

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, SEPTEMBER 25, 2012
6:30 PM**

COMMISSIONERS PRESENT

Lisa Batey, Chair
Scott Churchill
Mark Gamba
Shaun Lowcock
Wilda Parks
Chris Wilson

STAFF PRESENT

Steve Butler, Planning Director
Ryan Marquardt, Senior Planner
Brett Kelter, Associate Planner
Beth Ragel, Community Services Program
Coordinator
Damien Hall, City Attorney

COMMISSIONERS ABSENT

Clare Fuchs, Vice Chair

1.0 Call to Order – Procedural Matters*

Chair Batey called the meeting to order at 6:35 p.m. and read the conduct of meeting format into the record.

***Note:** The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.ci.milwaukie.or.us/meetings>.*

2.0 Planning Commission Minutes—None.

3.0 Information Items

3.1 Introduction of new Planning Director

Steve Butler, Planning Director, was welcomed and introduced himself and discussed his background working in the state of Washington.

3.2 Introduction of new Planning Commission Alternate

Sine Adams was introduced and welcomed.

4.0 Audience Participation –This is an opportunity for the public to comment on any item not on the agenda. There was none.

5.0 Public Hearings

5.1 Summary: PMLR Substation Building
Applicant/Owner: Jeff Joslin, KLK Consulting/Leah Robbins, TriMet
Address: 2316 SE Monroe St
File: CSU-12-08
Staff: Brett Kelter

Brett Kelter, Associate Planner, presented the staff report. The proposal includes an access easement agreement with the property to the south, 2305 SE Washington, a professional office

building. He addressed the approval criteria for community service uses. Staff recommended approval of the application.

Bob Hastings, TriMet architect, presented for the applicant. He explained that the substation would be providing power only when trains came in or out of the station. The conditioned air ventilation system wouldn't be as loud as other systems. Screening panels would discourage graffiti. The proposal would use solar energy panels on the metal roof. Lights would be screened.

Chair Batey asked about frequency of employees accessing the building.

Mr. Hastings said employees would probably access the site weekly rather than daily and more so in the summer than other times of year. They wouldn't be large vehicles.

Commissioner Wilson asked if there would be any use limitations imposed on the adjoining property that will provide access.

Joe Recker, TriMet, said it would be an "easement in gross," so the exact location of the easement could vary over time if the adjoining property owner ever wanted to develop their property.

Commissioner Wilson asked about noise levels from the condenser or a backup generator.

Mr. Hastings said there would be no generator. The condenser sound would be more like a residential air conditioner sound.

Commissioners Lowcock and Churchill asked about TriMet's plans for the materials from the demolished building.

Mr. Hastings said that TriMet would look for recycling opportunities throughout the project, including those materials.

Commissioners Lowcock and Churchill asked about the possibility of using thin film solar instead of photovoltaic panels.

Mr. Hastings said that was a possibility.

Commissioner Gamba asked if the mature walnut tree by the front porch of the existing house could be saved.

Jeb Doran, TriMet said the location of the grounding mat would preclude that.

Commissioner Gamba requested that TriMet consider planting some trees/plantings along the eastern side of the accessway property, abutting the church property.

Jeb Doran, TriMet said that wouldn't be possible on the eastern side, but maybe on the western side of the accessway property adjacent to railroad right-of-way.

Mr. Kelter mentioned that the conditions are written to encourage TriMet to seek funding for a green roof.

Mr. Kelter clarified that condition 5.F covers either photovoltaic panels or thin film.

Public testimony was closed and the Planning Commission deliberated.

Condition 5.F was amended as follows:

F. Construct the proposed roof-mounted solar ~~photovoltaic energy~~ array if funding becomes available before building construction, with encouragement to use locally built components. TriMet shall actively seek funding for the proposed solar roof.

It was moved by Commissioner Wilson and seconded by Commissioner Lowcock to approve CSU-12-08, PMLR Substation Building, as amended. The motion passed unanimously.

- 5.2 Summary: Murals Program/Sign Code Amendments
Applicant/Owner: City of Milwaukie
File: ZA-12-01
Staff: Ryan Marquardt and Beth Ragel

Ryan Marquardt, Senior Planner, presented the staff report. Due to legislation requiring signage be treated in a "content-neutral" manner, the current code didn't distinguish between commercial billboards and murals. Because murals were good for community identity and self-expression, the City was looking for a way to treat them differently.

- Beth Ragel, Community Services Program Coordinator, and the City Arts Committee had been working for a couple of years to develop a mural program. They looked at how other communities handled murals. They did an extensive community survey and held several worksessions and meetings, including meetings with City Council.
- They were now proposing a program that would treat murals as public art. Properties that were commercial, industrial, or community service uses would be eligible to apply, with ad hoc committee review, and with Milwaukie Arts Committee having final review.
- The draft mural code, Title 20, would go to City Council.
- The Commission was only being asked to review proposed amendments to Title 14, the Sign Code. Those amendments would clarify that public art murals were exempt from the Sign Ordinance. Title 20 was not a land use regulation and the Commission was not being asked to make a recommendation on that.

Commissioners asked questions about mural program regulations and how the review process would work.

Beth Ragel, Community Services Program Coordinator, described some of those details.

Phil Phan, North Clackamas School District Vietnamese Community Liaison spoke in favor of the sign code amendments to allow a mural program. He said the District was interested in developing a mural program for Milwaukie High School students that would recognize cultural diversity. He had met with several arts agencies and received great support for such a project.

Val Hubbard, Arts Committee Member, said they had received a lot of community support for the proposed mural program. She mentioned Milwaukie High School and Dark Horse as wanting to have murals. She said murals would make the city livable and fun.

Jeff Davis, Arts Committee Member, spoke in support of the proposed mural program and expanding art and expression in Milwaukie. The Committee really supported involving kids in art.

Chair Batey asked about churches and religious murals.

Mr. Davis said the approval process would address that. He noted that Portland has only approved one religious mural through a similar process.

Mr. Marquardt distributed a letter of support from **Alicia Hamilton**.

Public testimony was closed and the Planning Commission deliberated.

Commissioner Parks mentioned how a mural program helped a small agricultural community in California become one of the most economically viable downtowns in the central valley.

Commissioners made suggestions for Council to consider.

- Removing the 30-foot limitation or keeping the limit but outlining a process for possible exceptions. Also prohibiting building a new wall just for a mural.
- Expanding NDA notification to all neighborhoods rather than only notifying neighborhood where the mural would be placed.
- Taking testimony at the Arts Committee meetings.

Mr. Marquardt said they could work on the draft code to address some of these suggestions before it goes to Council. He said the Commission would still be able to give comments to Council on future drafts of the mural code.

It was moved by Commissioner Gamba and seconded by Commissioner Parks to recommend that City Council approve ZA-12-01, Murals Program/Sign Code Amendments, as presented. The motion passed unanimously.

6.0 Worksession Items

7.0 Planning Department Other Business/Updates

7.1 Planning Commission notebook updates

The Commissioners noted receipt of an updated staff list.

7.2 Planning Commission training

The Commissioners made arrangements for new commissioners and staff to attend the training in Salem on September 27.

7.3 Recommended cancellation of October 9 meeting

Mr. Butler recommended cancelling the next meeting, as there are no agenda items.

8.0 Planning Commission Discussion Items

The Commission and staff discussed the current status of Riverfront Park, the amendments for Residential Development Standards, and the Tacoma Station Area Plan.


9.0 Forecast for Future Meetings:

- | | |
|------------------|--|
| October 9, 2012 | Meeting cancelled by Planning Commission |
| October 23, 2012 | 1. Worksession: Ethics training |
| | 2. Worksession: PAR & Downtown Code Refresh update |

Meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

Marcia Hamley, Administrative Specialist II



Lisa Batey, Chair



AGENDA

MILWAUKIE PLANNING COMMISSION Tuesday, September 25, 2012, 6:30 PM

**MILWAUKIE CITY HALL
10722 SE MAIN STREET**

- 1.0 Call to Order - Procedural Matters**
- 2.0 Planning Commission Minutes** – Motion Needed
- 3.0 Information Items**
- 4.0 Audience Participation** – This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Public Hearings** – Public hearings will follow the procedure listed on reverse
 - 5.1 Summary: PMLR Substation Building
Applicant/Owner: Jeff Joslin, KLK Consulting/Leah Robbins, TriMet
Address: 2316 SE Monroe St
File: CSU-12-08
Staff: Brett Kelter
 - 5.2 Summary: Murals Program—Sign Code Amendments
Applicant/Owner: City of Milwaukie
File: ZA-12-01
Staff: Ryan Marquardt and Beth Ragel
- 6.0 Worksession Items**
- 7.0 Planning Department Other Business/Updates**
 - 7.1 Planning Commission notebook updates
- 8.0 Planning Commission Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
 - October 9, 2012
 - 1. TBD
 - October 23, 2012
 - 1. Worksession: Ethics training
 - 2. Worksession: PAR & Downtown Code Refresh update

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

1. **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. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.cityofmilwaukie.org
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
5. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

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.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Planning Commission:

Lisa Batey, Chair
Clare Fuchs, Vice Chair
Scott Churchill
Mark Gamba
Shaun Lowcock
Wilda Parks
Chris Wilson

Planning Department Staff:

Stephen Butler, Planning Director
Ryan Marquardt, Senior Planner
Li Alligood, Associate Planner
Brett Kelter, Associate Planner
Marcia Hamley, Administrative Specialist II
Alicia Martin, Administrative Specialist II



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Scot Siegel, Interim Planning Director

Copy: Stephen Butler, Planning Director (as of September 17, 2012)

From: Brett Kever, Associate Planner

Date: September 18, 2012, for September 25, 2012, Public Hearing

Subject: **File:** CSU-12-08
Applicant: Leah Robbins for TriMet
Owner(s): TriMet¹
Address: 2316 SE Monroe St (with access through 2305 SE Washington St)
Legal Description (Map & Taxlot): 1S1E36BB – taxlot 4500 (4400 for access)
NDA: Historic Milwaukie

ACTION REQUESTED

Approve application CSU-12-08 and adopt the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow for construction of a substation utility building to service the new Portland-Milwaukie Light Rail. The proposed development is considered to be a type of utility and is therefore a community service use that needs approval by the Planning Commission.

BACKGROUND INFORMATION

Portland-Milwaukie Light Rail (PMLR) is an extension of the regional rail system managed by TriMet. PMLR is a 7.3-mile line running from southwest Portland across the Willamette River and south through Milwaukie, with a station in downtown Milwaukie and terminus at SE Park Avenue. Electrified light rail systems rely on several supporting components, including the proposed substation utility building, which is one of several that will provide electrical power for the PMLR system.

¹ At the time of application submittal, the subject property at 2316 SE Monroe St was owned by Gary and Linda Methven; however, TriMet is in the process of acquiring the property through eminent domain for the PMLR project.

A. Site and Vicinity

The subject property is triangular in shape, is approximately 9,650 sq ft in area (0.2 acres), and is comprised of an existing tax lot at 2316 SE Monroe Street (Tax Lot 1S1E36BB04500) (see Photo 1). Currently, a detached single-family dwelling and two sheds are located on the site (see Photo 2), but these structures will be demolished to make room for the new substation.

The subject property is zoned Residential-Business Office (R -1-B). The surrounding uses include outdoor storage (Milwaukie Hardware) to the west, office to the south, residential to the northeast, and community service (St. John the Baptist Catholic church) to the east, with Union Pacific Railroad (UPRR) right-of-way and freight rail tracks immediately adjacent to the west.

The subject property has no direct frontage on a public street and currently takes access from Monroe St through a paved portion of the adjacent UPRR right-of-way. Due to the development of the overall PMLR project, access from Monroe St to the subject property will no longer be available; instead, an easement agreement will be provided for access to Washington St through the adjacent property to the south, 2305 SE Washington St. (Note: Due to the proposed change in access, the subject property will likely be re-assigned a Washington St address, to more accurately reflect the access location.)

