONSTRUCTION

3.) CONSTRUCTION TRAUMA PREVENTION:

A. FERTILIZE AND PRUNE 2-3 MONTHS PRIOR TO CONSTRUCTION START

B. FENCE AROUND TREE AT CANOPY EXCEPT WHERE CONSTRUCTION INTERFERES

C. KEEP HEAVY VEHICLES AND EQUIPMENT OFF OF ROOT ZONE (CANOPY AREA)

D. HAND DIG WHEN AND IF ROOTS ARE HIT

E. CONSULT ARBORIST WHEN ROOTS ARE EXPOSED FOR ADVICE ON CLIPPING ROOTS BACK.

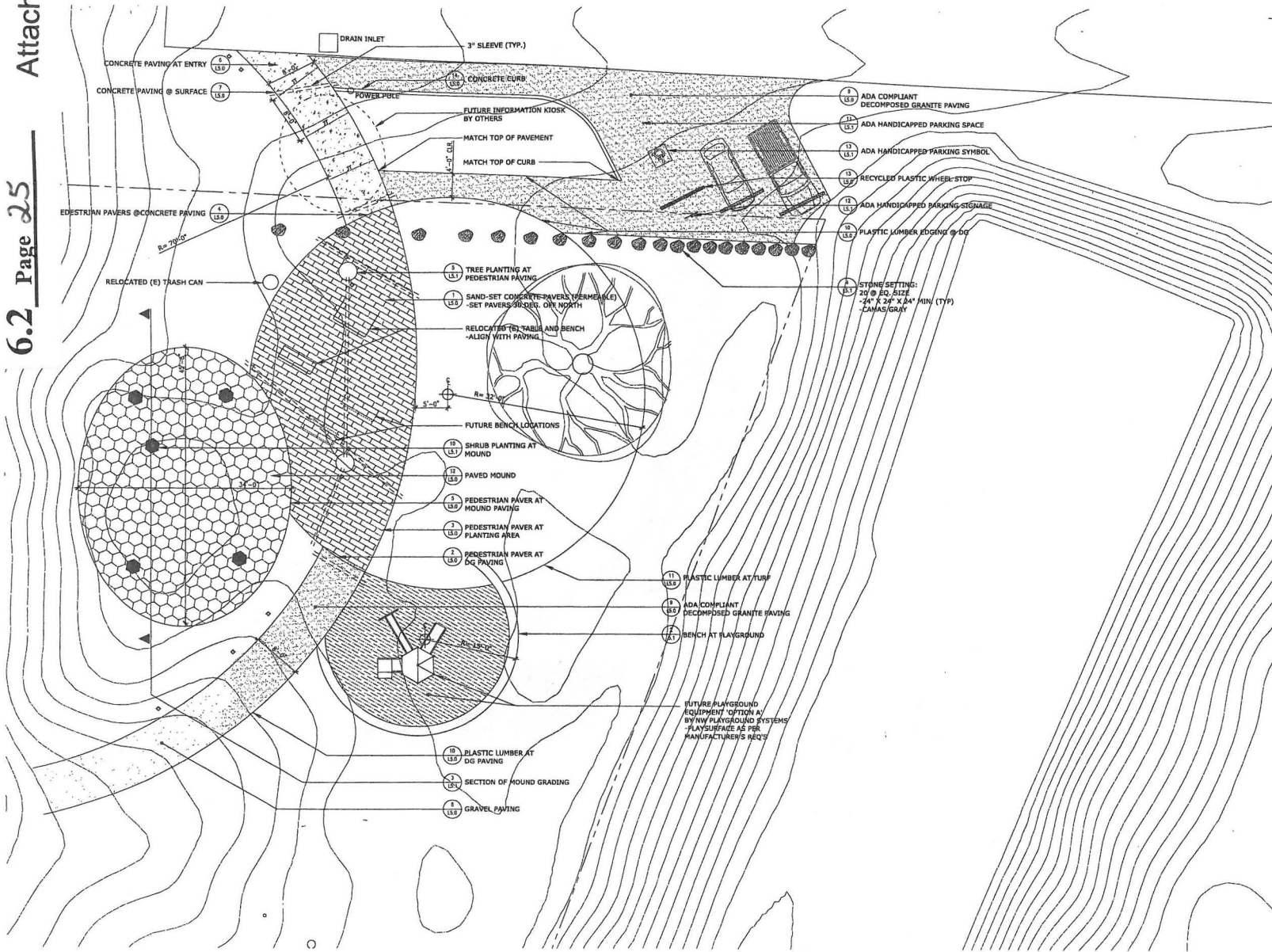
SYMBOLS:

—○— TREE PROTECTION FENCE

—○— SILT FENCE

--- LIMIT OF WORK

--- PARK BOUNDARY



1 SITE PLAN
1/8" = 1'0"

NOTES:

CONDITIONS OF USE

INFORMATION CONTAINED WITHIN THIS DOCUMENT AND ASSOCIATED SPECIFICATIONS IS PROPERTY OF LANDO AND ASSOCIATES, LANDSCAPE ARCHITECTURE, INC. AND IS NOT TO BE USED IN WHOLE OR PART FOR ANY OTHER PROJECT. THIS DOCUMENT IS NOT TO BE REPRODUCED AND/OR MODIFIED IN ANY WAY, NOR SHALL ANY REPRODUCTION OCCUR WITHOUT PRIOR CONSENT FROM LANDO AND ASSOCIATES. THIS DOCUMENT HAS BEEN PREPARED TO DESCRIBE PROPOSED AND / OR FIELD WORK AND DOES NOT NECESSARILY REPRESENT AS-BUILT OR EXISTING CONDITIONS. THE LANDSCAPE ARCHITECT DOES NOT WARRANT, IN ANY WAY, THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

MATERIALS LEGEND:

PAVING

- PAVING TYPE A CONCRETE PAVING
- PAVING TYPE B DECOMPOSED GRANITE
- PAVING TYPE C 1/4" MINUS GRAVEL
- PAVING TYPE D PERMEABLE PAVERS
- PAVING TYPE E RECYCLED CONCRETE PAVERS
- PAVING TYPE F PLAY SURFACE AS PER MANUFACTURER
- 3" SLEEVE UNDER PAVEMENT
- FUTURE LIGHTING

LAYOUT NOTES

- THIS LAYOUT PLAN IS BASED ON THE SITE SURVEY INFORMATION PROVIDED BY THE CITY OF MILWAUKEE ON AUGUST 6, 2003. THE CONTRACTOR IS TO VERIFY ALL EXISTING ELEMENTS PRIOR TO CONSTRUCTION. NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES FOUND.
- PROTECT ALL TREES AND SHRUBS INDICATED TO REMAIN.
- WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- OBTAIN ACCEPTANCE OF HORIZONTAL ALIGNMENT OF ELEMENTS IN THE FIELD PRIOR TO INSTALLATION.
- PAVING PATTERNS ARE NOT SHOWN ON THIS SHEET FOR CLARITY.

SITE WORK

- UTILITIES SHOWN ON THESE PLANS ARE FOR INFORMATION AND COORDINATION PURPOSES ONLY AND ARE NOT AUTHORIZED FOR INSTALLATION UNDER THE PUBLIC STREET IMPROVEMENT PERMIT. UTILITY COMPANIES ARE REQUIRED TO SECURE SEPARATE UTILITY PERMITS FROM THE CITY FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
- EXCAVATIONS: OREGON LAW REQUIRES YOU TO FOLLOW THE RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 852-001-0010 THROUGH OAR 852-001-0030.
- REMOVE ALL MATERIALS EXCAVATED FROM WORK AND DISPOSE AT A PROPER LANDFILL. FOR ON-SITE PRIVATE PROPERTY, SECURE A FILL PERMIT PRIOR TO BEGINNING WORK.
- CONTRACTOR TO SCHEDULE AN IN-FIELD PRE-CONSTRUCTION MEETING WITH THE OWNER, LANDO AND ASSOCIATES, LANDSCAPE ARCHITECTURE, CITY INSPECTOR, AND AFFECTED UTILITY REPRESENTATIVES BEFORE COMMENCING WORK.
- ERECT BARRICADES AND TAKE PRECAUTIONS NECESSARY TO PROTECT THE PUBLIC. ENSURE MINIMUM INTERFERENCE WITH VEHICULAR AND PEDESTRIAN TRAFFIC. THIS WILL INCLUDE, BUT NOT LIMITED TO BARRICADES, COVERING TREE WELLS, AND SIGNAGE.

SUBMITTALS AND WARRANTIES

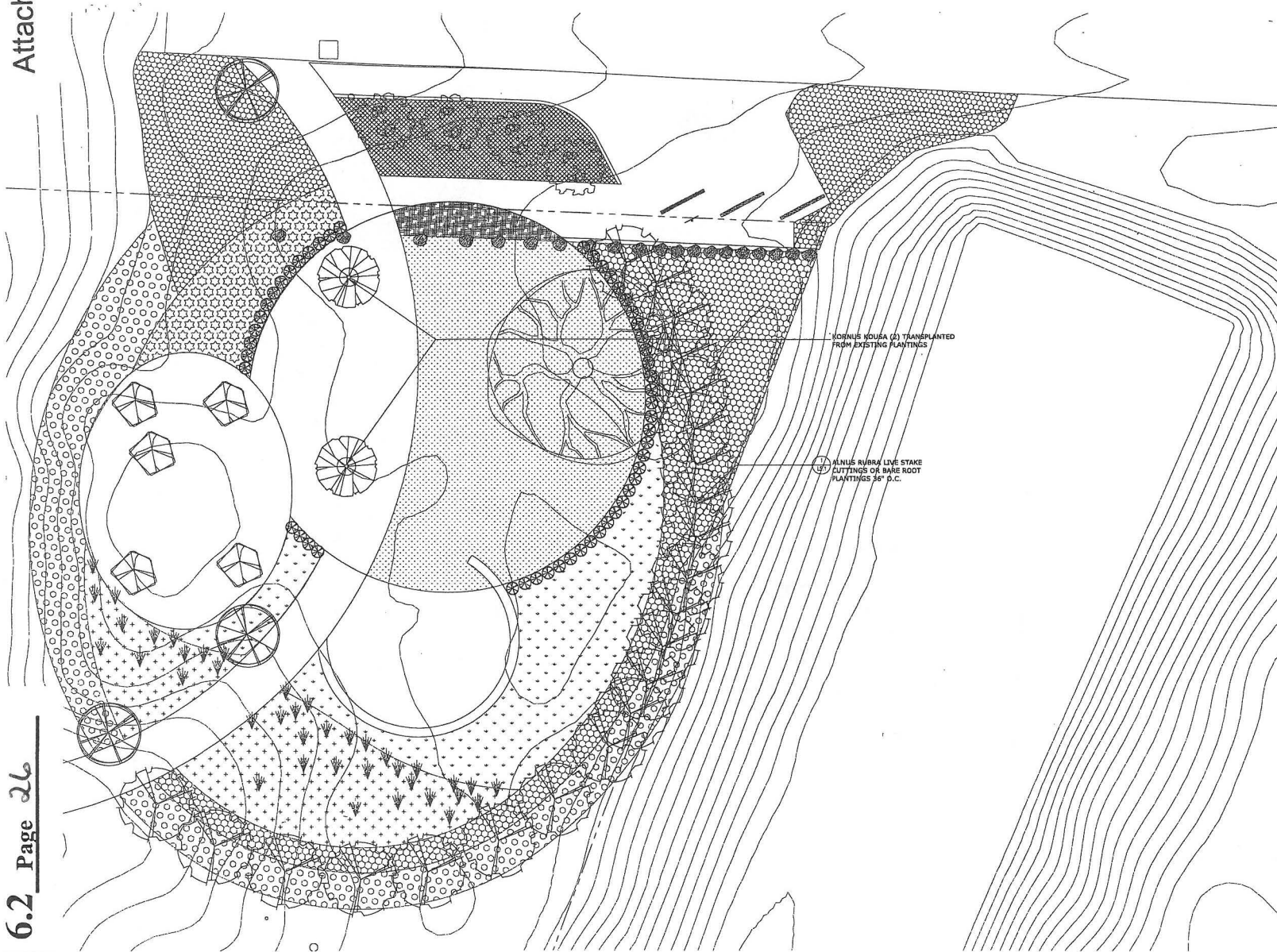
- CONTRACTOR SHALL BE RESPONSIBLE TO SUBMIT PRODUCT INFORMATION FOR REVIEW AND WRITTEN APPROVAL TO LANDO AND ASSOCIATES, LANDSCAPE ARCHITECTURE WITHIN TO BUSINESS DAYS AFTER THE AWARD OF CONTRACT. PRODUCT SUBMITTAL INFORMATION SHALL INCLUDE, BUT NOT LIMITED TO, THE FOLLOWING:
 - A. PAVING SAMPLES
 - B. TREE STAKES AND GLYS
 - C. CONCRETE CUT SHEET
 - D. MAINTENANCE SCHEDULE
 - E. PLANT WARRANTY

REGISTERED
LANDSCAPE ARCHITECT
OREGON
1994

SPRING PARK
LANDSCAPE ARCHITECTURE, INC.
1000 N. 10TH AVE., SUITE 100
PORTLAND, OREGON 97227
503.281.1234

LAYOUT AND MATERIALS PLAN

L3.0



1 SITE PLAN
1/8" = 1'0"

NOTES:

CONDITIONS OF USE

INFORMATION CONTAINED WITHIN THIS DOCUMENT AND ASSOCIATED SPECIFICATIONS IS PROPERTY OF LANDO AND ASSOCIATES, LANDSCAPE ARCHITECTURE, INC. AND IS NOT TO BE USED IN WHOLE OR PART FOR ANY OTHER PROJECT. THIS DOCUMENT IS NOT TO BE REPRODUCED AND / OR MODIFIED IN ANY WAY, NOR SHALL ANY REPRODUCTION OCCUR WITHOUT PRIOR CONSENT FROM LANDO AND ASSOCIATES. THIS DOCUMENT HAS BEEN PREPARED TO DESCRIBE PROPOSED AND / OR FIELD WORK AND DOES NOT NECESSARILY REPRESENT AS-BUILT OR EXISTING CONDITIONS. THE LANDSCAPE ARCHITECT DOES NOT WARRANT, IN ANY WAY, THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

NOTES:

PLANTING NOTES

- 1.) PROTECT ALL TREES AND SHRUBS INDICATED TO REMAIN. REFER TO SPECIFICATIONS.
- 2.) PLANTING BEDS ARE TO BE SUFFICIENTLY CLEARED OF ALL CONSTRUCTION MATERIALS, INCLUDING IMPORTED ROCK, TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING ANY LANDSCAPE WORK.
- 3.) CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO THE LANDSCAPE ARCHITECT PRIOR TO WORK.
- 4.) THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICES 72 HOURS PRIOR TO CONSTRUCTION TO VERIFY WITH OWNER AND UTILITY COMPANIES THE ACTUAL LOCATION AND ELEVATION OF ALL EXISTING UTILITIES, WHETHER SHOWN ON THE PLANS OR NOT.
- 5.) CONTRACTOR TO VERIFY LOCATION OF EXISTING SHRUBS AND TREES PRIOR TO SOIL PREPARATION.
- 6.) ALL PLANT MATERIAL SHALL BE NURSERY GROWN, AND FREE OF WEEDS AND DISEASE. ALL VEGETATION TO BE WELL ROOTED AND WELL BRANCHED.
- 7.) ALL PLANT MATERIAL WILL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- 8.) QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFF QUANTITIES AND ARE NOT GUARANTEED AS AN ACCURATE REPRESENTATION OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS.
- 9.) CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH APPROVED PLANT MATERIAL.
- 10.) BACKFILL MATERIAL FOR LANDSCAPED AREAS SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL, BY VOLUME, BONE MEAL PER MANUFACTURER'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
- 11.) LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY FOLLOWING THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE OWNER. MAINTAIN PLANT MATERIAL UNTIL FINAL ACCEPTANCE, OR 1 YEAR AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.