According to County records, the subject property has been in its current, triangular configuration without frontage on a public street since at least 1969 and probably since the 1950s or 60s. At some point prior to 1969, the public right-of-way for Jefferson St was vacated, which removed any possibility that the lot would have frontage on a public street. A slice of the original lot was probably given or sold to the railroad when the UPRR line was constructed.

Photo 1 – Vicinity map**Photo 2 – Existing house at 2316 SE Monroe St**

B. Zoning Designation

Residential-Business Office (R-1-B)

The site does not include any special zoning designations or overlays.

C. Comprehensive Plan Designation

Mixed Use (C/HD)

The Milwaukie Transportation System Plan (TSP) designates Monroe St and Washington St as Collector routes.

D. Land Use and Permit History

City Land Use Actions

City records indicate one previous City land use action for the subject property (2316 SE Monroe St):

June 2012: P-12-02 – Parking quantity determination for proposed substation utility building and nearby signal and communication building for Portland-Milwaukie Light Rail (PMLR). The determination was that the proposed use (a utility for the PMLR system) generates no demand for off-street parking, based on a comparison with similar facilities in other local jurisdictions within the region.

Other Land Use Actions

There are no records of other land use actions for the subject property.

Other Permits

City records include documentation of 2 previous building permit actions for the subject property:

(Aug/Sept 1954, BP #246) – Approval of building permit to make repairs to existing rooms in detached single-family dwelling on the site.

(December 2001, BP #01-397) – Approval of mechanical permit for piping and venting for fireplace and water heater, with additional piping for barbeque.

E. Proposal

The applicant is seeking land use approval for construction of a substation utility building associated with the Portland-Milwaukie Light Rail (PMLR). The proposal includes the following:

1. Demolish an existing detached single-family dwelling on the subject property.
2. Construct a substation utility building on the southern portion of the site.
3. Provide an "easement in gross" via a recorded agreement for access across the adjacent property to the south, 2305 SE Washington St.
4. Install woven-wire mesh panels within frames on the doors and sides of the building.
5. Install landscaping throughout the site.

6. Install a 6-ft-tall, black powder-coated, welded-wire fence on the perimeter of the site.
7. Install a photovoltaic solar array on the roof of the substation utility building (as funding allows).

The project requires approval of the following application:

1. CSU-12-08, Community Service Use Review

KEY ISSUES

Summary

Staff has identified the following key issue for the Planning Commission's deliberation. Aspects of the proposal not listed below are addressed in the Findings (see Attachment 1) and generally require less analysis and discretion by the Commission.

1. Are there any significant negative impacts that can be sufficiently addressed with conditions of approval?

Analysis

A. Are there any significant negative impacts that can be sufficiently addressed with conditions of approval?

Staff has concluded that the public benefits of the proposed substation outweigh any negative impacts. Electrical substations such as the one proposed in this application are a key component of an electrified light rail transit line. The new substation will provide electrical power necessary for efficient operation of the Portland-Milwaukie Light Rail (PMLR) system.

The benefits of the overall PMLR project include those generally associated with mass public transit: increased options for commuters, reduced automobile usage and the accompanying reductions in traffic and pollution emissions, and generally improved access and mobility for local and regional residents. For Milwaukie in particular, PMLR will provide access to other job corridors in the region that are also accessible by light rail. And it will be a transportation option that bypasses congestion on Highway 99E, SE Tacoma St (Sellwood Bridge), and other nearby roads.

As proposed, the new substation will have relatively few impacts on surrounding properties. Access to the site will be provided via an access easement through the existing parking area on the adjacent property to the south at 2305 SE Washington St. There is no fixed schedule of operation for the new substation, and usage is expected to be infrequent and intermittent. TriMet crews will access the site to perform routine maintenance and ensure that substation systems are functioning normally. They will also respond to specific events that require immediate attention, which will be unpredictable by their nature.

Most of the activity on the site will occur within the building itself, with no noise-generating equipment. Visual impacts to neighboring properties will be minimal. Exterior lights will be shielded to prevent glare. Landscaping throughout the site will provide screening. Woven-wire mesh panels on all four sides of the building will provide an aesthetic treatment. A 6-ft tall, black powder-coated, welded-wire fence will provide an attractive enclosure around

the perimeter of the site. Essentially, the substation will be a secure, quiet, and unobtrusive element of the PMLR project.

Although the subject property is not in a downtown zone and therefore is not subject to Downtown Design Review, the substation building is designed to be compatible with other nearby PMLR buildings in Milwaukie, like the signal and communications building. Construction materials will be similar: painted concrete masonry unit (CMU) block walls with woven-wire mesh panels, metal siding above the CMU block, and metal standing seam roof. The black, welded-wire perimeter fence is the same style of fencing approved for installation on top of the various retaining walls adjacent to the PMLR trackway in Milwaukie. Conditions of approval have been recommended to ensure that the above-described compatibility features remain part of the project, regardless of overall funding concerns.

CONCLUSIONS

A. Staff recommendation to the Planning Commission is as follows:

Approve application CSU-12-08 and adopt the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow for construction of a substation utility building to service the new Portland-Milwaukie Light Rail.

B. Staff recommends the following key conditions of approval (see Attachment 2 for the full list of Conditions of Approval):

1. To ensure compatibility with other PMLR-component buildings and structures in the area, require the following features be installed, as presented in the applicant's submittal materials:
 - a. Woven-wire mesh panels installed within frames on the building's walls and doors (Exhibits P8 and P11- P15)
 - b. Perimeter fencing: 6 ft tall, black powder-coated, welded-wire construction (Drawing #s A15E-560 and A15E-561)
 - c. Landscape plantings consistent with that shown on Exhibit P2 (Landscaping Planting Plan, Drawing # L15E-209) and planting legend
2. Construct the proposed roof-mounted solar photovoltaic array if funding becomes available before building construction. TriMet shall actively seek funding for the proposed solar roof.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance, which is Title 19 of the Milwaukie Municipal Code (MMC).

- MMC Section 19.904 Community Service Uses
- MMC 19.308 Residential-Business Office Zone R-1-B
- MMC 19.502 Accessory Structures

- MMC 19.600 Off-Street Parking and Loading
- MMC 19.700 Public Facility Improvements
- MMC 19.1006 Type III Review

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

The Commission has 3 decision-making options as follows:

- A. Approve the application subject to the recommended Findings and Conditions of Approval.
- B. Approve the application with modified Findings and Conditions of Approval. Such modifications need to be based on applicable approval criteria and read into the record.
- C. Continue the hearing, to allow further consideration of the recommended Findings and Conditions of Approval.

The final decision on this application, which includes any appeals to the City Council, must be made by December 7, 2012, 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

Notice of the proposed changes was given to the following agencies and persons: City of Milwaukie Building and Engineering Departments, Clackamas County Fire District #1, Metro, Clackamas County, Oregon Department of Transportation (ODOT), TriMet, and ODOT Rail Division. The following is a summary of the comments received by the City. See Attachment 4 for further details.

- **Tom Larsen, City of Milwaukie Building Official:** No comments on the proposal.
- **Mike Boumann, Clackamas County Fire District #1:** No comments on the proposal.
- **Zach Weigel, City of Milwaukie Engineering Department:** Various comments related to MMC 19.700 Public Facility Improvements, MMC 12.16 Access Management, and MMC 12.24 Clear Vision at Intersections.

Staff Response: *These comments have been incorporated into the Findings.*

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

1. Recommended Findings in Support of Approval (attached)
2. Recommended Conditions of Approval (attached)

3. Applicant's Narrative and Supporting Documentation (attached)
(Attachments 3a, 3b, and 3c were provided to the Planning Commission on September 5, 2012.)
 - a. Narrative Addressing Code Sections (including some figures)
 - b. Exhibits = Technical Drawings
Including:
 - Exhibit P1 – Architectural Site Plan
 - Exhibit P2 – Landscape Planting Plan
 - Exhibit P3 – Civil (Existing and Demo) Plan
 - Exhibit P4 – Civil Roadway and Storm Plan
 - Exhibits P5 through P14 – Substation Details and Elevations
 - Exhibit P15 – Photovoltaic Details and Diagrams
 - c. E-mail communication from Karen Karlsson re: easement "in gross" *(received Aug 20, 2012)*
 - d. Architectural Details for Fencing, Drawing #s A15E-560 and A15E-561 *(stamped "Received" on Sept 4, 2012)*
 - e. Landscaping legend (6 sheets, including Drawing #s L15E-002 through L15E-007) *(stamped "Received" on Sept 7, 2012)*
4. Comments Received (attached)
 - a. Tom Larsen, City of Milwaukie Building Official
 - b. Mike Boumann, Clackamas County Fire District #1
 - c. Zach Weigel, City of Milwaukie Engineering Department
5. List of Record

Recommended Findings in Support of Approval

1. The applicant, Leah Robbins on behalf of TriMet (“the applicant”), is seeking land use approval to construct a substation utility building for the Portland-Milwaukie Light Rail (PMLR) project. The project will demolish an existing single-family dwelling and replace it with the substation.

The application materials (including forms, narrative, and site plans) were originally submitted on May 2, 2012. Final revised materials were submitted on August 9, 2012, with a request by the applicant that City staff deem the application complete that same day.

2. The subject property is at 2316 SE Monroe Street (Assessor Map 1S1E36BB, tax lot 4500). The site has a base zone designation of Residential-Business Office (R-1-B) and is currently occupied by a detached single-family dwelling. The property encompasses approximately 9,650 sq ft adjacent to the Union Pacific Railroad (UPRR) right-of-way to the west and northwest in downtown Milwaukie; adjacent to the northeast is a detached single-family dwelling at 2326 SE Monroe St; adjacent to the east is a large parking lot for St. John the Baptist Catholic Church; and adjacent to the south is a professional office building at 2305 SE Washington St.

The property does not have frontage on a public street and currently takes access from Monroe St through a paved portion of the UPRR right-of-way. As proposed, access to the new substation will be through the parking area for the professional office building to the south at 2305 SE Washington St.

At the time of application submittal, the subject property at 2316 SE Monroe St was owned by Gary and Linda Methven; however, TriMet is acquiring the property through eminent domain for the PMLR project.

3. The proposal is subject to the following provisions of Milwaukie Municipal Code (MMC) Title 19 Zoning:

MMC 19.904 Community Service Uses

MMC 19.308 Residential-Business Office Zone R-1-B

MMC 19.502 Accessory Structures

MMC 19.600 Off-Street Parking and Loading

MMC 19.700 Public Facility Improvements

MMC 19.1006 Type III review

4. The substation project also requires a development permit prior to construction, pursuant to MMC 19.906 Development Review. The purpose of Development Review is to ensure compliance with applicable standards and conditions of approval through an efficient review process that effectively coordinates the City’s land use and development permit review functions.
5. The PMLR alignment, which includes the location of specific project elements such as the proposed substation utility building, has an existing land use approval that was issued by Metro in 2008.¹ This land use final order (LUFO) was made pursuant to House Bill 3478 (1996), which provides for the review and siting of regional transportation facilities through local jurisdictions. The City may subject the substation project to reasonable and necessary conditions of approval to ensure conformance with local standards and appropriate

¹ Metro Resolution No. 08-3964 entitled 2008 South/North Land Use Final Order (LUFO) Amendment.

mitigation of local impacts. It cannot, however, condition the approval of the building in such a way as to prevent the implementation of the 2008 LUFO.

6. The Planning Commission reviewed the application in compliance with the Type III review process described in MMC 19.1006. As required, the applicant posted public notice at the site and the City mailed notices to surrounding property owners and residents within 300 ft of the site. The Planning Commission held a duly advertised public hearing considering the application on September 25, 2012.

7. The Planning Commission reviewed the application for compliance with the code sections listed in Finding 3.

The Planning Commission finds that code sections not addressed in these findings are not applicable to the decision.