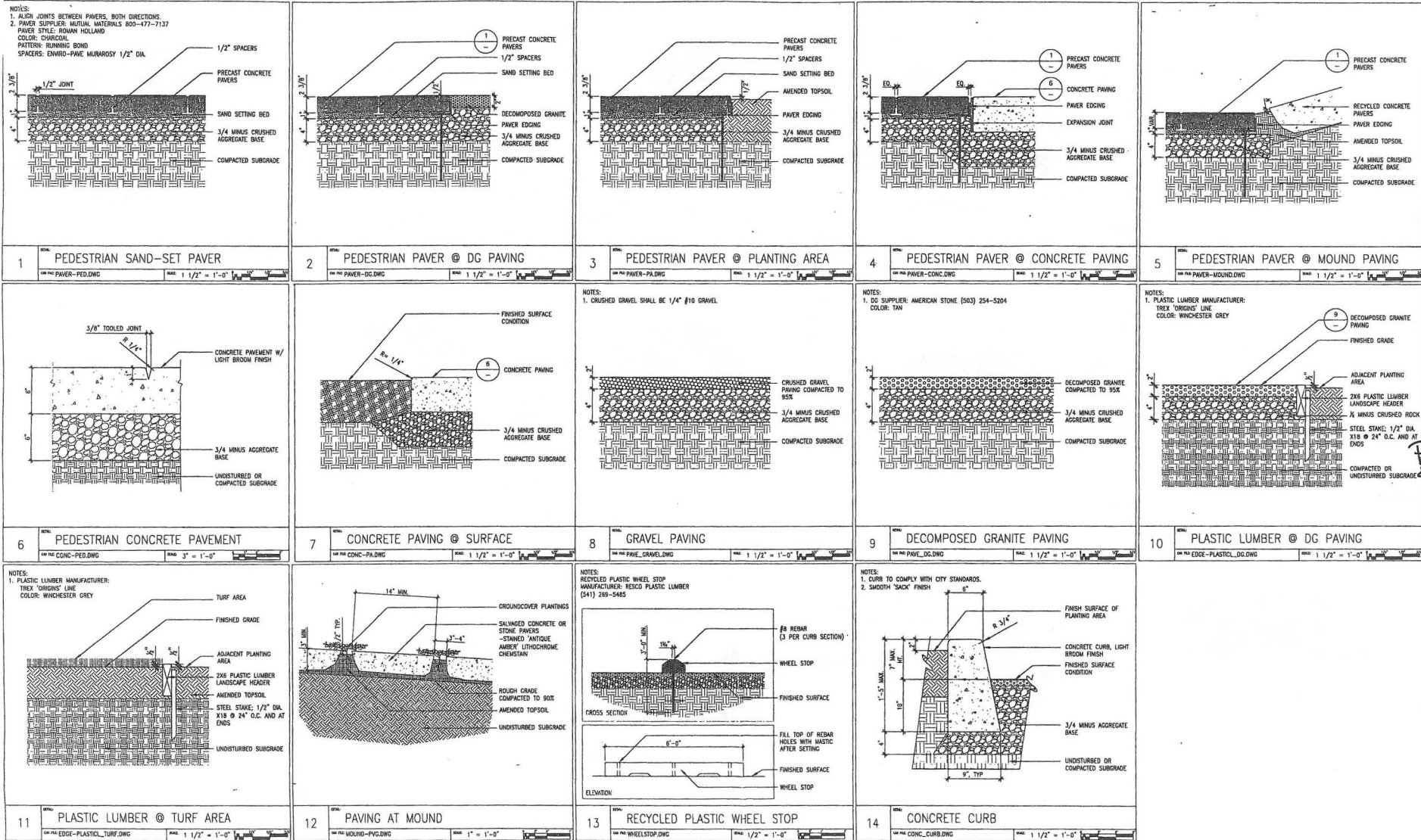
PLANT MATERIAL LEGEND

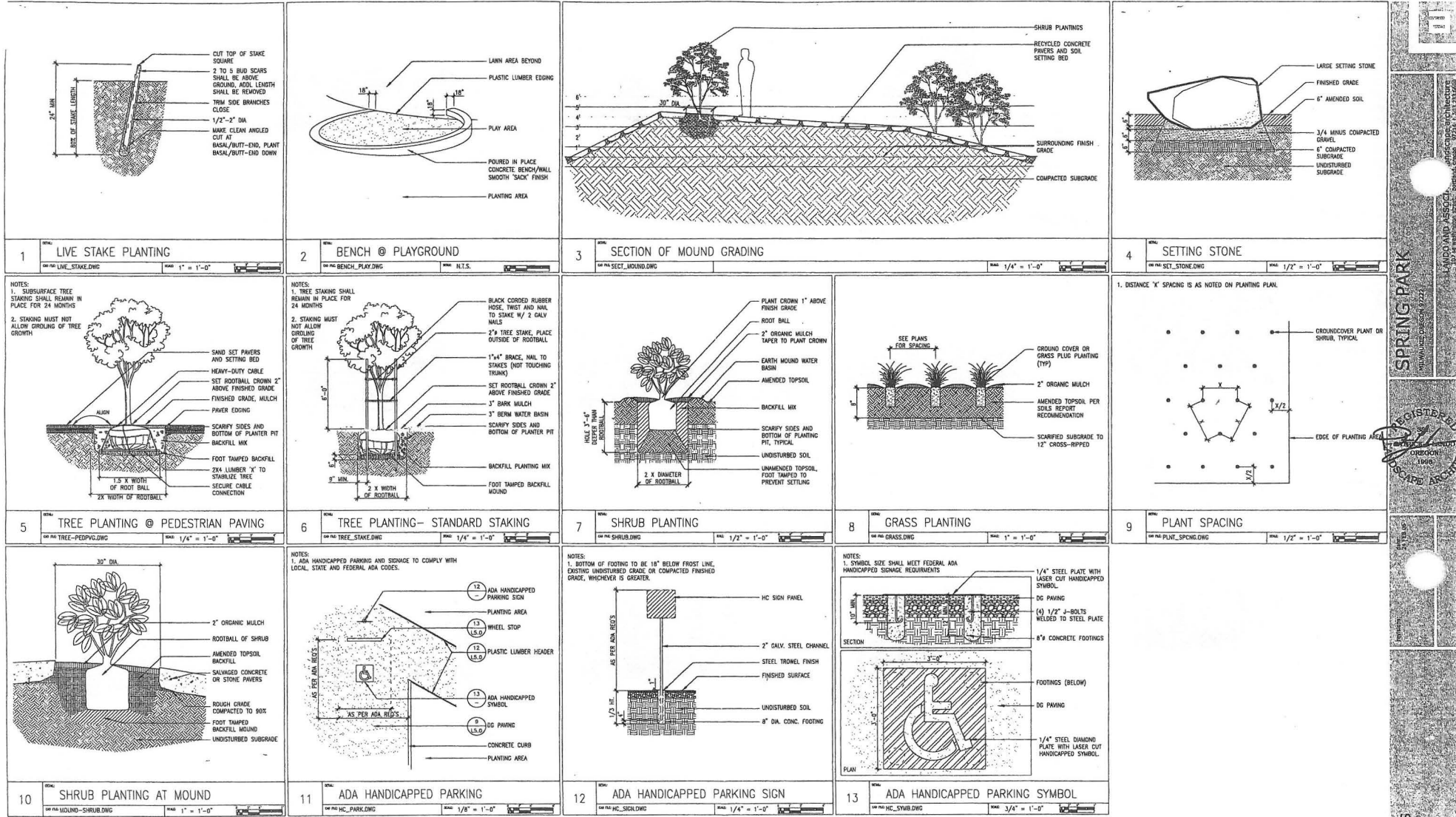
GROUND COVERS AND PLANT MIXES:

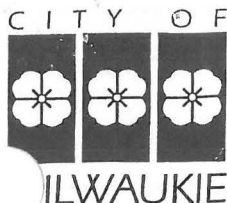
| | | | |
|------------------------------|----------------------------------|-----------------------|-------------|
| 100X | HOBBS AND HOPKINS ECOLOGY MIX | TURF GRASS | SEED |
| PLANTING MIX 1'x 1' | 70X GLYCYPHOSA 'NORTHERN LIGHTS' | TUFTED HARRIGRASS | SEED |
| 10X | LATIFOLIA SPINOSA | DAYFLOWER | SEED |
| 10X | RATIBIDA PINNATA | YELLOW CONEFLOWER | SEED |
| 10X | ECHEVERIA PURPUREA | PURPLE CONEFLOWER | SEED |
| PLANTING MIX 1'x 1' 18" O.C. | 40X ARCTOSTAPHYLOS UVA-URSI | KNOXKNICK | 4" POT |
| 10X | ADONIS THYMELLA | VANILLA LEAF | 4" POT |
| 10X | ARABIS FLORENTINA | COLE'S BOARD | 4" POT |
| 20X | FRAXINA VESEA | WIGGINS STRAWBERRY | 4" POT |
| 20X | MAHONIA REPENS | CREeping OREGON GRAPE | 4" POT |
| PLANTING MIX 1'x 1' 12" O.C. | 100X CAREX GLAUCA | BLUE SEDGE | 4" POT |
| PLANTING MIX 1'x 1' 24" O.C. | 50X SPIREA DOUGLARI | WESTERN SPIREA | LIVE STAKES |
| 50X | GAULTHERIA SHALLON | SALAL | 1 GAL. |
| PLANTING MIX 1'x 1' 24" O.C. | 100X MAHONIA AQUIFOLIUM | TALL OREGON GRAPE | 4" POT |
| PLANTING MIX 1'x 1' 24" O.C. | 1 CACTOFLORANS 'FRIGIDUS' | FEATHER REED GRASS | SIZE |
| PLANTING MIX 1'x 1' 24" O.C. | 1 PODOXANDRA 'CREAM DELIGHT' | NEW ZEALAND FLAX | SIZE |
| PLANTING MIX 1'x 1' 24" O.C. | 1 CAREX GLAUCA | BLUE SEDGE | SIZE |

PLANT SCHEDULE

| TREE SYMB # | SCIENTIFIC NAME | COMMON NAME | SIZE |
|--------------|-------------------------------|-------------------------|-------------|
| 1 | ALNUS RUBRA | RED ALDER | LIVE STAKES |
| 2 | CORNUS KOUSA (TRANS.) | EASTERN DOGWOOD | 2" CAL. |
| 3 | CORNUS NUTALL | WESTERN DOGWOOD | 2" CAL. |
| 4 | FAGUS SYLVATICA 'RED OBELISK' | EUROPEAN BEECH | 2" CAL. |
| SHRUB SYMB # | SCIENTIFIC NAME | COMMON NAME | SIZE |
| 5 | AMELANCHIER ALNIFOLIA | SERVICEBERRY | 2" CAL. |
| 20 | DESCHAMPSIA CESPISTOSA | TUFTED HARRIGRASS | 1 GAL. |
| 1 | COR. STILOCHLOERA 'VELVET' | ORIENT RED-TING DOGWOOD | SIZE |







PLANNING DEPARTMENT
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7630
FAX: (503) 774-8236

6.2 Page 29

Attachment 5

Application for Land Use Action

COMMUNITY SERVICE OVERLAY

☐ Admin. I ☐ Minor QJ ☐ Leg.
☐ Admin. II ☐ Major QJ

Type of Community Service Overlay:

RESPONSIBLE PARTIES:

(Please print or type)

APPLICANT(S): JoAnn Herrigel for Island Station NDA Phone: 503-786-7508

Address: 10722 SE Main St., Milwaukie, OR Zip: 97222

PROPERTY OWNER(S): City of Milwaukie, Phone:

Address: 10722 SE Main St., Milwaukie, OR Zip: 97222

SITE INFORMATION:

Address: SE 19th Ave + Sparrow St Map & Tax Lot(s): 5900 through 6500 and 6601 + 8100 151E3500

Comprehensive Plan Designation: Public Zoning: R-5 Size of property: 6.87 acres

PROPOSAL (describe briefly):

Develop a small pocket park in the upland area in the northeast corner of Spring Park. Proposed improvements include a play structure, picnic table, benches, garbage receptacle and bike rack.

PLEASE NOTE: The Land Use Committee (LUC) of your Neighborhood District Association (NDA) will receive a review copy of this application. They may contact you and/or you may wish to contact them:

NDA: Island Station LUC Chair: Jim Mishler Phone: 503-659-9663

ATTEST: I am the property owner or I have attached the owner's authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: Pat Duval

Date: 6/30/06

THIS SECTION FOR OFFICE USE ONLY:

File #: 150-06-03

Fee: \$ —

Rcd. by: RWM

Date stamp:

Notes: ~~Master file CPA-05-02~~

other: WA-06-03

RECEIVED

JUL 03 2006

CITY OF MILWAUKIE
PLANNING DEPARTMENT

SEE REVERSE SIDE FOR APPLICATION CHECKLIST

COMMUNITY SERVICE OVERLAY

APPLICATION CHECKLIST

THE FOLLOWING REQUIRED ATTACHMENTS ARE TO BE PROVIDED AT COUNTER:

General requirements:

- ☒ Submission Requirements checklist (please note that additional submission requirements may be contained in applicable code sections below)
- ☒ Site Plan Checklist
- ☐ Submission Requirements for Fire Protection & Access

Application-specific requirements:

☐ Review Procedures:

- ☐ Type I Administrative (Section 19.1011.1)
- ☐ Type II Administrative (Section 19.1011.2)
- ☐ Minor Quasi-Judicial (Section 19.1011.3)
- ☐ Major Quasi-Judicial (Section 19.1011.4)
- ☐ Legislative (Section 19.1011.5)

☐ Applicable Code sections:

- ☐ 19.321 Community Service Overlay Zone CSO includes specific standards by type of use:
 - ☐ 19.321.7 Schools
 - ☐ 19.321.8 Nursing or Convalescent Homes
 - ☐ 19.321.9 Churches, Convents and Related Facilities
 - ☐ 19.321.10 Institutions--Public/Private and Other Facilities not covered by Other Standards
 - ☐ 19.321.12 Standards for Wireless Communication Facilities
- ☐ 19.400 Supplemental Regulations
- ☐ 19.500 Off-Street Parking and Loading
- ☐ 19.1400 Transportation Planning, Design Standards and Procedures (as applicable)
- ☐ Other: _____

Underlying zone requirements:

- ☐ Code section for applicable zone: _____
- ☐ Minimum Vegetation worksheet
- ☐ Lot Coverage worksheet
- ☐ Floor Area worksheet

Preapplication conference:

A preapplication conference may be desirable or required for this action. Please discuss with Planning staff.

Public notification (by City of Milwaukee):

- ☐ Administrative process:
 - ☐ Type I: No notification required
 - ☐ Type II: Notify property owners and/or residents within 300 feet of site. (If a public hearing is requested, follow notification for Minor Quasi-Judicial below.)
- ☐ Minor/Major Quasi-Judicial process:
 - ☐ Notify property owners and/or residents within 300 feet (Minor) or 400 feet (Major) of site.
 - ☐ Advertise public hearing in local newspaper.
 - ☐ Post sign at site 10 or more days prior to public hearing.
- ☐ Legislative process
 - ☐ Advertise public hearing in local newspaper.
- ☐ Other notifications as may be required.

Other requirements:

Applicant must demonstrate that the proposal is in the general public interest and that the benefits to the public outweigh the potential adverse impacts of the use in accordance with Zoning Ordinance Section 321.4.D.