8. MMC 19.904 Community Service Uses

MMC 19.904 provides standards and procedures for review of applications for community service uses. These are uses that are not specifically allowed outright in most zoning districts but that address a public necessity or otherwise provide some public benefit. Community service uses may include schools, government buildings, hospitals, religious institutions, utilities, parks, or communication facilities.

- A. MMC 19.904.2 establishes applicability of the Community Service Use (CSU) regulations.

The proposed development is a substation utility building that will provide electrical power to the Portland-Milwaukie Light Rail. As one component of a larger public transit facility, the proposed substation qualifies as a "utility" as identified in MMC 19.904.2.B. The Planning Commission finds that the standards of MMC 19.904 are applicable to the proposed development.

- B. MMC 19.904.3 establishes the review process for community service uses. Except for wireless communication facilities and minor modifications to existing community service uses, applications for community service uses are subject to Type III review (MMC 19.1006).

The proposed development is neither a wireless communication facility nor a minor modification to an existing community service use. As a new community service use, the proposed development is subject to the procedures for Type III review outlined in MMC 19.1006.

- C. MMC 19.904.4 establishes the following approval criteria for community service uses:

- i. The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed in the CSU, the standards of the underlying zone are met.

The subject property is zoned Residential-Business Office (R-1-B). Development standards for the R-1-B zone are provided in MMC 19.308.3. The standards applicable to the proposed development are addressed as follows:

- a. MMC 19.308.3.B requires a minimum front yard of 15 ft.

The subject property has no frontage on a public street but will take access from Washington St through the property addressed as 2305 SE Washington St to the south. For purposes of determining yard setbacks, the southern lot line of the subject property shall be considered the front lot line. As proposed, the new

substation building will be approximately 22 ft from the front lot line. This standard is met.

- b. MMC 19.308.3.C requires minimum side yards of 5 ft, with an additional 1 ft of side yard for each 3 ft of building height over 2 stories or 25 ft, whichever is less.

As proposed, the new substation building will be approximately 15 ft tall, with side-yard setbacks of approximately 19 ft. This standard is met.

- c. MMC 19.308.3.D requires a minimum rear yard of 15 ft.

As proposed, the new substation building will be set back a minimum of 19 ft from the rear property line to the north. This standard is met.

- d. MMC 19.308.3.E requires off-street parking as per MMC 19.600.

MMC Table 19.605.1 does not provide a specific parking ratio for uses such as the proposed substation building. However, the applicant previously requested a parking quantity determination as per the procedures outlined in MMC 19.605.2. In the Notice of Decision for land use application P-12-02, the Planning Director found that the proposed development would generate no demand for off-street parking. This standard is not applicable.

Note: Access to the subject property will be through an access easement with the adjacent property to the south at 2305 SE Washington St. The easement agreement does not result in the loss of any existing parking spaces on the adjacent property and will not otherwise impact parking and circulation at 2305 SE Washington St.

- e. MMC 19.308.3.F limits the height of any structure to 3 stories or 45 ft, whichever is less.

As proposed, the new substation building will be approximately 15 ft in height. This standard is met.

- f. MMC 19.308.3.G limits the area of lot coverage to 50% of total lot area.

The subject property is approximately 9,650 sq ft in area. As proposed, the new substation building will cover approximately 940 sq ft, well below the 50% maximum. This standard is met.

- g. MMC 19.308.3.H requires a minimum of 15% of total lot area to be landscaped with trees, grass, shrubs, etc.

As proposed, the new substation building and associated paved and graveled areas will cover approximately 3,430 sq ft, or roughly 35% of total lot area. This leaves approximately 65% of the site in landscaped area.

Note: Access to the subject property will be through an access easement with the adjacent property to the south at 2305 SE Washington St (the "access property"). As established by the applicant's submittal materials, approximately 20.5% of the access property area is landscaped. As proposed, approximately 450 sq ft of existing landscaping on the access property will be removed to establish a paved entrance to the subject property. The change will reduce the existing landscaping by only 1% of total lot area, leaving approximately 19.5% of the access property area in landscaping. The proposed development will not cause the access property to go out of conformance with the landscaping standard of the R-1-B zone.

This standard is met.

- h. MMC 19.308.3.J requires establishment of a transition area as per the standards of MMC 19.504.6.

MMC 19.504.6 requires transition measures where multi-family, commercial, or industrial development is proposed adjacent to properties zoned for lower-density uses, except in the downtown zones. The proposed development is a community service use, in particular a type of utility associated with the Portland-Milwaukie Light Rail. The zoning for adjacent properties is Downtown Residential to the west and Residential-Business Office (R-1-B) to the north, east, and south. Surrounding properties are not zoned for lower-density residential uses.

This standard is not applicable to the proposed development.

- i. MMC 19.308.3.L requires compliance with the public facility improvement standards of MMC 19.700.

See Finding 10 for a discussion of the proposed development's compliance with the applicable requirements and standards of MMC 19.700. As addressed in Finding 10, this standard is met.

Based on the foregoing analysis, the Planning Commission finds that the proposed development meets the applicable development standards of the underlying R-1-B zone.

- ii. Specific standards for the proposed uses as found in MMC 19.904.7-11 are met.

As a type of utility, the proposed development is subject to the relevant standards for facilities not covered by other subsections of the community service use regulations, provided in MMC 19.904.9. The standards of MMC 19.904.9 applicable to the proposed development are addressed as follows:

- a. MMC 19.904.9.A requires that utilities, streets, or other improvements necessary for the public facility shall be provided by the agency constructing the use.

As evidenced by the applicant's submittal materials, all necessary utilities and street improvements warranted by the proposed development will be provided by the applicant. This standard is met.

- b. MMC 19.904.9.B encourages access to be provided on a collector street if practicable.

As proposed, access to the subject property will be provided from Washington St, through an access easement over the property at 2305 SE Washington St. Washington St is classified as a Collector street in the City's Transportation System Plan. This standard is met.

- c. MMC 19.904.9.C requires community service uses in residential zones to provide setbacks equal to two-thirds the height of the principal structure.

As noted in Finding 8-C-i, the new substation building is approximately 15 ft in height and will provide front, side, and rear setbacks of at least 20 ft. This standard is met.

- d. MMC 19.904.9.E requires noise-generating equipment to be sound-buffered when adjacent to residential areas.

As evidenced by the applicant's submittal materials, the new substation building does not include any noise-generating equipment. This standard is not applicable.

- e. MMC 19.904.9.F requires lighting to be designed to avoid glare on adjacent residential uses and public streets.

As evidenced by the applicant's submittal materials, exterior lighting on the new substation building will be provided by an LED fixture over each of the 5 doors to the building. As proposed, the light fixtures will be focused downward to avoid any glare. This standard is met.

- f. MMC 19.904.9.G encourages hours and levels of operation to be adjusted to be compatible with adjacent uses where possible.

As proposed, hours of use of the new substation will be infrequent and intermittent, with no fixed schedule of operation. Most of the activity on the site will occur within the substation building itself. The use will not result in noise or lighting impacts on adjacent properties.

Surrounding uses include a large parking area for St. John the Baptist Catholic church to the east, a professional office building to the south, an outdoor storage area for Milwaukie Lumber to the west, and a single-family residence to the northeast. As proposed, the substation building is located on the southern portion of the site, farthest from the adjacent residential property. Access to the site will also be provided from the south.

As proposed, the hours and levels of operation of the new substation will be compatible with adjacent uses. This standard is met.

The Planning Commission finds that the proposed development meets the applicable standards of MMC 19.904.9.

- iii. The hours and levels of operation of the proposed use are reasonably compatible with surrounding uses.

As discussed in Finding 8-C-ii(f), the hours and levels of operation of the proposed development are reasonably compatible with surrounding uses.

The Planning Commission finds that the proposed development meets this standard.

- iv. The public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood.

As discussed in the applicant's submittal materials, electrical substations such as the one proposed in this application are a key component of an electrified light rail transit line. The new substation will provide electrical power necessary for efficient operation of the Portland-Milwaukie Light Rail (PMLR) system.

The benefits of the overall PMLR project include those generally associated with mass public transit: increased options for commuters, reduced automobile usage and the accompanying reductions in traffic and pollution emissions, and generally improved access and mobility for local and regional residents.

As proposed, the new substation will have relatively few impacts on surrounding properties. Access to the site will be provided via an access easement through the existing parking area on the adjacent property to the south at 2305 SE Washington St. Most of the activity on the site will occur within the substation building itself, with no noise-generating equipment. Hours of use will be infrequent and intermittent, with no fixed schedule of operation. Exterior lights will be shielded to prevent glare. Landscaping throughout the site will provide screening, and woven-wire mesh panels on all sides of the new building will provide an aesthetic treatment. A 6-ft tall, black powder-coated, welded-wire fence will provide an attractive enclosure around the perimeter of the site. Conditions have been established to ensure that some of these

key elements are constructed/installed as part of the project, to ensure thematic congruence with the signal and communication building and other alignment features.

The applicant has proposed a standing seam metal roof, with a roof-mounted solar photovoltaic array if funding allows. The Planning Commission views the proposed solar-array roof as a feature that enhances the public benefit of the proposed substation. A condition is established to require installation of the proposed solar roof if funding becomes available. The solar roof may be installed pursuant to the applicant's submittal materials with approval of development or building permits; no formal modification of this community service use is required to install the solar roof.

The Planning Commission finds that, as conditioned, the public benefits of the proposed development are greater than any negative impacts.

- v. The location is appropriate for the type of use proposed.

The location of the light rail alignment and associated structures are consistent with the Locally Preferred Alternative (LPA) alignment adopted by City Council in 2002. Additionally, the alignment was vetted through the Final Environmental Impact Statement (FEIS) process, which reviewed the impacts of the alignment on the downtown Milwaukie area.

As discussed in the applicant's submittal materials, electrical substations such as the one proposed are key components of electric light-rail transit system. For the Portland-Milwaukie Light Rail project, substations have been spaced along the alignment to provide efficient and effective power to the system. Site locations have been selected to minimize impacts. As discussed in Finding 8-C-iv, there are no significant impacts associated with the new substation in the proposed location.

The subject property does not have frontage on a public street. Access to the site is currently provided from Monroe St through the adjacent UPRR right-of-way; as a result of the PMLR project, that access will no longer be available. The applicant has proposed to obtain access to Washington St by establishing an access easement with the adjacent property at 2305 SE Washington St. A condition is established to ensure that the proposed access easement is formalized and recorded.

As conditioned, the Planning Commission finds that the location is appropriate for the proposed development.

The Planning Commission finds that, as conditioned, the proposed development meets the approval criteria of MMC 19.904.4.

- D. MMC 19.904.5 establishes the procedures for reviewing community service uses.

- i. MMC 19.904.5.A requires the Planning Commission to hold a public hearing to consider the establishment of new community service uses or major modification of existing community service uses. The Commission shall determine whether the proposed use meets the approval criteria of MMC 19.904.4.

The proposed development represents the establishment of a new community service use, in the form of a utility associated with the Portland-Milwaukie Light Rail project. The Planning Commission held a public hearing on September 25, 2012, to evaluate the proposed community service use in the context of the approval criteria of MMC 19.904.4. This standard is met.

² Light rail station location adopted by Res. 51, 2008. LPA adopted by Res. 69-2008.

- ii. MMC 19.904.5.B establishes the types of conditions that the Planning Commission may impose on community service uses to ensure compatibility with other uses in the vicinity. Conditions may involve such aspects as hours or intensities of operation, measures to limit noise or glare, special yard setbacks, design of vehicle access points, and size or location of a building.

The Planning Commission has evaluated the proposed new substation utility building and established several conditions to limit the proposed development's impacts and ensure compatibility with surrounding uses. These conditions relate to the proposed access easement, perimeter fence, wall cladding materials, and solar roof.