PLANNING DEPT. 1ENT
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7630
FAX: (503) 774-8236

6.2 Page 31

Application for Land Use Action

CONDITIONAL USE

- ☐ Admin. I ☐ Minor QJ ☐ Leg.
☐ Admin. II ☐ Major QJ

Type of Conditional Use: *Willamette Greenway*

RESPONSIBLE PARTIES:

(Please print or type)

APPLICANT(S): *John Herrigel for Island station NDA* Phone: *503-786-7508*

Address: *10722 SE Main St., Milwaukie, OR* Zip: *97222*

PROPERTY OWNER(S): *City of Milwaukie* Phone: *786-7555*

Address: *10722 SE Main St., Milwaukie, OR* Zip: *97222*

SITE INFORMATION:

Address: *SE 19th + Sparrow St.* Map & Tax Lot(s): *5900, 6000, 6100, 6200, 6300, 6400, 6500, 6601, 8100*

Comprehensive Plan Designation: *Public* Zoning: *R-5* Size of property: *6.87 acres*

PROPOSAL (describe briefly):

Develop a small play area and landscaped picnic area in northeast corner of Spring Park. Less than 1 acre of the site will be enhanced.

PLEASE NOTE: The Land Use Committee (LUC) of your Neighborhood District Association (NDA) will receive a review copy of this application. They may contact you and/or you may wish to contact them:

NDA: *Island station* LUC Chair: *Jim Mishler* Phone: *503-659-9663*

ATTEST: I am the property owner or I have attached the owner's authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: *Pat Duval* Date: *6/30/06*

THIS SECTION FOR OFFICE USE ONLY:

File #: *WQ-06-03* Fee: \$ *—* Rcd. by: *RWM*

Notes: *Master file # ~~WQ-05-02~~*
~~WQ-05-02~~ = CSO-06-03

Date stamp:

RECEIVED

JUL 03 2006

CITY OF MILWAUKIE
PLANNING DEPARTMENT

SEE NEXT PAGE FOR APPLICATION CHECKLIST

CONDITIONAL USE APPLICATION CHECKLIST

THE FOLLOWING REQUIRED ATTACHMENTS ARE TO BE PROVIDED AT COUNTER:

General requirements:

- ☒ Submission Requirements checklist (please note that additional submission requirements may be contained in applicable code sections below)
- ☒ Site Plan Checklist
- ☒ Submission Requirements for Fire Protection & Access

Application-specific requirements:

- | | |
|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Review Procedures: <ul style="list-style-type: none"> <input type="checkbox"/> Type I Administrative (Section 19.1011.1) <input type="checkbox"/> Type II Administrative (Section 19.1011.2) <input type="checkbox"/> Minor Quasi-Judicial (Section 19.1011.3) <input type="checkbox"/> Major Quasi-Judicial (Section 19.1011.4) <input type="checkbox"/> Legislative (Section 19.1011.5) | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Applicable Code sections: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 19.600 Conditional Uses <input type="checkbox"/> 19.320 Willamette Greenway Zone WG <input type="checkbox"/> Other: _____ |
|--|--|

Underlying zone requirements:

- ☐ Code section for applicable zone: _____
- ☐ Minimum Vegetation worksheet
- ☐ Lot Coverage worksheet
- ☐ Floor Area worksheet

Preapplication conference:

A preapplication conference may be desirable or required for this action. Please discuss with Planning staff.

Public notification (by City of Milwaukie):

- ☐ Administrative process:
 - ☐ Type I: No notification required
 - ☐ Type II: Notify property owners and/or residents within 300 feet of site. (If a public hearing is requested, follow notification for Minor Quasi-Judicial below.)
- ☐ Minor/Major Quasi-Judicial process:
 - ☐ Notify property owners and/or residents within 300 feet (Minor) or 400 feet (Major) of site.
 - ☐ Advertise public hearing in local newspaper.
 - ☐ Post sign at site 10 or more days prior to public hearing.
- ☐ Legislative process
 - ☐ Advertise public hearing in local newspaper.
- ☐ Other notifications as may be required.

Other requirements:



PLANNING DEPARTMENT
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7630

FAX: (503) 774-8236

For Land Use Applications

Submission Requirements

All applications for land use action must be accompanied by this form and the information listed below. Failure to submit the information below may result in the application being declared incomplete for the purposes of the Milwaukie Zoning Ordinance and Oregon Revised Statutes.

1. Detailed and comprehensive narrative description of existing and proposed uses, including all activities by type of use and other information that would facilitate public review of the application. *(Conditional Use, Community Service Overlay, Variance, and Exception applications have special approval criteria that require very detailed and comprehensive description of the proposed use.)*
2. Detailed written statement that demonstrates how the application meets all applicable approval criteria and land use regulations. Planning staff can help identify applicable criteria on request.
3. All materials identified on the Planning Department forms—*Site Plan Checklist, Preliminary Plat Checklist and Procedures, or Final Plat Checklist and Procedures* as appropriate.
4. All materials identified on the *Submission Requirements for Fire Protection & Access*.
5. A report indicating how staff comments from any preapplication conference on the project have been incorporated into the plan or submission materials.
6. A detailed narrative description of existing uses, including an analysis of applicable zoning regulations. All nonconformities and prior zoning approvals are to be identified. The description is to include identification of all uses, floor areas, and parking.
7. All required application forms and fees are due at the time of submission. *Applications submitted without required forms and fees are declared incomplete and will not be accepted.*
8. A statement certifying that the applicant owns all real property that is shown in the submitted plans. Where the applicant is not the owner of all real property shown in the proposed plans, a statement of the property owner authorizing the applicant to make application for land use action shall be required. *Applications will not be accepted if this statement is omitted.*

Milwaukie Land Use Application Requirements
Page 2 of 2

9. City of Milwaukie community involvement policies are implemented through its Neighborhood District Associations (NDAs). Applicants are strongly encouraged to meet with the NDA before the land use application is submitted. Planning staff can provide information for contacting NDA representatives. The applicant shall submit minutes of the NDA meeting that was attended for the purpose of presenting the proposal. *(Failure to meet with the NDA may result in delays in the processing of the application but will not result in the application being deemed incomplete.)*
10. Signature of the applicant in the space provided below.

As the authorized applicant I, (print name) JoAnn Herrigel, attest that all required application materials have been submitted in accordance with City of Milwaukie specifications unless officially waived by Planning staff as indicated below. I understand that any unauthorized omission of required items may constitute grounds for a determination that the application is incomplete for the purposes of the Milwaukie Zoning Ordinance Section 1004 and the Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is found to be incomplete.

In agreement with the above, (applicant signature) JoAnn Herrigel,
(date) 6/30/06, (phone number) 503-786-7508.

Please contact Milwaukie Planning staff at 786-7630 for any questions or help with this form.

Official Use Only

Date Received
(date stamp)

Submission Waivers

- ☐ None
☐ As listed below

Waivers _____

Waiver authorized by _____ (Planning staff)

Application received by _____

| |
|--|
| <p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">JUL 03 2006</p> <p style="text-align: center;">CITY OF MILWAUKIE PLANNING DEPARTMENT</p> |
|--|



PLANNING DEPARTMENT
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7630
FAX: (503) 774-8236

For Land Use Applications

Site Plan Checklist

All applications for land use action require submission of a site plan. Site plans shall consist of the following information. In special cases certain items listed below may not be required and can be waived by Planning staff. All items below must be submitted except when waived by staff and authorized by staff signature at the end of the form.

All plans must be drawn to an appropriate scale, have accurate measurements, and be of appropriate graphic quality. Errors, omissions, or poor quality may result in an application being declared incomplete, pursuant to the Milwaukie Zoning Ordinance and Oregon Revised Statutes.

1. 12 copies of a plan showing existing conditions including the following:

- ✓ a. Street and property lines, curbs, edges of pavement, sidewalks, easements, rights-of-way, and access or utility easements.
- ✓ b. Location, dimensions, and setbacks of all existing buildings, parking, structures, walls, fences, utility facilities such as fire hydrants, storm drains, light or electric poles, subsurface electric and cable lines, and other similar features.
- ✓ c. The location of all trees greater than 6 in. in diameter at breast height, wetlands, waterways, surface drainage ways, and intermittent streams.
- ✓ d. All features located within the adjoining right-of-way including traffic controls, trees, catch basins, hydrants, and telephone, cable, and electric lines.
- e. The location of all flood hazard area and floodway boundaries (per National Flood Insurance Rate Maps) and a note indicating the map panel number and flood zone.
- ✓ f. Existing topographic contours at no more than a 5-ft. vertical interval. A lesser contour may be required for lots within special flood hazard areas.
- ✓ g. North arrow, scale, date (and revisions dates if any), title block, and the name and signature of the person that prepared the plan.

2. 12 copies of a detailed plan showing the proposed development including the following:

- ✓ a. Location, dimension, and setbacks of all proposed buildings, structures, walls, and fences.
- ✓ b. Location and specifications for all stormwater management facilities including catch basins, drywells, drainage swales, subsurface piping, and the like.
- ✓ c. Location and dimension of all parking and loading spaces, circulation aisles, curb cuts, sidewalks, and ADA access provisions.

- d. Approximate location of all proposed utility lines including water, gas, electricity, and sewer.
 - e. Existing and proposed topographic contours at not more than a 2-ft. vertical interval.
 - f. Estimated volume of cut and fill.
 - g. Location, size, and type of proposed trees and landscaping, and boundaries of areas of natural vegetation that will not be disturbed.
 - h. Location, type, design, shielding, power, and hours of operation of all proposed lighting.
 - i. Dimensioned architectural plans of all floors and exterior elevations showing the design of interior space, exterior architectural materials, color, and height. The floor plans are to show dimensions and proposed uses of all areas.
 - j. An 8½- by 11-in. graphic reduction, or other appropriately sized reduction of the site development plan.
 - k. Location of wetlands, waterways, flood hazard area boundaries, and flood hazard area base flood elevation.
 - l. Construction plan and details of all improvements to be constructed within the public right-of-way such as utilities, sidewalk, roadway, and fire hydrants.
 - m. All information specified on the City form "Submission Requirements for Fire Protection & Access."
3. **12 copies of a location plan** drawn to an appropriate scale (on no larger than 8½- by 11-in. paper) showing nearest cross streets, drives opposite the site, and location of buildings and parking areas on adjoining lots.
 4. **A detailed narrative description** of the proposed uses, including a zoning analysis demonstrating that the proposal meets all applicable zoning design standards (setbacks, height, parking, etc.) and other zoning criteria.
 5. **One set of floor plan worksheets** showing all interior spaces dimensioned and labeled as to proposed use. Floor areas for all uses, and the method by which floor areas were calculated, shall be provided. Floor area shall be measured in accordance with Zoning Ordinance Section 100-Definitions. A sample method for measuring floor area is available from the Planning Department.
 6. **A worksheet showing how "vegetated area" was determined.** Vegetated areas shall be consistent with the definition of "vegetation" in Zoning Ordinance Section 100.

Please contact Milwaukie Planning staff at 786-7630 for any questions or help with this form.

JoAnn Herrigel
Applicant Name

JoAnn Herrigel
Applicant Signature

6/30/06
Date

Waived Items

Signature of
Milwaukie Planner

Date



Submission Requirements for Fire Protection and Access

The following information shall be provided with all applications for land use filed with the City of Milwaukie. Applications that do not include this information will not be accepted. For any item not submitted, written waiver by the Fire District shall be submitted with the application. Only Clackamas County Fire District #1 can waive these items. Please contact the Fire District at 503-742-2660 for further information about these requirements.

Development plans and supporting information submitted for City approval shall include the following.

- a. Existing fire hydrant locations within 500 feet of any part of the site.
- b. Documentation of existing fire hydrant flow calculations.
- c. Proposed new water lines (for fire protection).
- d. Water flow calculations in new water lines (for fire protection).
- e. Proposed hydrant locations and calculations for flows.
- f. Fire Department Connection (FDC) locations.
- g. Vault detail if applicable.
- h. Documentation of fire alarm system evaluation for proposed occupancy if applicable.
- i. Documentation of fire sprinkler density calculation and evaluation if applicable.
- j. Fire department access detail to include: surface, width, turning radius, construction detail, parking restrictions, grade of road, vertical clearance, and gates or other obstructions.
- k. Proposed building use including specification of potentially hazardous materials, the means of storage, and processes that employ them.

I. Community Service Overlay Spring Park

Proposed Project

Spring Park is a 6.87-acre parcel located in the Island Station neighborhood, south of Sparrow Street, west of 19th Avenue and bordered on the west by the Willamette River. Spring Park is owned by the City of Milwaukie and maintained by the North Clackamas Parks and Recreation district. A master plan for Spring Park has been completed for this entire site and this proposal seeks approval of a Spring Park Community Service Overlay (CSO) for Phase I of this park, a small neighborhood park designed by Island Station residents in conjunction with City Staff and Lando and Associates Landscape Architecture.

Existing Conditions:

Spring Park is currently undeveloped and consists of a large area of wetlands, a path that traverses the property leading to the Willamette River, and an upland area near the entrance to the Park on Sparrow, near 19th. Elk Rock Island is located west of Spring Park in the Willamette River and is accessible during the drier months of the year by a land bridge connected to Spring Park. Elk Rock draws visitors from throughout the region, particularly in the summer and fall, when water levels are low.

Neighborhood volunteers have logged several hundred hours over the last several years to clear out invasive species that had taken over the northeast corner of the site as well as areas along the pathway leading from the site entrance to the Willamette River. The thinning of this underbrush has increased the safety of the site. A temporary picnic table, bench, and garbage can have also been added and some minor trail improvements have been made to the path that cuts through the park and goes out to Elk Rock Island. Neighborhood residents also use Spring Park every August for their neighborhood picnic/National Night Out.

Planning Process for Improvements to the park:

Spring Park was purchased by the City of Milwaukie in 1971. In 1980, the City vacated Lark Street on the south side of Spring Park and traded a portion of this vacated area (.25 acres) to a property owner to the south for a .36 acre piece along the Willamette River.

Elk Rock Island is owned by the City of Portland but is in Clackamas County. In 1989, a group of interested citizens and park staff from Milwaukie and Portland drafted a management plan for Spring Park and Elk Rock Island. This plan was approved by City Council in 1994-5 and provided guidance on how Spring Park and Elk Rock Island should be maintained and developed. Since the completion of the management plan, Island Station residents have worked with the City to develop a master plan for the site that includes wetlands enhancement and the development of a neighborhood park in the northeast corner of Spring Park.

In the summer of 2003, the City convened a public meeting at which a proposed master plan for Spring Park was discussed. About twenty people attended this meeting to comment on a design

for a neighborhood park to be located within Spring Park, developed by Gary Michael, an Island Station resident. All in attendance approved of the neighborhood park design and wished to move it forward to the planning commission.

At the urging of City staff, the group agreed to expand the scope of the master plan to include the entire 6.87-acre site. In order to expedite the neighborhood park development process, however, it was suggested that the Master Plan be divided into two phases. Phase I would be the development of a neighborhood park in the northeast corner of the park and the installation of three parking spaces. Phase II would be the enhancement of the wetland and wooded area on the site, installation of interpretive signs, relocation and formalization of the path system through the site, and, potentially, the installation of additional parking spaces.

The following outlines the proposed Phase I improvements to be made to Spring Park:

Proposed Improvements to the site:

The changes proposed in this application pertain to only the northeastern portion of Spring Park. The master plan for Spring Park divides this park development into two phases. The first phase is the development of a neighborhood park in the upland area in the northeast corner of Spring Park. The second phase is the enhancement of the wetland and wooded areas of the site, installation of interpretive signs and relocation and formalization of the path system through the site. This application is for Phase I development of the neighborhood park only.

Proposed Improvements to the Site include installation of :

- A play structure for children aged 5 to 12 with woodchip or rubber underplay surface.
- A picnic table
- 2-3 benches
- A bike rack
- Welcome sign
- A garbage receptacle

Landscaping

- A formal entrance to the park will be established using a concrete walkway near the intersection of Sparrow and 19th.
- The concrete walkway will lead to a plaza area made of concrete pavers.
- Where the plaza ends, the path will transition to decomposed granite paving for a short distance before it becomes gravel and finally a dirt path toward the middle of the southern slope.
- West of the concrete paver plaza the existing mound will be covered with recycled concrete pavers with shrubs placed in some locations along the mound.
- A cement ledge will be installed three quarters of the way around the play area to allow seating for those visiting the play structure.
- The large cedar currently located on the site will be maintained. Other trees are proposed to be removed as per the attached demo and erosion control plan.

- A planting plan utilizing native plants is proposed for all others areas of the northeast area. (see planting plan).

Parking

Three parking spaces are included in this phase of the plan, all of which are located near the entrance to the Park. Two additional spaces have been established along Sparrow St. to the east of the railroad trestle at 20th. No parking is required for a small neighborhood park, since it is intended as a walk-to park for area residents. However, input from area residents indicates that parking has been a problem in this area for some time and that improvements on this site may exacerbate an already difficult parking problem. In addition to the five spaces planned for this phase, the City is negotiating with the Union Pacific Railroad for access to additional spaces to the northeast of the park entrance and along 20th Avenue on the eastern edge of the park.

Requirements of underlying zone:

Spring Park lies in the R-5 zone within the Willamette Greenway and Natural Resource Area. A separate submittal will be submitted regarding the Water Quality Resource zone requirements as part of Phase II site enhancements.

Setbacks:

Front – 20 feet

Play structure is approximately 40 feet away from the southern edge of the Sparrow Street ROW. (It is assumed that the parking area which is within 20 feet of the eastern edge of the ROW is not covered by this requirement.)

Side – 5 feet

Play structure is 12-15 feet away from the eastern property boundary

Rear – 20 feet

Play structure is approximately 90 feet away from the southern property boundary.

Hours and level of operation:

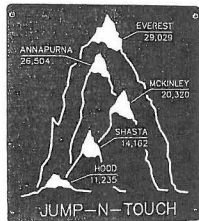
Under Milwaukie Park rules, parks may remain open from dawn to dusk. Although the installation of this play area may increase the use of this site, it is anticipated that the type of use invited by the proposed amenities will be preferable to the current uses.

Benefits verses adverse impacts: Spring Park is currently undeveloped and largely unmonitored, leaving it open to vandalism and other unwelcome uses and users. The neighbors complain about late night noises at the park and on Elk Rock Island. They further complain about vehicles blocking their driveways.

With the installation of the proposed park facilities the City hopes that a more positive user base will begin frequenting the park, thus discouraging prohibited behaviors. That is, with parents and children stationed near the entrance to the park, it is hoped that those interested in using the park or Elk Rock Island for paint ball, off road biking and other prohibited activities, will be discouraged from entering the park. Signage will state what activities are prohibited in the park and users will be encouraged to contact police or code enforcement staff if prohibited activity is

seen or suspected. With the installation of the parking area at the entrance to the park, it is anticipated that neighbor concerns regarding illegal parking will decline, if not subside.

Finally, there is no park within walking distance of the Island Station neighborhood. McLoughlin Blvd. cuts off the neighborhood from downtown Milwaukie and the closest County park is over a mile away via River Rd, a fairly busy and dangerous road. This play area is a needed and long awaited amenity for this area of the City.



Jump-n-Touch Panel
(See pages 76 to 79 for
more panels)

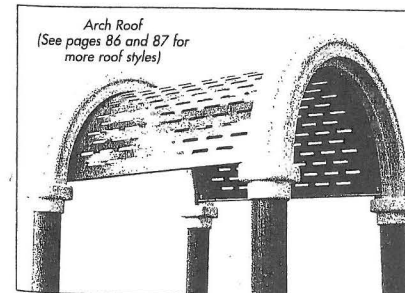
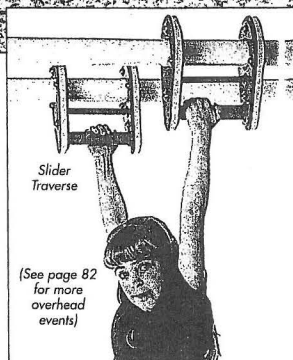
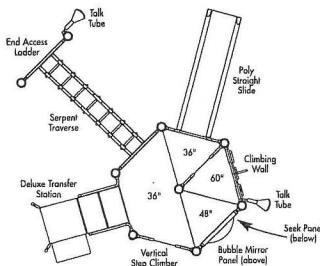
IMPORTANT:
An impact absorbing safety
surface is required
under and around all play
ground equipment.

MODEL PC 690-R5

Designed for Children: 5 to 12 years
Accommodates: 18 to 23 children
Structure Size: 16' x 15' (4.9 m x 4.6 m)
Use Zone: 28' x 27' (8.6 m x 8.3 m)



This play system design will meet the
requirements for access under the
Accessibility Guidelines for Play Areas
developed by the Federal Access
Board when properly installed over
accessible surfacing.



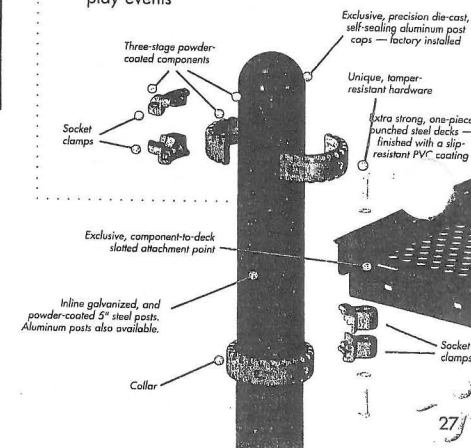
round-5

STEEL PLAY SYSTEMS

PLAYCRAFT ROUND-5 STEEL PLAY SYSTEMS
This premier line has grown to be our best seller.
Featuring the same high-quality components
and materials found in our other lines, Playcraft
Round-5 systems also offer: extra heavy duty,
5" diameter posts; large, state-of-the-art, PVC-
coated, punched-steel decks; and our unique,
patented mounting and clamping system,
featuring the King Clamp™. This fully modular
system can be configured to balance space and
budget constraints for unequalled design, features
and play value.