- iii. MMC 19.904.5.C authorizes the Planning Director to approve minor modifications to an approved community service use through the Type I review process, subject to compliance with specific criteria.

As proposed, the new substation building will have a metal, standing seam roof that can support a photovoltaic array of solar panels. At the time of application, the applicant has indicated that funding is not available to install a photovoltaic array. If funding for the proposed photovoltaic array becomes available in the future and the applicant decides to install it, the Planning Commission finds that a formal minor modification to this community service use approval will not be necessary.

- E. MMC 19.904.6 establishes the application requirements for community service uses, including a narrative describing the proposed use, maps showing the vicinity and existing uses, and detailed plans for the project.

The applicant's submittal materials include a narrative description of the proposed development, site and vicinity maps, and detailed plans. The Planning Commission finds that this standard is met.

The Planning Commission finds that, as conditioned, the proposed development meets all applicable standards of MMC 19.904 and is approvable as a community service use.

9. MMC 19.502 Accessory Structures

MMC 19.502 establishes standards for accessory structures. Specifically, MMC 19.502.2.B establishes standards for fences. In residential zones, fence height is limited to 42 in for front yards and 6 ft for side and rear yards; in commercial zones, fence height is limited to 6 ft for all yards. Barbed or razor wire may be permitted for security purposes, but only on top of a maximum height fence and only with Type II review as per MMC 19.1005.

As evidenced by the applicant's submittal materials, the proposed development includes installation of a 6-ft welded wire fence around the perimeter of the subject property. No barbed or razor wire is proposed. The base zone of the subject property is Residential-Business Office (R-1-B), which allows both residential and limited commercial uses. The Planning Commission finds that the fence-height restriction for commercial zones is appropriate for the proposed development and that the applicable standards of MMC 19.502 are met.

10. MMC 19.700 Public Facility Improvements

The purpose of MMC 19.700 is to ensure that development provides public facilities that are safe, convenient, and adequate in rough proportion to their public facility impacts.

A. MMC 19.702 Applicability

MMC 19.702 establishes the applicability of the provisions of MMC 19.700, including land divisions, new construction, expansions of existing structures, and changes or intensifications in use.

The proposed development consists of new construction. The Planning Commission finds that the proposed development is subject to the standards and requirements of MMC 19.700.

B. MMC 19.703 Review Process

MMC 19.703 establishes the review procedures for development that is subject to MMC 19.700.

- i. MMC 19.703.1 requires a preapplication conference for all proposed development that is subject to MMC 19.700.

A preapplication conference for the proposed development was held on November 17, 2011. This standard is met.

- ii. MMC 19.703.2 establishes the requirements for submittal of either a development permit application or Transportation Facilities Review (TFR) application to demonstrate compliance with MMC 19.700. As per MMC 19.703.2.B, if a proposed development does not require a Transportation Impact Study (TIS), but does require another type of land use application(s), then a TFR application is not required and compliance with MMC 19.700 will be evaluated during the review of the other land use application(s).

The Engineering Director has determined that a TIS is not required as part of the proposed development in accordance with MMC 19.704; therefore, a TFR land use application is not required. The proposed development requires submission of a Type III Community Service Use (CSU) application; compliance with MMC 19.700 will be reviewed concurrently with the CSU application. This standard is met.

- iii. MMC 19.703.3 establishes the approval criteria for all proposed development subject to MMC 19.700.

- a. As per MMC 19.703.3.A, public facility improvements shall comply with the Public Works Standards at the time of development.

Public facility improvements associated with the proposed development comply with the standards and requirements of MMC 19.700, as addressed in these findings. A condition is established to ensure that the public facility improvements comply with the Public Works Standards at the time of development. As conditioned, this standard is met.

- b. As per MMC 19.703.3.B, development shall provide transportation improvements in rough proportion to the potential impacts of the development.

The applicant proposes transportation facility improvements and mitigation at the time of development in rough proportion to the potential impacts of the development in accordance with MMC 19.705. This standard is met.

- c. MMC 19.703.3.C requires that a proposed development meet the City's basic safety and functionality standards prior to the issuance of any development permits.

The applicant proposes transportation facility improvements that meet or exceed the safety and functionality standards of MMC 19.703.3.C. This standard is met.

The Planning Commission finds that the proposed development, as conditioned, meets the approval criteria of MMC 19.703.3.

The Planning Commission finds that, as conditioned, the proposed development complies with the applicable standards of MMC 19.703.

C. MMC 19.704 Transportation Impact Evaluation

MMC 19.704 establishes the procedures for determining whether a proposed development requires a formal Transportation Impact Study (TIS). If required, a TIS evaluates the adequacy of the transportation system to serve the proposed development and determines the proportionate mitigation of impacts.

The projected increase in trip generation resulting from the proposed development, a building to house mechanical equipment in support of light rail operations, is minimal. The Engineering Director has determined that the projected impacts to the transportation system are not significant enough to require a transportation impact study.

The Planning Commission finds that the proposed development complies with MMC 19.704.

D. MMC 19.705 Rough Proportionality

MMC 19.705 establishes standards to ensure that required transportation facility improvements are roughly proportional to the potential impacts of the proposed development.

The proposed development consists of new construction on an existing lot. The proposed development property does not front a public roadway. However, as part of the larger Portland-Milwaukie Light Rail project, the applicant proposes design and construction of transportation facility improvements along 92 ft of Washington St fronting 2305 SE Washington St, the parcel through which access will be provided to the development property. The proposed transportation facility improvements include new curb, planter strip, sidewalk and street reconstruction consistent with the Public Works Standards.

The projected increase in trip generation resulting from the proposed development is minimal. The proposed transportation facility improvements are roughly proportional to the impacts of the proposed development.

The Planning Commission finds that the proposed development complies with MMC 19.705.

E. MMC 19.706 Fee in Lieu of Construction

MMC 19.706 establishes provisions to allow payment of a fee in lieu of constructing required transportation facility improvements.

The applicant proposes to construct the required transportation facility improvements. The Planning Commission finds that the proposed development complies with MMC 19.706.

F. MMC 19.707 Agency Notification and Coordinated Review

MMC 19.707 outlines the procedures for providing notice of a proposed development to other agencies when MMC 19.700 is applicable.

The proposed development is within 300 ft of a public railroad crossing. Notice of the proposed land use application has been provided to ODOT Rail Division for their review and comment.

The proposed development is within 200 ft of a designated collector roadway, Monroe St. Notice of the proposed land use application has been provided to Metro and Clackamas County for their review and comment.

The Planning Commission finds that the proposed development complies with the applicable standards of MMC 19.707.

G. MMC 19.708 Transportation Facility Requirements

MMC 19.708 establishes the City's requirements and standards for improvements to public streets, including pedestrian, bicycle, and transit facilities. These include requirements for access management, clear vision, development in non-downtown zones, street layout and connectivity, and intersection design and spacing. Transportation facility improvements are subject to the requirements of the Milwaukie Downtown and Riverfront Plan: Public Area Requirements.

The proposed development property does not front a public roadway. The applicant proposes to share existing access on Washington St with the adjacent property to the south, 2305 SE Washington Street. A condition is established to require the applicant to modify access, as necessary, in accordance with the access management standards of MMC 12.16.040.E and MMC 12.16.040.F.

Another condition is established to require the applicant to demonstrate compliance with the clear vision standards of MMC 12.24 prior to start of construction.

The proposed development is located within a non-downtown zone but has access to a public street (Washington St) that is shown in the Milwaukie Downtown and Riverfront Plan: Public Area Requirements. The applicant proposes transportation facility improvements on Washington St consistent with public area requirements.

The Planning Commission finds that the proposed development, as conditioned, complies with MMC 19.708.

H. MMC 19.709 Public Utility Requirements

MMC 19.709 establishes standards to determine whether existing public utilities are adequate to serve a proposed development, as well as to determine whether new or expanded public utilities are warranted to ensure compliance with the City's public utility requirements and standards.

The Engineering Director has determined that the existing public utilities are adequate to serve the proposed development. The Planning Commission finds that the proposed development complies with MMC 19.709.

The Planning Commission finds that, as conditioned, the proposed development complies with all applicable standards of MMC 19.700.

11. The City distributed the subject application to the following City departments and agencies for review and comment on August 10, 2012: City of Milwaukie Building and Engineering Departments, Clackamas County Fire District #1, Metro, Clackamas County, Oregon Department of Transportation (ODOT), and TriMet. The application was also sent to the ODOT Rail Division for review and comment on August 22, 2012. The City mailed notice of the initial public hearing to property owners and current residents at all properties within 300 ft of the subject property on September 5, 2012.

The following is a summary of the comments received by the City:

- **Tom Larsen, City of Milwaukie Building Official:** No comments on the proposal.
- **Mike Boumann, Clackamas County Fire District #1:** No comments on the proposal.
- **Zach Weigel, City of Milwaukie Engineering Department:** Various comments related to MMC 19.700 Public Facility Improvements, MMC 12.16 Access Management, and MMC 12.24 Clear Vision at Intersections.

Response: These comments have been incorporated into the Findings.

Recommended Conditions of Approval

1. The applicant shall submit a Type I Development Review application prior to or concurrent with the building permit submittal for construction of the Portland Milwaukie Light Rail (PMLR) substation utility building and related site improvements.
2. The plans submitted to the City of Milwaukie for construction of the substation utility building and site improvements shall be in substantial conformance with the plans reviewed by the Planning Commission and date stamped as received by the City on August 9, 2012; except that construction plans shall additionally conform with the fencing detail sheets (Drawing #s A15E-560 and A15E-561) submitted September 4, 2012, and landscaping legend sheets (Drawing #s L15E-002 through L15E-007) submitted September 7, 2012. The plans shall be modified only as described in these conditions of approval or through a subsequent formal modification process.

(Note for Recommendation draft: Any plan set changes proposed by the applicant or Planning Commission during or as a result of the land use review process shall be reflected in these conditions of approval prior to adoption by the Planning Commission.)

3. The development permit submittal for the substation utility building and site improvements shall include a detailed description of any proposed plan changes that are not part of these conditions of approval, or that the final decision-making authority did not specify in its decision. Any such plan changes shall be subject to the City's review and approval.
4. Prior to issuance of any building or other permits for development on the subject property, the following shall be resolved:
 - A. Demonstrate compliance with clear vision standards of MMC 12.24.
5. Prior to final inspection for any building or other permits for development on the subject property, the following shall be resolved:
 - A. Modify access to 2305 SE Washington Street, as necessary, in accordance with MMC 12.16.040.E and MMC 12.16.040.F.
 - B. Construct transportation facility improvements on Washington St, fronting the western 92 ft of 2305 SE Washington St in accordance with the Milwaukie Downtown and Riverfront Plan: Public Area Requirements.
 - C. Install woven-wire mesh panels within frames on the building's walls and doors, as presented in the applicant's submittal materials (Exhibits P8 and P11- P15).
 - D. Install 6-ft-tall, black powder-coated fencing of welded-wire construction around the perimeter of the subject property, as presented in the applicant's submittal materials (Drawing #s A15E-560 and A15E-561).
 - E. Plant landscaping consistent with that shown on Exhibit P2 (Landscaping Planting Plan, Drawing # L15E-209) and planting legend (Drawing #s L15E-002 through L15E-007).
 - F. Construct the proposed roof-mounted solar photovoltaic array if funding becomes available before building construction. TriMet shall actively seek funding for the proposed solar roof.

6. The land use approval shall expire and become void unless both of the following steps are completed:
 - A. Obtain all necessary development permits and start construction within 2 years of land use approval.
 - B. Pass final inspection within 4 years of land use approval.

Advisory Notes

The advisory notes are a list of requirements that may apply to the proposed development at the time of building permit. The advisory notes are for informational purposes only.

1. Stormwater Management

Submit a stormwater management plan prepared by a qualified professional engineer with required development or building permits as part of the proposed development. The plan shall conform to Section 2 – Stormwater Design Standards of the City of Milwaukie Public Works Standards.