STANDARD FEATURES

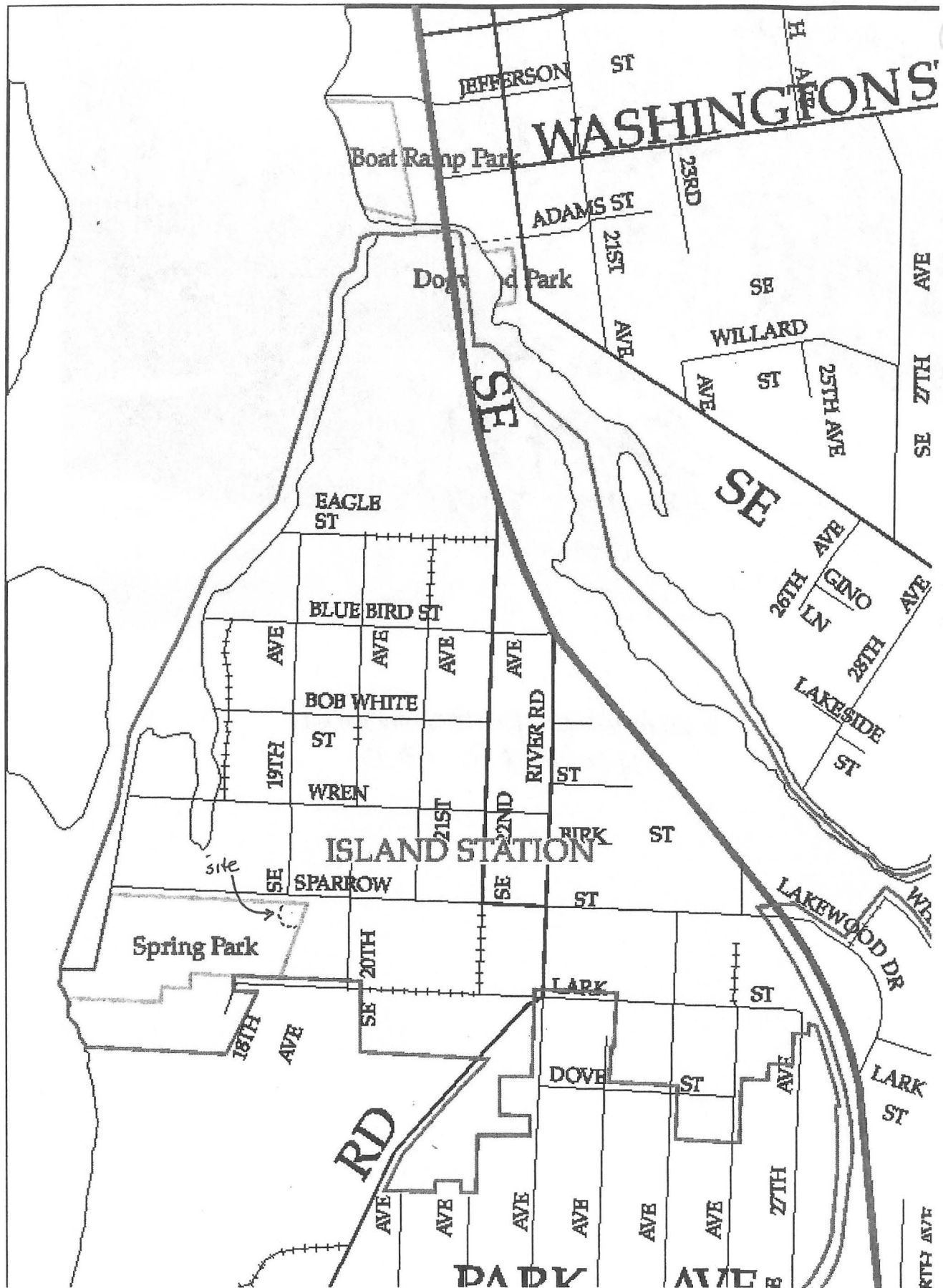
- Advanced King-Clamp™ mounting and fastening system (patented) utilizing super strong, precision die-cast aluminum components which allows for attachment of up to six components per collar
- Large, extra-strong, punched steel decks with a slip-resistant PVC coating
- Easily expandable, fully-modular designs
- Huge selection of unique and age-appropriate play events

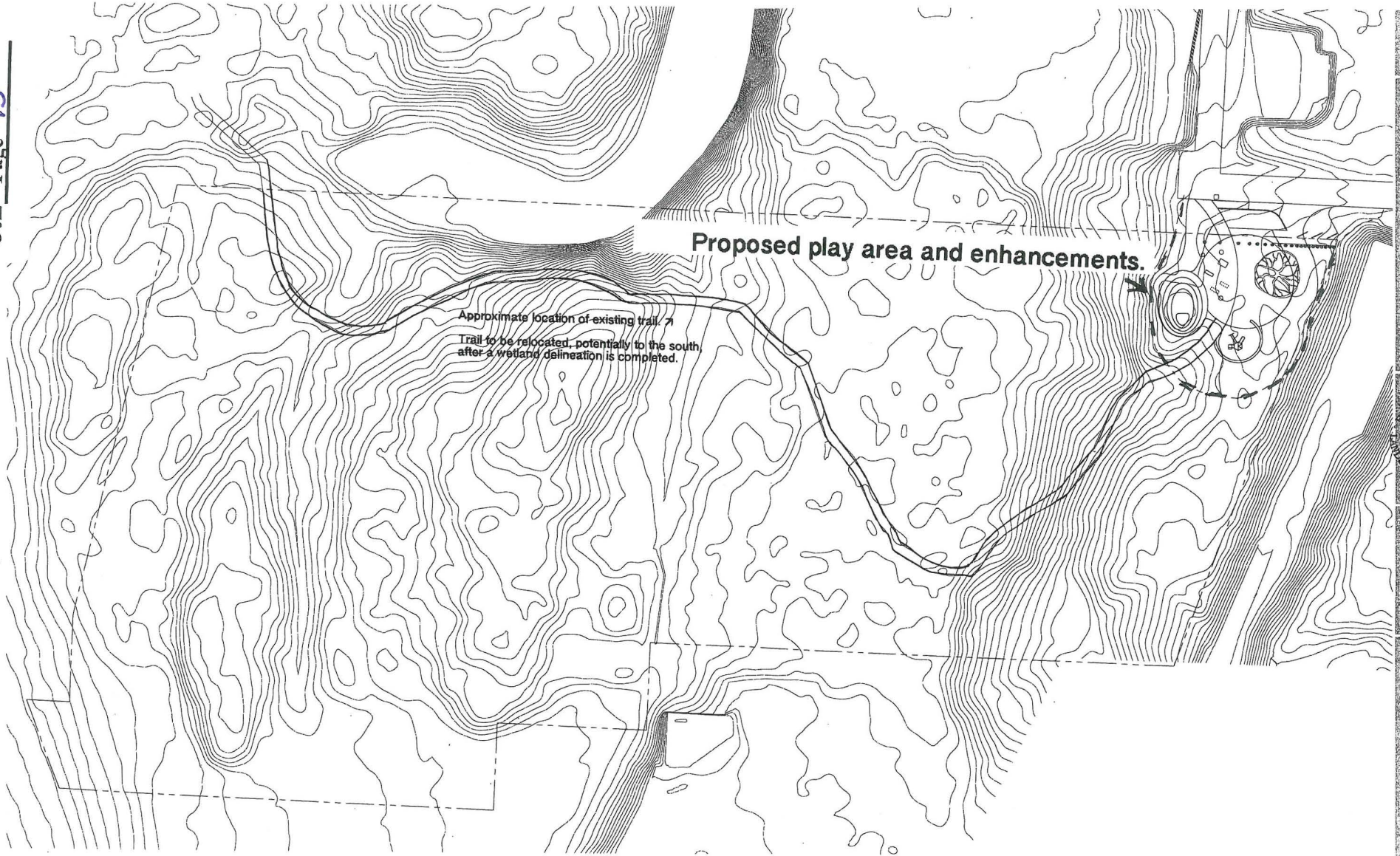


Proposed Play Structure
by Playcraft Systems



Example of paved mound
specified in L3.0





Approximate location of existing trail. π
 Trail to be relocated, potentially to the south
 after a wetland delineation is completed.

Proposed play area and enhancements.

1 SITE PLAN
 1:30

SPRING PARK

REGISTERED
 LANDSCAPE ARCHITECT
 PATRICK J. LANDO
 DESIGN
 1000

SITE PLAN

1.0

LANDSCAPE ASSOCIATES, INC. 1000 N. 10TH AVE. SUITE 100 DENVER, CO 80202

II. Conditional Use for the Willamette Greenway Spring Park

19.601.2 Review Criteria. Applicants for conditional use shall provide evidence that all requirements of this title relative to the proposed use are satisfied, and demonstrate that the proposed use also satisfies the following criteria:

A. The use meets the requirements of a conditional use in the zone currently applied to the site

The use is a Community Service Overlay which is subject to its own standards and is allowed in any zone.

B. The use meets the standards for the underlying zone.

This project meets the standards as described in the code for an R5 zone.

C. The proposal satisfies the goals and policies of the comprehensive plan which apply to the proposed use.

The proposed project falls within the Willamette Greenway Zone in the Comprehensive Plan. Although it is within the Willamette Greenway, the actual proposed project is a very small, upland section of the larger property that is called "Spring Park". This phase of the Spring Park enhancements proposes only to formalize the entrance to the park, install a play structure, benches and a picnic table and install parking within the site boundary along Sparrow Street. The proposal, as such, supports the purpose of the Willamette Greenway zone which is to "protect, conserve, enhance and maintain the natural, scenic, historic and recreational qualities of lands along the Willamette River...". None of the uses listed under "Limitations on Use" in sections 19.320.3 are being proposed for this site. As to tree removal (19.320.8(B)(1-6)), only non-native species will be removed from the site and a the large cedar tree on site will remain in place. The site proposed here for enhancement is upland, fairly level and over 200 feet away from the river. Removal and installation of trees and plants should not contribute to erosion or bank instability in any way.

D. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.

The proposed play area will utilize the site in its current condition. The proposed changes have been designed to fit into the existing location, topography and natural setting.

E. The proposed use is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

This project is a "walk-to" park for children and families in the Island Station neighborhood. As such, no additional trips should be generated due to this enhancement. The neighbors are currently using Spring Park as a walking area and as an access way to Elk Rock Island. No additional street work, sidewalks or bike lanes are required to accommodate this project as no significant change is expected in site use by pedestrians or cars.

F. The proposed use complies with the transportation requirements and standards of Chapter 19.1400.

Spring Park is located in an area of the City which does not currently have sidewalks, bike lanes or any type of mass transit access. Further, the proposal is for a walk-to park to be used by residents of the neighborhood only. Any (non-neighborhood) outside use of the park will be by those who come to the site to access Elk Rock Island, not the small play area we are proposing here. The outside users have been safely accessing this site for years without sidewalks and bike lanes. The proposed plan for this pocket park establishes a formal entrance to the site and three parking spots. These improvements fill up the existing ROW frontage, leaving no area for sidewalk development. Finally, the project development cost is expected to be \$50,000 or less. Any requirement of street or sidewalk facility improvement would not increase site access by users as there are no other street or sidewalk facilities of this type in this area at this time.

19.602.1 Yards. In a residential zone, yard width shall be equal to at least two thirds (2/3) of the height of the principal structure. In any zone, additional yard requirements may be imposed.

The only structure proposed is a play structure. The height of the play structure will not exceed 16 feet. 2/3 of this would be 10.67 feet. All set backs (yard lengths) will exceed this length.

Setbacks for the structure are as follows:

Front – 20 feet

Play structure is approximately 40 feet away from the southern edge of the Sparrow Street ROW. (It is assumed that the parking area which is within 20 feet of the eastern edge of the ROW is not covered by this requirement.)

Side – 5 feet

Play structure is 12-15 feet away from the eastern property boundary

Rear – 20 feet

Play structure is approximately 90 feet away from the southern property boundary.

19.602.2 Height Exception. A church or public building may be built to exceed the height limitations of the zone in which it is located to a maximum height of fifty (50) feet, except as provided in an L-F zone, if the total floor area of the building does not exceed one and one-half (1 1/2) times the area of the site and if the yard dimensions in each case are equal to at least two thirds (2/3) of the height of the principal structure.

Not applicable.

19.602.3 Access to Property and Building Openings. The city may limit or prohibit vehicle access from a conditional use to a residential street, and it may limit or prohibit building openings within fifty (50) feet of residential property in a residential zone if the openings will cause glare or excessive noise or will otherwise adversely affect adjacent residential property.

Vehicle access and building opening limits do not apply to this project.

The proposed park will operate during daylight hours only. City park rules dictate that park hours are to be from dawn to dusk. Thus, no lights are proposed for this site and no glare should result from this project.

Noise should also be limited to daylight hours. During operating hours, noise at the park should be limited to the "happy sounds" of children playing and people picnicking. Prohibited uses of the park will be posted and area residents will be provided with contact numbers to call in the event of illegal or prohibited park uses.

III. Water Resource Regulations Spring Park

Spring Park is 6.87-acre site that is within the Willamette Greenway. This proposal, however, is specifically for the enhancement of the northeast corner of the property that consists of flat, upland terrain. The proposed enhancement area for this particular submittal will affect less than one acre of the 6.5 acre site. No wetlands are located on this area of the site and it is located approximately 200 feet away from the Willamette River. For this reason, a Willamette Greenway application and map amendments are not being required as a part of this proposed site change.

The applicant understands that a Willamette Greenway application will be required at such time as any pathway relocation, wetland enhancement or other site modifications are proposed between the play area and the River.

RECEIVED

JUL 26 2006

CITY OF MILWAUKIE
COMMUNITY DEVELOPMENT

II. Conditional Use for Willamette Greenway Spring Park

19.320.6

Criteria. The following shall be taken in account in 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 Greenway Plan.

The site will not be developed and therefore is not an urban use under the Willamette River Greenway Plan.

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

The use of this as a park is compatible with the key features of the river. The park will enhance the recreational use near the river and will not impact the scenic views of the river.

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

Views will remain unchanged since play structure and developed area of the park is located upland away from the river. Most of the site will remain natural as part of this project.

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

This project leaves most of the area as open space.

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

The physical access to the river will not be negatively impacted by this project. The access point to Spring Park will be more clearly marked.

F. Emphasis on water-oriented and recreational uses:

The addition of a play structure upland supports the recreational use of the River and hence comply with this criterion.

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

Not applicable since Spring Park is not in proximity to downtown Milwaukie.

H. Protection of the natural environment according to regulations in the natural resource overlay zone.

The minimal on-site development (a play structure and some landscaping) protect and improve the natural environment.

I. Advise and recommendations of the design review committee, as appropriate.
This is not applicable.

J. Conformance to applicable comprehensive plan policies.

The project meets several goals of the comprehensive plan as follows:

Chapter 3, Open Spaces, Scenic Areas, and Natural Resources Element, Objective 1-Open Space: This project will help preserve open space, designating it as a park.

Chapter 3, Open Spaces, Scenic Areas, and Natural Resources Element, Objective 3-Scenic Areas: This project maintains scenic and view sites for the enjoyment of present and future City residents as well as visitors to the City.

Chapter 4-Land Use, Recreational needs Element, Objective 5-Neighborhood and Community Parks: Spring Park will be provided in a convenient location for the residents of Island Station neighborhood. The park will serve the recreational needs of the nearby residents by providing a small play structure for children, walking trails, and enhanced access to the river and to Elk Rock Island. The park will not likely attract many users from outside the neighborhood.

Chapter 4-Land Use, Willamette Greenway Element, Objective 4-Recreation: This project will maximize the recreational use of lands within the Willamette Greenway boundaries by providing space for outdoor play and recreation.

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

The plan does not violate any known Division of State Lands plans and programs.

L. A vegetation buffer plan meeting the conditions of subsection 19.320.8(A)—(C). Park and trail are water related while play structure is not and is located away from the river.

19.320.7

Setbacks. On a case-by-case basis, uses that are not water-dependent or water-related shall be evaluated according to criteria of subsection 19.320.6 above so that they are directed away from the river. Existing and proposed uses that are water-dependent and water-oriented may be permitted near or at the water's edge subject to review of criteria in subsection 19.320.6 above.

Park and trail are water related but play structure is not and is located away from the river. The proposed project meets the criteria in subsection 19.320.6 above.

19.320.8

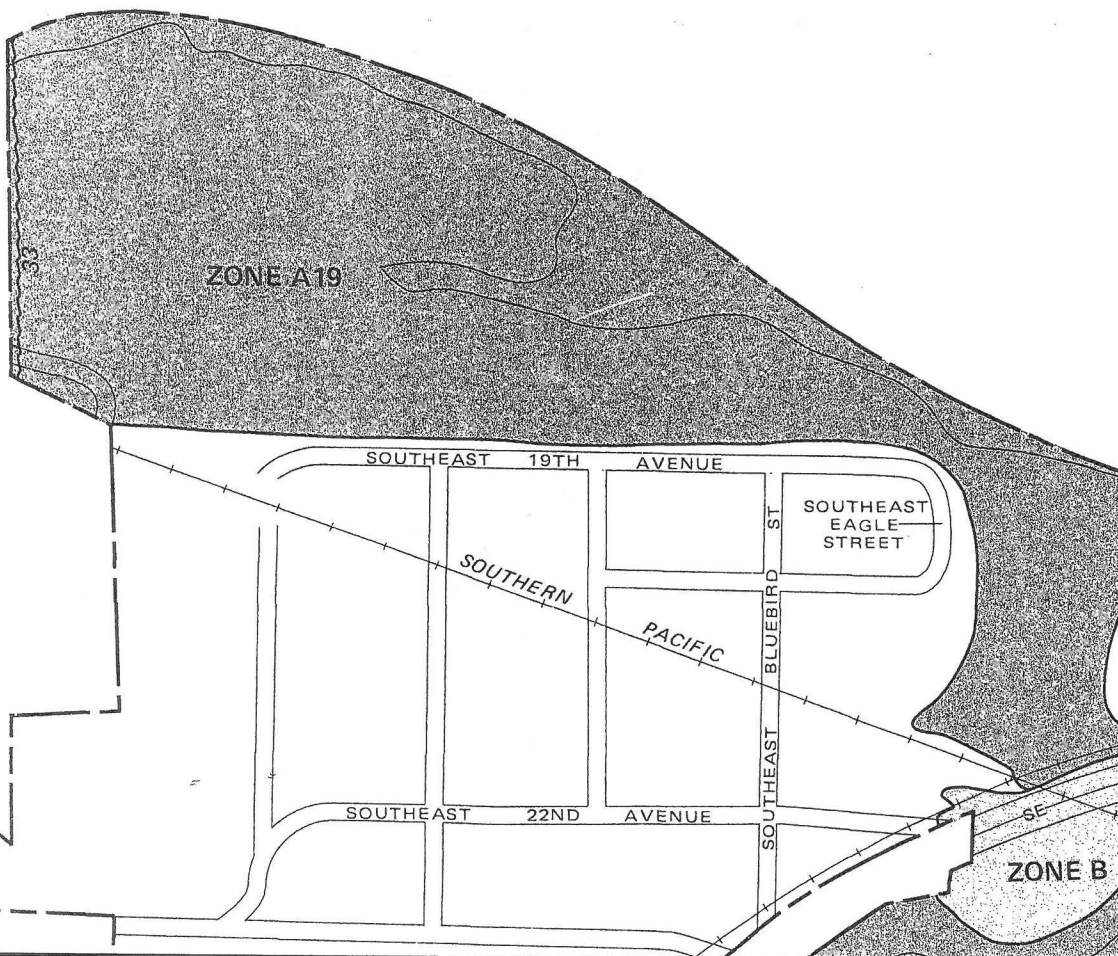
Vegetation Buffer Requirements. A buffer strip of native vegetation shall be identified along the river, which shall include the land area between the river and location twenty-five feet upland from the ordinary high water line. This area shall be preserved, enhanced, or reestablished, except for development otherwise allowed in this title, and subject to the requirements of subsection B below.

All proposed changes are outside of the 25' buffer area. This criterion is not applicable.

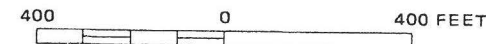
RECEIVED

JUL 26 2006

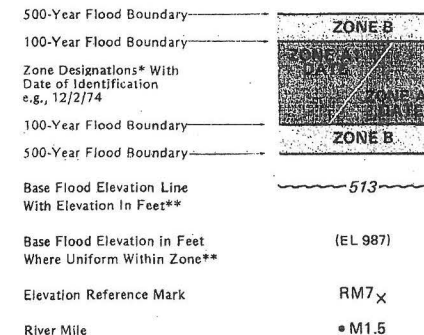
CITY OF MILWAUKIE
COMMUNITY DEVELOPMENT



APPROXIMATE SCALE



KEY TO MAP



**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

| ZONE | EXPLANATION |
|--------|--|
| A | Areas of 100-year flood; base flood elevations and flood hazard factors not determined. |
| A0 | Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined. |
| AH | Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined. |
| A1-A30 | Areas of 100-year flood; base flood elevations and flood hazard factors determined. |
| A99 | Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined. |
| B | Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading) |
| C | Areas of minimal flooding. (No shading) |
| D | Areas of undetermined, but possible, flood hazards. |
| V | Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined. |
| V1-V30 | Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined. |

NOTES TO USER

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Marquardt, Ryan

From: Weigel, Zachary
Sent: Wednesday, July 26, 2006 10:29 AM
To: Marquardt, Ryan
Subject: Spring Park Trip Generation

RECEIVED

JUL 26 2006

CITY OF MILWAUKIE
COMMUNITY DEVELOPMENT

Ryan,

Trip Generation for Spring Park is as follows:

Land Use: City Park

By Acre of Park Space: 1.59 trips per acre

By Picnic Sites: 5.87 trips per picnic sites

Let me know if you need any additional information.