- a. The stormwater management plan shall demonstrate that the post-development runoff does not exceed the pre-development runoff, including any existing stormwater management facilities serving the development site.
- b. The stormwater management plan shall demonstrate compliance with water quality standards in accordance with the City of Portland Stormwater Management Manual.

Development/building permits will not be issued for construction until the stormwater management plan has been approved by the City of Milwaukie.



PORTLAND-MILWAUKIE
LIGHT RAIL PROJECT

**DOWNTOWN MILWAUKIE LIGHT RAIL SUBSTATION BUILDING
APPLICATION STANDARDS AND CRITERIA RESPONSE**

Procedure Type

MNQJ/Planning Commission

Reviews Required

COMMUNITY SERVICE USE REVIEW

REVIEW EXTENT

COMMUNITY SERVICE USE

The substation use, characterized as Utility, is subject to a **Community Service Use Review**.

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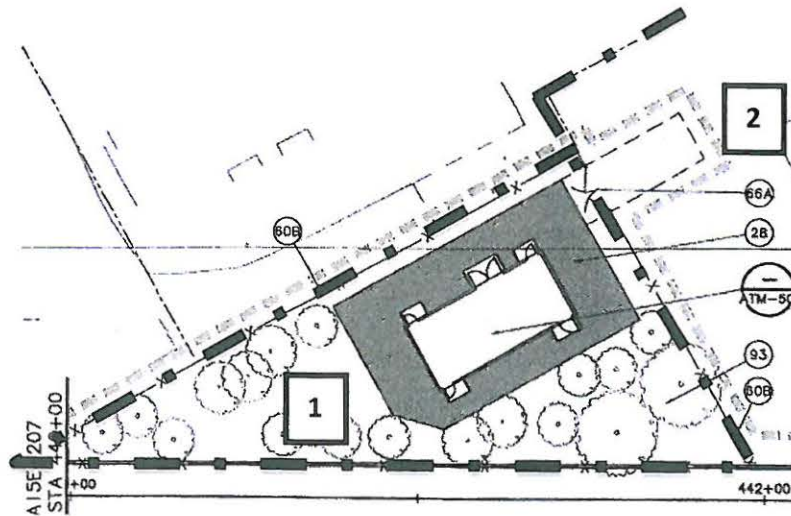
AUG 09 2012

CITY OF MILWAUKIE
PLANNING DEPARTMENT

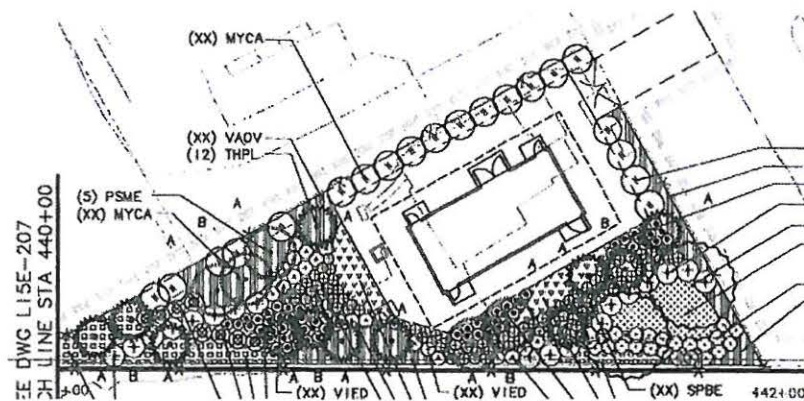
PROPERTY SUBJECT TO REVIEW

| lot # | Street | Zone | Property ID # | Assessor Reference # |
|----------------------------|-----------------------|------|---------------|----------------------|
| SUBSTATION PROPERTY | | | | |
| 1 | 2316 SE MONROE | R1-B | C224774 | 11E36BB04500 |
| 2* | 2305 SE WASHINGTON ST | R1-B | C224841 | 11E36BB04400 |

* - Lot #2 exclusively for access easements. Only a small asphalt driveway connecting that parking lot to this site is proposed, as shown below.



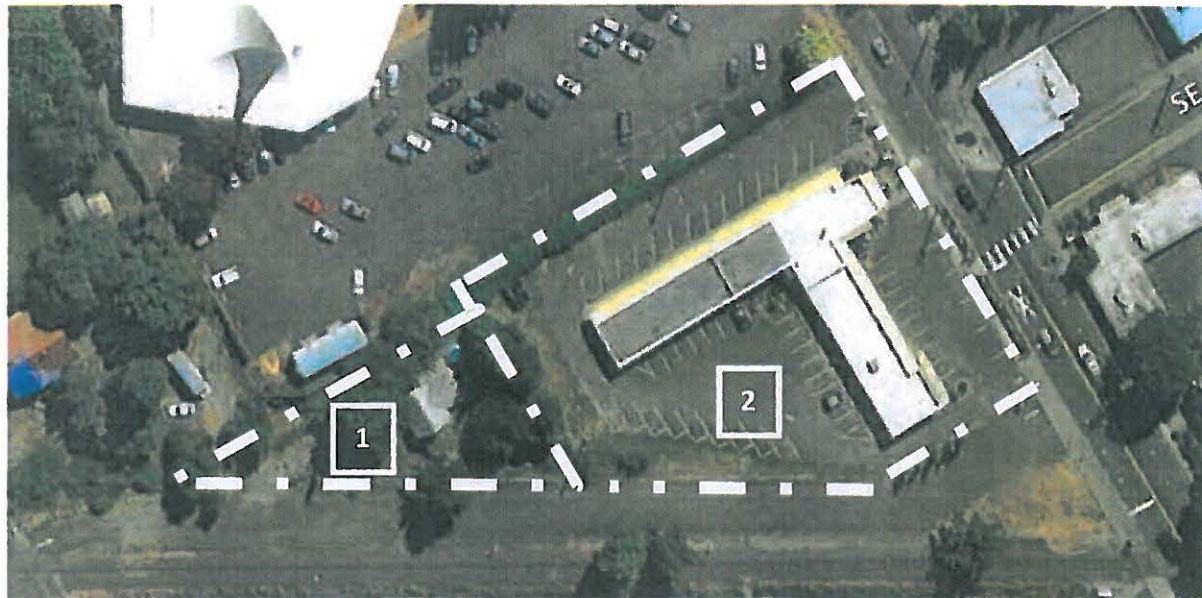
LOT/SITE PLAN



LANDSCAPE PLAN



AERIAL DESCRIBING ACCESS AND EASEMENT CONDITIONS



AERIAL VIEW OF SITE



Total existing landscape area = 9,179 sf
 Total parcel area = 44,762 sf
 Existing landscape coverage = 20.5%

AERIAL SHOWING EXISTING LANDSCAPE COVERAGE

DETAILED PROPOSAL DESCRIPTION

The Portland Milwaukie Light Rail project is a 7.3 mile extension of the TriMet regional rail system. The rail system includes a station in downtown Milwaukie, and another just south of Milwaukie at Park Avenue and McLoughlin

Various portions and aspects of the project have gone through land use reviews, and others will come through future reviews. One earlier review (P-12-02) pertained specifically to the Substation. The purpose of this review was to determine appropriate parking requirements for the substation itself. Through that review, it was determined that no on-site parking is appropriate for this use.

This review pertains specifically to the downtown light rail substation, located along the future light rail alignment, roughly equidistant from SE Monroe and SE Washington Street. The substation use, characterized as Utility because of the communications function, is subject to a **Community Service Use Review**.

The site currently has a residential building and parking on it, both of which will be removed. The site currently has no street frontage and is accessed via the adjacent railroad property with an address off SE Monroe Street. The substation site will include: a small utility building (the substation), a gravel surround, landscaping on the remainder of the site, surrounded by a security fence with an access gate. Since the light rail tracks will be constructed on the adjacent railroad property, an access easement across the site to the south will provide the required access. Documentation of this easement will be provided prior to final inspection of the building. Access will be intermittent, for monitoring and maintenance as required. There is space available, and thus provided, for a maintenance vehicle to park within the perimeter, but this will only be intermittently utilized. No changes to the current boundaries of either lot is proposed.

The Substation building has the following dimension: 21'-4" (W) x 44'-0" (L) x 15'-0" (H) +/-.

The building includes elements and attributes that have been developed to fit into its respective context, and offers a higher quality of features and finishes than have been applied to such structures in the past. In this case those elements consist of the following:

- A painted concrete block (cmu) wall system, faced with a metal frame in which woven wire panels are placed.
- For the portions of the building above 12'-0", metal siding above the cmu.
- A Galvalume standing seam roof with a 1/12 flat sloped roof.
- Woven wire panels also attached to all doors.
- A roof-mounted photovoltaic array will be installed if funding is identified.

The applicable standards and approval criteria have been identified and addressed below. The proposal is consistent with those approval criteria, and seeks an approval at this time.

| |
|-------------------------------------|
| APPLICABLE APPROVAL CRITERIA |
|-------------------------------------|

Those Code sections determined to be Applicable have been identified as follows.

Base Zone Development Standards

19.307 R1-B, Residential-Business Office Zone

Community Service Use

19.904.4 Approval Criteria COMMUNITY SERVICE USE

19.904.9 Specific Standards for Institutions and other Facilities not Covered by Other Standards

| |
|---|
| APPLICABLE DEVELOPMENT STANDARDS |
|---|

No Development Standards within the base zone, but for the Parking Quantity Determination and Quantity Modification previously approved, require any additional review.

| |
|---------------------------------------|
| 19.308.3 Standards, R1-B Zones |
|---------------------------------------|

| Standard | Findings |
|--|--|
| B. Front yard. A front yard shall be at least 15 ft. | Although the building site does not have street frontage, it will be accessed via Washington St. Therefore the south property line will be considered the front property line. The building will be at least 15' from the south property line as shown in the provided exhibits. The standard is met. |
| C. Side yard. A side yard shall be at least 5 ft, and there shall be additional 1 ft of side yard for each 3 ft of height over 2 stories or 25 ft, whichever is less, except on corner lots a side yard shall be at least 15 ft on the side abutting the street. | The building will be less than 25' in height, and thus a required side yard setback of 5' on both the east and west sides will be met as shown in the provided exhibits'. The standards are met. |
| D. Rear yard. A rear yard shall be at least 15 ft. | The building will be set back at least 15' from the rear lot line, as defined by the zoning ordinance, and as shown in the provided exhibits. The standard is met. |
| E. Off-street parking and loading. As specified in Chapter 19.600. | Parking requirements as specified in Chapter 19.600 have been addressed by Parking Determination review P-12-02, which found that zero off-street parking spaces are required for the proposed use. The standard is met. |
| F. Height restriction. Maximum height of a structure shall be 3 stories or 45 ft, whichever is less. | The provided exhibits demonstrate that building is of modest scale, single story, with a height of approximately 15 feet. The standard is met. |

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| G. Lot coverage. Maximum area that may be covered by the principal structure and accessory buildings shall not exceed 50% of the total area of the lot. | | The provided exhibits demonstrate that the lot coverage by the principal structure is substantially less than 50% of the total area. The standard is met. |
| H. Minimum vegetation. Minimum area that must be left or planted in trees, grass, shrubs, etc. shall be 15% of the total area of the lot. | | The provided exhibits demonstrate that the site is landscaped to substantially greater than 15% of the total area of the lot. The standard is met. |
| I. Frontage requirements. Every lot shall abut a public street other than an alley for at least 35 ft, except as provided in the Land Division Ordinance. Lots for interior single-family attached and condominium units shall abut a public street for at least 20 ft. | | The site itself currently has no frontage. The frontage for the SE Washington Street lot that allows access to the interior lot is greater than 35 feet. The access will result from an access agreement and easement, which will be provided prior to final inspection of the building. Access occurs through an existing curb cut towards the eastern most end of the Washington Street frontage. The standard is not applicable. |
| K. Minimum and maximum density. Residential densities for subdivision, planned development, mixed use development, and other proposals reviewed by the Planning Commission, pursuant to Section 19.1006 Type III Review, shall be at least 25 and not more than 32 dwelling units per net acre. | | The proposal is not for residential development. The standard is not applicable. |

19.501.2 Yard Exceptions

| Standard | | Findings |
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| ...buildings along certain major streets are subject to additional yard requirements... | | The portions of the nearby streets otherwise applicable do not extend to this area. The standards are not applicable. |

19.700 PUBLIC FACILITY IMPROVEMENTS

Per direction from the City of Milwaukie, the following applicable sections of Chapter 19.700 are addressed below.

| Standards | Findings |
|--|--|
| A. 19.702 Applicability | The proposed development consists of new construction and is subject to the requirements of Chapter 19.700. |
| C. 19.703.2 Application Submittal | The proposed development does not trigger a transportation impact study, but does require submittal of land use applications, including those herein and a previous Parking Determination reviewed under separate cover. |
| <p>D. 19.703.3 Approval Criteria</p> <p>A. Procedures, Requirements, and Standards</p> <p>Development and related public facility improvements shall comply with procedures, requirements, and standards of Chapter 19.700 and the Public Works Standards.</p> <p>B. Transportation Facility Improvements</p> <p>Development shall provide transportation improvements and mitigation at the time of development in rough proportion to the potential impacts of the development per Section 19.705 Rough Proportionality, except as allowed by Section 19.706 Fee in Lieu of Construction.</p> <p>C. Safety and Functionality Standards</p> <p>The City will not issue any development permits unless the proposed development complies with the City's basic safety and functionality standards, the purpose of which is to ensure that development does not occur in areas where the surrounding public facilities are inadequate. Upon submittal of a development permit application, an applicant shall demonstrate that the development property has or will have all of the following:</p> <ol style="list-style-type: none"> 1. Adequate street drainage, as determined by the Engineering Director. 2. Safe access and clear vision at intersections, as determined by the Engineering Director. 3. Adequate public utilities, as determined by the Engineering Director. 4. Access onto a public street with the minimum paved widths as stated in | <p>A. Compliance with the applicable standards and requirements is herein being addressed.</p> <p>B. The site is currently improved with a single-family residence which generates approximately 8 vehicle trips per day, on average, according to the Institute of Transportation Engineers' <i>Trip Generation Manual</i>. The proposed substation building will produce less than one trip per week, on average, resulting in significantly reduced use of adjacent transportation facilities. Since there is no net transportation impact, no improvements are warranted. However, significant transportation facility improvements are proposed to occur to SE Washington St and the adjoining road network as part of the larger light rail project at the time of development. 19.705 and 19.706 are addressed below.</p> <p>C. Demonstration of compliance with all safety and functional standards will be demonstrated through the development permit application.</p> |

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| <p>Subsection 19.703.3.C.5 below.</p> <p>5. Adequate frontage improvements as follows:</p> <p>a. For local streets, a minimum paved width of 16 ft along the site's frontage.</p> <p>b. For nonlocal streets, a minimum paved width of 20 ft along the site's frontage.</p> <p>c. For all streets, a minimum horizontal right-of-way clearance of 20 ft along the site's frontage.</p> <p>6. Compliance with Level of Service D for all intersections impacted by the development, except those on Oregon Highway 99E that shall be subject to the following:</p> <p>a. Level of Service F for the first hour of the morning or evening 2-hour peak period.</p> <p>b. Level of Service E for the second hour of the morning or evening 2-hour peak period.</p> | |
| E. 19.704 Transportation Impact Evaluation | There will be a net reduction in vehicle trips as a result of the proposed use. The Engineering Director has determined that a Transportation Impact Study is not required for the proposed development. |
| F. 19.705 Rough Proportionality | <p>The system impacts of the proposal are decreasing relative to existing uses, given access to the site will be intermittent, and primarily for the purpose of maintenance.</p> <p>As a result, no transportation improvements due to systems impacts are warranted.</p> <p>Regardless, transportation facility improvements on SE Washington Street are to be constructed as part of the larger light rail project.</p> |
| G. 19.706 Fee In Lieu of Construction | There are no required transportation facility improvements as part of the proposed development. However, TriMet will construct transportation facility improvements as part of the light rail project. |
| H. 19.707 Agency Notification and Coordinated Review | All appropriate notification and coordinated review has occurred through this process, and earlier associated processes for the overall light rail project. |
| I. 19.708.1.A Access Management | The property will be accessing the public right-of-way through an existing accessway at 2305 SE Washington Street. No new accessway is proposed as part of this development. Only new accessways are subject to the access management standards contained in Chapter 12.16. |
| J. 19.708.1.B Clear Vision | The proposal will comply with clear vision standards |

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| | | contained in Chapter 12.24. |
| L. 19.708.3 Sidewalk Requirements and Standards | | The site does not abut the public right-of-way, but is accessed via an adjacent property that already exhibits sidewalks. |
| M. 19.708.4 Bicycle Facility Requirements and Standards | | SE Washington Street is not classified as a bike route. As a result, bikeway improvements are not required as part of the proposed development. |
| N. 19.708.6 Transit Requirements and Standards | | Transit improvements will be incorporated into the design and construction of the required transportation facility improvements as part of the overall light rail project. All improvements will be in accordance with the Public Works Standards and TriMet Standards. |
| O. 19.709 Public Utility Requirements | | The Engineering Director has determined that the existing public utilities are adequate to serve the proposed development. |

COMMUNITY SERVICE USE

19.904.4 Approval Criteria

| Criteria | Findings |
|---|--|
| 1. The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed in the CSU, the standards of the underlying zone are met | <p>Off-street parking requirements are being addressed through an earlier submitted application. That Parking Determination (P-12-02) found that no off-street parking is required, given the site's use as a utility building and has no on-site employees.</p> <p>Travel access through the Washington Street site will occur via existing drive aisles, and thus will have no effect on existing parking patterns, numbers, or access. A minimal section of landscaping toward the rear of that site will be paved to access the substation site. However, the remaining landscaped areas will continue to exceed the requirement of 15% of the lot area</p> <p>All other underlying zone standards are met.</p> <p>This criterion is met.</p> |
| 2. Specific standards for the proposed uses as found in Subsections 19.904.7-11 are met | <p>The activities have been assessed against the specific standards for the proposed uses as found in Subsections 19.904.7-11 (specifically, 19.904.9), and have been found to be met (see below),</p> <p>The criterion is met.</p> |
| 3. The hours and levels of operation of the proposed use are reasonably compatible with surrounding uses | <p>The use of the substation building is infrequent and irregular, as the purpose of such use is exclusively maintenance.</p> <p>As such, the hours and level of the use are nominal, the operation and use are therefore compatible with surrounding uses. There will be no noise, vibration, or light resulting from the maintenance activities.</p> <p>The criterion is therefore met.</p> |
| 4. The public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood | <p>Electrical substations are a necessary component of an electrified light rail transit line and are located to provide sufficient power to operate the light rail vehicles in public service. They have been carefully spaced along the line to provide efficient and effective power to the system while choosing locations which minimize their impacts. The public benefits resulting from the construction, completion, and utilization of the rail system are substantial, both locally and regionally. They include a more efficient transit system, reduced automobile usage and associated reduction in vehicle emissions and congestion, improved access and mobility for residents, a significant increase in local construction jobs, an accessible connection to the region's light rail system,</p> |

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| | <p>enhanced regional economic competitiveness, and eventual downtown economic benefits typically associated with transit-oriented development.</p> <p>Local benefits will include access to job corridors in the region readily accessible by light rail, and a transportation option that bypasses congestion on 99E and other nearby roads.</p> <p>There are no negative impacts associated with the substation building itself, as it's a quiet presence with little activity. Security measures include attractive and high-quality fencing, and motion actuated security lighting at respective doors. Also, while this building is outside of the design review overlay, it will still include architectural treatments consistent with those approved for a similar signals/communications building in a downtown location. These treatments, along with proposed landscaping, mitigate any perceived visual impacts of the proposed building and ensure the site is not an attractive nuisance.</p> <p>The criterion is met.</p> |
| 5. The location is appropriate for the type of use proposed | <p>The location of the Light Rail project and its associated facilities has been vetted through a protracted Final Environmental Impact Statement (FEIS) process, as well as a substantial ongoing public outreach program and multiple public hearings, to ensure its location maximizes potential benefits, appropriately serves the downtown area, enhances bike and pedestrian amenities, connects to parks and open spaces in the area, serves community amenities, such as the high school, and is consistent with the Portland-Milwaukie Light Rail Locally Preferred Alternative adopted by the City of Milwaukie, Metro, and other regional partners. Additionally, the City of Milwaukie approved the South Downtown Concept Plan which anticipates the future light rail in this location.</p> <p>The substation location is generally determined by the technical requirements of the project and the light rail alignment. Other alignment alternatives were addressed through earlier processes, resulting in a determination that this alternative was least-impactful and appropriate. An electrical substation houses only electrical equipment and has no office space, regular employees or other active use. This secluded location is adequately setback and screened from the public street, making it ideal and appropriate for its use.</p> <p>The criterion is met.</p> |

19.904.9 Specific Standards for Institutions...and other Facilities not Covered by Other Standards

| Criteria | Findings |
|--|---|
| A. Utilities, streets, or other improvements necessary for the public facility or institutional use shall be provided by the agency constructing the use. | All utilities and street improvements warranted by the project are being constructed as part of the project and are being provided by TriMet. The criterion is met. |
| B. When located in or adjacent to a residential zone, access should be located on a collector street if practicable. If access is to a local residential street, consideration of a request shall include an analysis of the projected average daily trips to be generated by the proposed use and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the use. Uses which are estimated to generate fewer than 20 trips per day are exempted from this subsection. | The proposed use is located in a mixed-use zone that allows residential uses, but is expected to generate approximately one trip per week, or less. Therefore, it is exempt from this subsection. |
| C. When located in a residential zone, lot area shall be sufficient to allow required setbacks that are equal to a minimum of $\frac{1}{3}$ the height of the principal structure. As the size of the structure increases, the depth of the setback must also increase to provide adequate buffering. | The location is not within an exclusively residential zone. Regardless, given the modest building height, all setbacks meet the standard. The criterion is met. |
| D. The height limitation of a zone may be exceeded to a maximum height of 50 ft. provided Subsection 19.904.9.C of this subsection is met. | The maximum substation height is approximately fifteen feet. Therefore the structure does not exceed the height limit. The criterion is met. |
| E. Noise-generating equipment shall be sound-buffered when adjacent to residential areas. | There will be no noise generating equipment present on site. The criterion is met. |
| F. Lighting shall be designed to avoid glare on adjacent residential uses and public streets. | The exterior lighting on the substation building is limited to an LED lighting fixture over each of the doors. The lighting will be for security purposes, photocell-actuated, focused down to ensure there will be no glare affecting surrounding uses and streets. The criterion is met. |

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| <p>G. Where possible, hours and levels of operation shall be adjusted to make the use compatible with adjacent uses.</p> | <p>The hours and levels of use are infrequent and intermittent. As such, the hours and level of the use do not conflict with the surrounding uses and are therefore compatible with them.</p> <p>The criterion is met</p> |
| <p>H. A spire on a religious institution may exceed the maximum height limitation. For purposes of this subsection, "spire" means a small portion of a structure that extends above the rest of the roofline, or a separate structure that is substantially smaller than the main structure and extends above the roofline of the main structure. "Spire" includes but is not limited to ornamental spires, bell towers, other towers, minarets, and other similar structures or projections. The number of spires on a religious institution property is not limited, so long as the spires remain only a small portion of the area of the structures</p> | <p>No spire is being proposed by this project</p> <p>The criterion is not applicable</p> |
| <p>I. The minimum landscaping required for religious institutions is the lesser of 15% of the total site area and the percentage required by the underlying zone.</p> | <p>No religious institution is proposed.</p> <p>The criterion is not applicable</p> |
| <p>J. Park-and-ride facilities may be encouraged for institutions along transit routes that do not have days and hours in conflict with weekday uses (e.g., religious institutions or fraternal organizations). Such uses may be encouraged to allow portions of their parking areas to be used for park-and-ride lots.</p> | <p>This development will not include an off-street parking area.</p> <p>The criterion is not applicable</p> |