Thanks,

Zach



For TO
RECEIVED 774-8236
AUG 16 2006

Planning Department

CITY OF MILWAUKIE
PLANNING DEPARTMENT

Application Referral

Site location: Spring Park, SE Sparrow St. and SE 19th Ave.

Review type: Minor Quasi-Judicial

Applicant: JoAnn Herrigel, for Island Station NDA

File #s: CSO-06-03 and WG-06-03

Applicant phone: 503-786-7508

Application type(s): Community Service Use and Willamette Greenway Review

TO:

- | | | |
|--|-------------|---|
| <input checked="" type="checkbox"/> CD/PW Director | COVER SHEET | <input type="checkbox"/> PW Operations |
| <input checked="" type="checkbox"/> Planning Director | | <input type="checkbox"/> Police Dept. |
| <input checked="" type="checkbox"/> Engineering Dept. | | <input type="checkbox"/> Administration |
| <input checked="" type="checkbox"/> Building Official | | <input type="checkbox"/> Susan Shanks |
| <input checked="" type="checkbox"/> Fire Marshal | | <input type="checkbox"/> Brett Kever |
| <input type="checkbox"/> City Attorney | | <input type="checkbox"/> Ryan Marquardt |
| <input checked="" type="checkbox"/> NDA: Island Station | | |
| <input checked="" type="checkbox"/> NDA Liaison: Beth Ragel (Island Station) | | |
| <input checked="" type="checkbox"/> Clackamas County: Ron Weinmann | | |
| <input checked="" type="checkbox"/> ODOT: Sonja Katzen | | |
| <input checked="" type="checkbox"/> DSL: Tami Hubert | | |
| <input type="checkbox"/> Tri-Met: | | |
| <input checked="" type="checkbox"/> Other: ODFW, Jim Grimes | | |
- Oregon State Marine Board, Doug Baer
Oregon Parks and Rec. Dept., Steve Brutscher
North Clack. Parks and Rec. Dist., Michelle Healy
City of Portland Parks and Rec., David McAllister
Metro. Malu Wilkinson

FROM:

- ☐ Katie Mangle, Planning Director (503) 786-7652
manglek@ci.milwaukie.or.us
- ☐ Susan Shanks, Assoc. Planner (503) 786-7653
shankss@ci.milwaukie.or.us
- ☐ Brett Kever, Assistant Planner (503) 786-7657
kelverb@ci.milwaukie.or.us
- ☒ Ryan Marquardt, Assist. Planner (503) 786-7658
marquardt@ci.milwaukie.or.us

Planning Department

6101 SE Johnson Creek Blvd.

Milwaukie OR 97206

PHONE: (503) 786-7630

FAX: (503) 774-8236

Milwaukie Park Advisor
Board

PROPOSAL:

ZONE: R5

Construct improvements, including a playstructure and parking, in the northeast corner of Spring Park. Proposed improvements require a Community Service Use and a Willamette Greenway Review. A Spring Park Master Plan will be reviewed later this year. Approval of the current application will be conditioned upon approval of the Master Plan.

Please comment on the following applicable code sections:

- Milwaukie Municipal Code (MMC) Section 19.303, Residential Zone R5;
- MMC Chapter 19.321, Community Service Use;
- MMC Chapter 19.320, Willamette Greenway Zone.
- MMC Chapter 19.600, Conditional Uses.

DRAFT
LAND USE DISTRICT REVIEW COMMITTEE MEETING MINUTES
Island Station Neighborhood District

Date: August 15 2006
Spring Park

Members Present:

Charles Bird, - Chair Present

Gary Michael - Absent

Molly Hanthorne - Present

Jim Mishler - By Phone

RECEIVED

AUG 16 2006

CITY OF MILWAUKIE
PLANNING DEPARTMENT

I. CALL TO ORDER

Met by phone and in person at various locations

II. INTRODUCTIONS

II. CONSENT AGENDA

III. REPORTS

None

IV. DISCUSSION

The Spring Park Pocket Park improvements Application Referral was discussed and no objections were made.

One comment: That the proposed plants be reviewed to ensure that the selected plants are appropriate.

V. MATTERS FROM THE COMMITTEE

None



Charles Bird, Chair

MEMORANDUM

TO: Community Development Department
THROUGH: Paul Shirey, Director of Engineering
FROM: Zach Weigel, Civil Engineer
RE: Community Service Overlay – Spring Park
CSO-06-03, WG-06-03
DATE: August 22, 2006

Proposal: Construct play structure and parking improvements in northeast corner of Spring Park.

CHAPTER 19.1400

Chapter 19.1400 of the Milwaukie Municipal Code, herein referred to as the Code, applies to partitions, subdivisions, and new construction. However, Code Section 19.1403.1(A) states that all development other than partitions, subdivisions, and single-family residential is exempt from Adequacy Requirements when the value of improvements is less than \$225,101.00.

The value of the proposed improvements to Spring Park is less than the development cost threshold. As a result, the proposed development is exempt from the requirements of Code Chapter 19.1400. However, the proposed development includes improvements within the public right-of-way on SE Sparrow Street and SE 19TH Avenue. These improvements must comply with City of Milwaukie standards for construction.

RECOMMENDED CONDITIONS OF APPROVAL

1. Prior to issuance of any building permits the following shall be resolved:
 - a. Engineered plans for public improvements (street, sidewalk, and utility) are to be submitted for review and approval to the Engineering Department.
 - b. Pay an inspection fee of 5.5% of the cost of public improvements.
 - c. Provide a payment and performance bond for 100% of the cost of the public improvements.
2. Prior to issuance of final inspection, the following shall be resolved:
 - a. Construct all public improvements prior to final inspection.
 - b. Provide a final approved set of Mylar "As Constructed" drawings to the City of Milwaukie prior to final inspection.

ADVISORY NOTES

Any proposed improvements within the public right-of-way as part of the proposed Spring Park development must comply with the following requirements.

1. Signage, benches, tables, etc placed as part of the improvements to Spring Park must be located outside of the public right-of-way. Landscaping and pedestrian connections may be located within the public right-of-way.
2. Improvement of parking areas within the public right-of-way shall be constructed to the requirements of the local street cross-section for parking on one side of the road or the neighborhood route street cross-section for parking on both sides of the road. Street cross-sections can be found in the Transportation Design Manual. Parking within the public right-of-way is limited to parallel spaces.
3. Vehicles are prohibited from backing into the right-of-way. Any on-site parking shall be designed such that all vehicle-backing movements are contained on site.
4. Any pedestrian access adjacent to parking areas within the public right-of-way shall be separated from parking areas by a raised 6-inch standard curb. The pedestrian access shall be constructed at grade with top of curb.
5. Pedestrian access parallel to parking areas within the public right-of-way shall be constructed to the requirements of the local street cross-section. Staff recommends a 5-foot planter strip and 5-foot setback sidewalk. Pedestrian connections between this sidewalk and the park may be constructed of the materials used within the park.
6. Unless otherwise noted, all improvements within the public right-of-way shall be designed and constructed to City of Milwaukie standards.

Island Station Neighborhood Association

c/o Lisa Batey, Chairperson
11912 SE 19th Avenue
Milwaukie, Oregon 97222

RECEIVED
SEP 26 2006
CITY OF MILWAUKIE
PLANNING DEPARTMENT

September 22, 2006

Milwaukie Planning Commission
c/o Susan Shanks, Associate Planner
City of Milwaukie Planning Department
6101 SE Johnson Creek Blvd
Milwaukie, Oregon 97206

Dear Planning Commission Members:

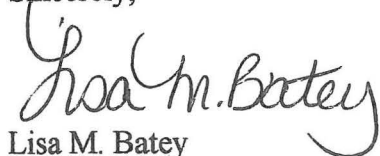
The Island Station Neighborhood Association voted on Thursday, September 21 to submit this letter in support of approval of both the Spring Park Master Plan and the Community Service Overlay for Phase I of the park.

As noted in those documents, the Spring Park Master Plan has been envisioned by the City since adoption of the Elk Rock Island Management Plan in 1995. The pocket park, or mini-park, has been a goal of the neighborhood since at least the late 1980s. So we are glad that nearly two decades of work are finally coming to fruition, and urge the Planning Commission to approve both applications.

Volunteer groups from the neighborhood and from around the region have been working in Spring Park and on Elk Rock Island to help remove invasive species and plant new plants for many years. In just the past four years, the neighborhood and SOLV volunteers have put in over 1,000 hours, which doesn't include hundreds of additional hours put in by workers from the Clackamas Environmental Youth Corps or volunteer groups of Boy Scouts, PGE employees, the Willamette Riverkeepers and local school and church groups.

As a result of this work, the area is much more open and safe now for legitimate users, and less attractive to those park users who engaged in illegal or harmful activities. We ask you to keep that momentum going by adopting the Master Plan and CSO. With those approvals in place, we'll be better able to obtain funding for continuing improvements to this significant community asset.

Sincerely,


Lisa M. Batey

Marquardt, Ryan

From: Healy, Michelle [MichelleHea@co.clackamas.or.us]
Sent: Tuesday, August 15, 2006 12:04 PM
To: 'marquardtr@ci.milwaukie.or.us'
Subject: Spring Park

RECEIVED

AUG 15 2006

CITY OF MILWAUKIE
PLANNING DEPARTMENT

Hi Ryan,

We have reviewed the land use application for Spring Park (File CSO-06-03 and WG-06-03) and have the following comments:

NCPRD and the City are at the very beginnings of discussions regarding possible amendments to the existing intergovernmental agreement between our agencies for parks - but right now NCPRD does not have the capacity to build or maintain the new improvements proposed at this site. We are supportive of this effort to the extent that it can be built with City or grant funds and maintained by the City or with volunteer effort.

Thank you for the opportunity to review the application.

Sincerely,
Michelle Healy

Michelle Healy
Senior Planner
North Clackamas Parks &
Recreation District
503-794-8004