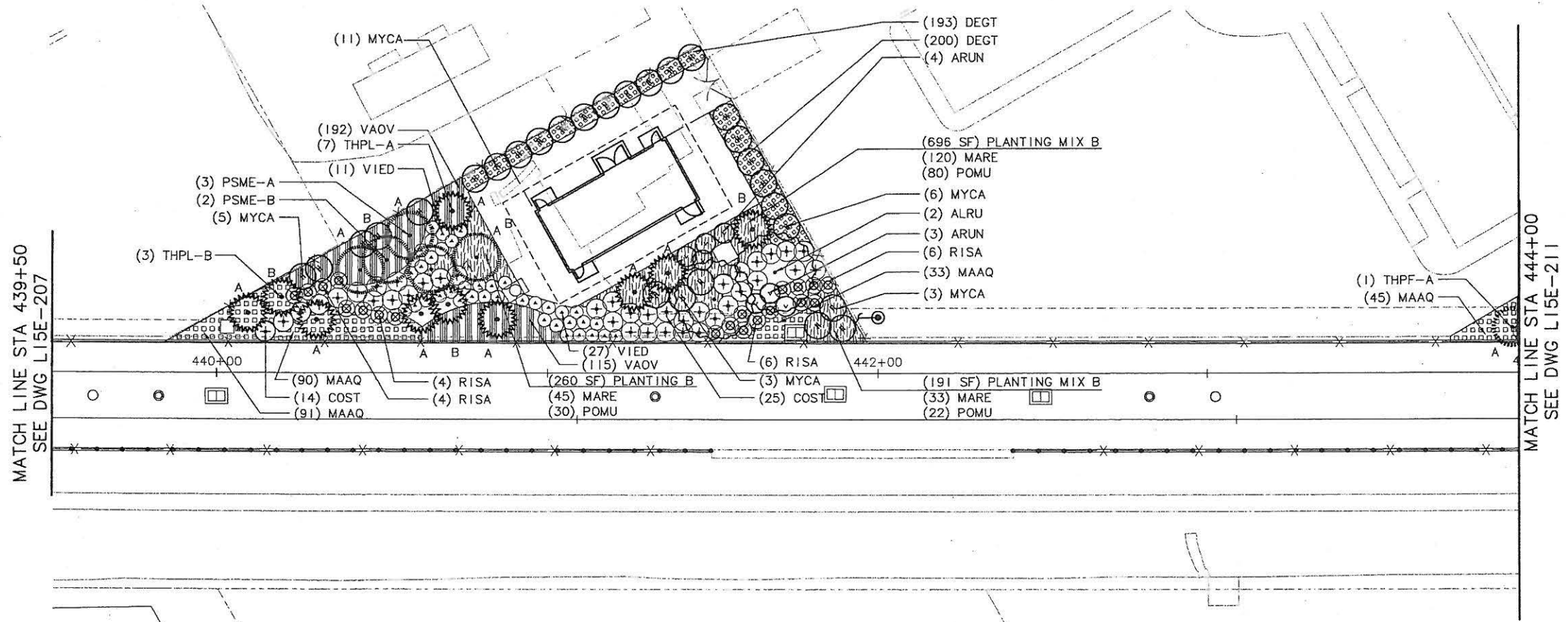
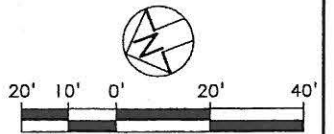
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|-----|------------------------------------|-----|--|
| 6 | A.C. PAVEMENT, REF. CIVIL | 60B | FENCE - TYPE 9B - 72" WELDED WIRE FENCE, REF. I/A15E-560 |
| 21 | OCS POLE, REF. SYSTEMS | 66A | GATE - WELDED WIRE FENCE, MATCH FENCE HEIGHT, REF. I/A15E-561 |
| 28 | GRAVEL, REF. CIVIL | 85 | RR SAFETY WALL, REF. STRUCTURAL |
| 56A | RAILING - TYPE 7A, REF. I/A15E-550 | 94 | PLANTING AREA, REF. CIVIL / LANDSCAPING |

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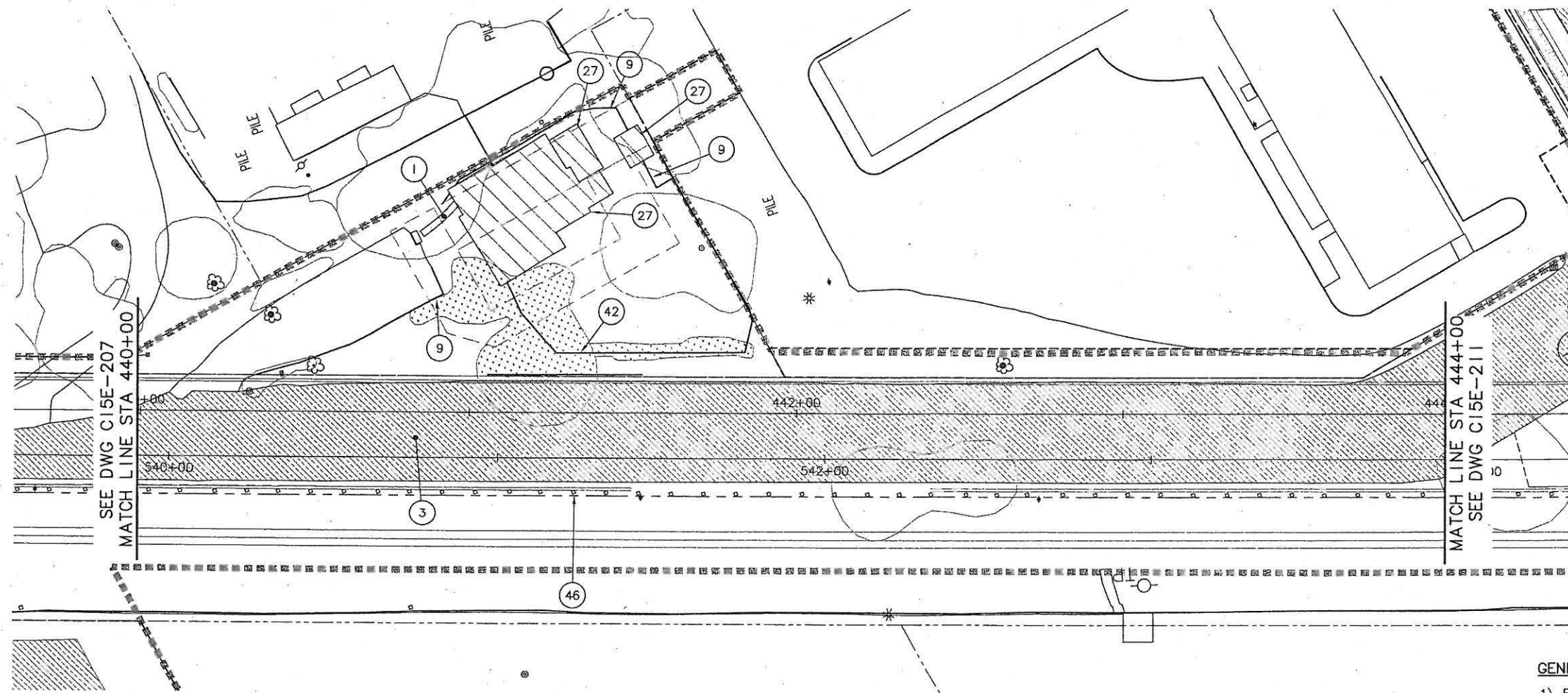
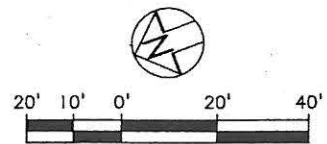
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CITY OF MILWAUKIE
PLANNING DEPARTMENT

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| | | | | SK DESIGNED 05-02-11 DATE | | | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT LANDSCAPE PLANTING PLAN STA 439+50 TO STA 444+00 Exhibit P2 | | | | |
| | | | | CM/AP DRAWN 10-19-11 DATE | | | | | | | | | | | |
| | | | | TS CHECKED 04-17-12 DATE | | | TRI-COUNTY MET CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | | | | |
| | | | | FME APPROVED 05-14-12 DATE | | | SUBMITTAL DATE: 05-14-12 APPROVED DATE: 05-14-12 | | | | SCALE: DRAWING NO.: L15E-209 CONTRACT NO.: RH100544JB SHEET NO.: 327 | | | | |
| NO. | DATE | BY | CHK. | APPD. | REVISIONS | ISSUED FOR CONSTRUCTION | | | | | | | | | |
| 05-14-12 | TS | MF | | | | | | | | | | | | | |



DEMOLITION NOTES

- 1 DEMO EXISTING SIDEWALK/DRIVEWAY
- 3 DEMO EXISTING SURFACE AC PAVEMENT
- 9 DEMO EXISTING WALL
- 27 DEMO EXISTING STRUCTURE BY OTHERS
- 42 REMOVE FENCE AND POSTS
- 46 REMOVE PROTECTIVE POSTS FROM STA 440+00 TO 444+00

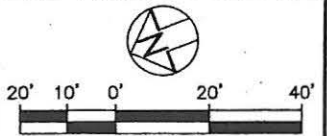
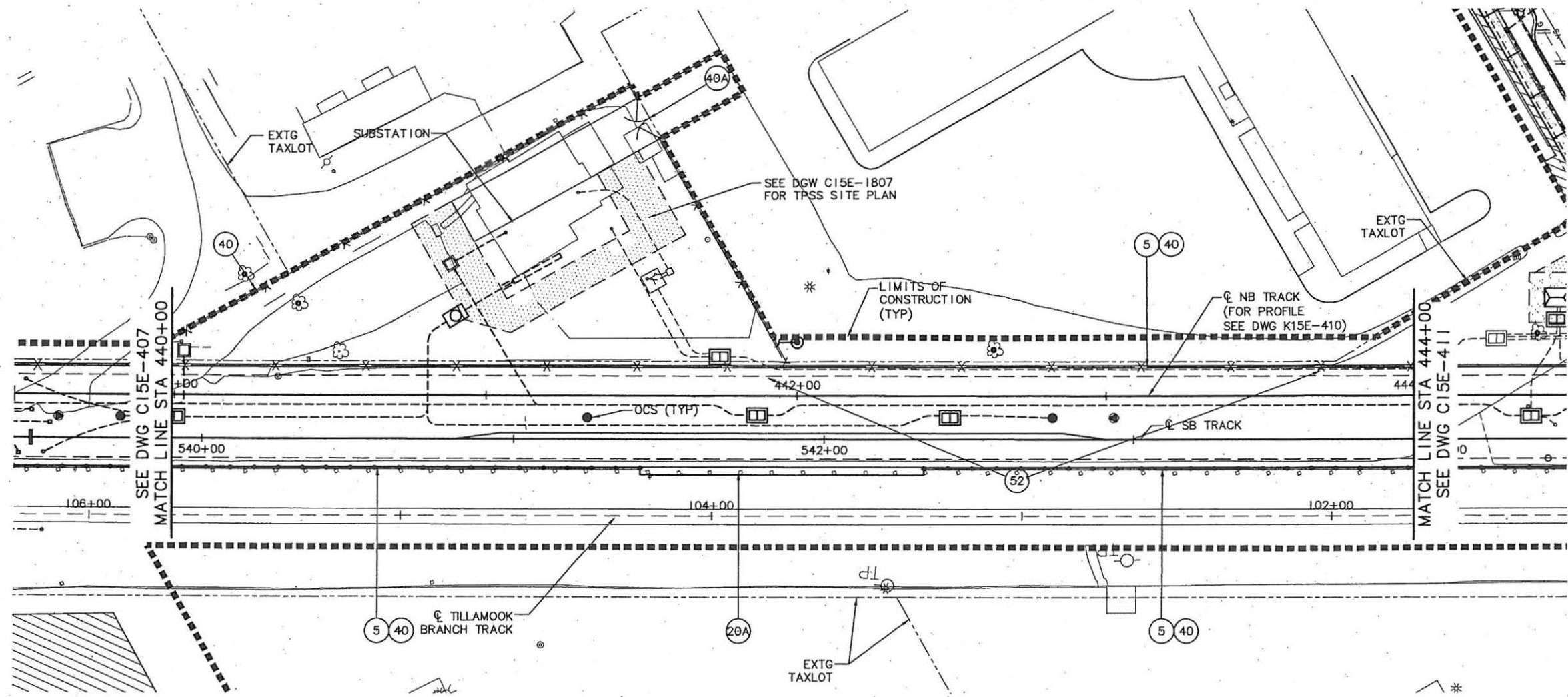
LEGEND

- FULL DEPTH ASPHALT PAVEMENT DEMOLITION
- CONCRETE SIDEWALK & DRIVEWAY DEMOLITION
- DEMO BUILDING BY OTHERS
- COLD PLANE EXISTING PAVEMENT REMOVAL. SEE ROADWAY DRAWINGS.
- CLEAR AND GRUB VEGETATIVE AREA FOR GRADING PREPARATION
- CONSTRUCTION LIMITS
- SAWCUT LIMITS
- REMOVE EXISTING TREE
- DEMO RAIL ROAD TRACKS
- REMOVE EXISTING UTILITY ELEMENT

GENERAL NOTES

- 1) FOR TRAFFIC SIGNAL REMOVALS SEE TRAFFIC SIGNAL PLANS.
- 2) FOR NON-ILLUMINATED TRAFFIC SIGN REMOVALS, SEE TRAFFIC SIGNING AND STRIPING PLANS.
- 3) ALL EXISTING TREES NOT SHOWN AS REMOVED, ARE TO BE PROTECTED AND PRESERVED IN PLACE. FOR SPECIFIC TREE PROTECTION/PRESERVATION REQUIREMENTS, SEE LANDSCAPE DRAWINGS AND SPECIFICATIONS. SALVAGE TREE GRATES FOR RE-USE, WHERE APPLICABLE.
- 4) SOME TRENCHING WILL OCCUR OUTSIDE OF THE WORK LIMITS SHOWN ON THESE PLANS (REFER TO SYSTEMS DRAWINGS). ALL TRENCHING AND SIDEWALK AND/OR STREET RESTORATION ASSOCIATED WITH THAT WORK SHALL BE PER CITY OF MILWAUKIE STANDARDS, OR AS DIRECTED BY THE RESIDENT ENGINEER.
- 5) ESTIMATED LIMITS OF DEMOLITION REQUIRED FOR INSTALLATION OF MISCELLANEOUS PLATFORM UTILITIES AND FOUNDATIONS FOR OCS POLES, STREETLIGHT POLE, PLATFORM AND BUS STOP SIGNAGE, AND STREET SHELTERS ARE SHOWN ON ARCHITECTURAL PLANS.
- 6) ALL UTILITIES ON PRIVATE PROPERTIES TO BE REMOVED BY OTHERS.
- 7) FOR UTILITIES IN PUBLIC RIGHT OF WAY, SEE UTILITY RELOCATION PLANS.
- 8) BASE MAPPING USED AS A BASIS FOR THE DESIGN WAS PROVIDED BY TRIMET. EXISTING TOPOGRAPHIC FEATURES WERE DEVELOPED BY TRIMET AND CH2M HILL FROM GIS DATA, AS-BUILT DRAWINGS, FIELD VISITS, AND AERIAL PHOTOGRAMMETRY. FEW COMPONENTS INCLUDE INFORMATION FROM ON THE GROUND FIELD SURVEY. CONTRACTOR SHALL VERIFY TOPOGRAPHY PRIOR TO CONSTRUCTION. HORIZONTAL AND VERTICAL CONTROL FOR THIS PROJECT SHALL BE OBTAINED FROM TRIMET PRIOR TO STARTING CONSTRUCTION.

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------|-----|-------------------------|-----------------------|------|-----------------------|------|---------------|----|------------------------------|-------------------------|--|--|----------------------|----------|-----------|----------|------------|----------|--------------|----------|--|--|--|--|---|--|---|--|--|--|
| <table border="1"> <tr> <td>NO.</td> <td>DATE</td> <td>BY</td> <td>CHK.</td> </tr> <tr> <td>05-14-12</td> <td>ET</td> <td>HAT</td> <td>ISSUED FOR CONSTRUCTION</td> </tr> </table> | | | | NO. | DATE | BY | CHK. | 05-14-12 | ET | HAT | ISSUED FOR CONSTRUCTION | <table border="1"> <tr> <td>HAT DESIGNED</td> <td>06-01-11</td> </tr> <tr> <td>HAT DRAWN</td> <td>06-01-11</td> </tr> <tr> <td>ET CHECKED</td> <td>04-11-12</td> </tr> <tr> <td>HAT APPROVED</td> <td>05-14-12</td> </tr> </table> | | HAT DESIGNED | 06-01-11 | HAT DRAWN | 06-01-11 | ET CHECKED | 04-11-12 | HAT APPROVED | 05-14-12 | | | <p>TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON</p> <p>TCC ASSOCIATES INC. 5621 SE 82nd Ave Suite 111 Portland, OR 97256 Phone: (503) 277-8143 Fax: (503) 262-9668 Email: info@tccengr.com</p> <p>DAVID EVANS AND ASSOCIATES INC.</p> | | <p>TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON</p> <p>CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232</p> | | <p>PORTLAND TO MILWAUKIE LRT EAST SEGMENT CIVIL DEMOLITION AND DECONSTRUCTION PLAN STA 440+00 TO STA 444+00</p> <p>Exhibit P3</p> | | | |
| NO. | DATE | BY | CHK. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 05-14-12 | ET | HAT | ISSUED FOR CONSTRUCTION | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HAT DESIGNED | 06-01-11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HAT DRAWN | 06-01-11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| HAT APPROVED | 05-14-12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>DATE: 05-14-12</p> | | | | <p>DATE: 05-14-12</p> | | <p>DATE: 05-14-12</p> | | <p>SCALE:</p> | | <p>DRAWING NO.: C15E-209</p> | | <p>CONTRACT NO.: RH100544JB</p> | | <p>SHEET NO.: 69</p> | | | | | | | | | | | | | | | | | |



CONSTRUCTION NOTES

- (5) CONSTRUCT TYPE II BALLAST CURB
(SEE TRACK DWGS FOR DETAILS - VOLUME 1)
- (20A) CONSTRUCT SAFETY WALL
(SEE STRUCTURAL DWGS FOR DETAILS - VOLUME 5)
- (40) INSTALL FENCE/RAILING
(SEE ARCHITECTURAL DWGS FOR DETAILS - VOLUME 4)
- (40A) INSTALL GATE
(SEE ARCHITECTURAL DWGS FOR DETAILS - VOLUME 4)
- (52) INSTALL IRRIGATION SLEEVE (NOT SHOWN - APPROX LOCATION)
(SEE LANDSCAPE DWGS FOR DETAILS - VOLUME 4)

GENERAL NOTES

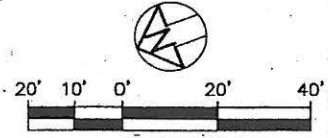
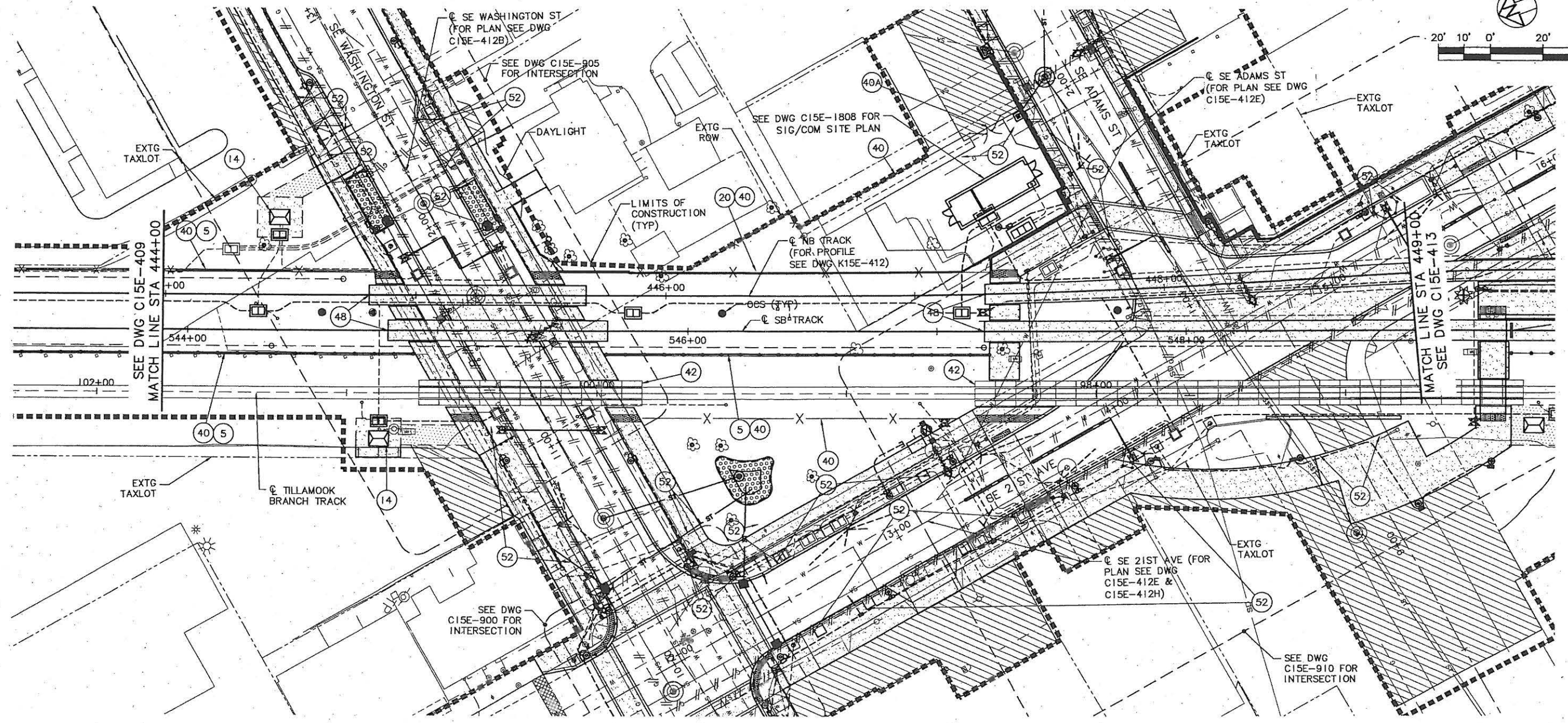
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2. FOR PROPOSED RIGHT OF WAY SEE RIGHT OF WAY PLANS, VOLUME 6.
3. ALL CONSTRUCTION TO BE PER CITY OF MILWAUKIE STANDARDS.
4. FIELD VERIFY ALL CONNECTIONS TO EXISTING STORM STRUCTURES AND PIPE INVERT DATA PRIOR TO CONSTRUCTION.
5. ADJUST PRIVATE AND PUBLIC MANHOLES, CLEANOUTS, INLETS, JUNCTION BOXES, VALVES, VALVE BOXES, AND UTILITY BOXES TO FINISH GRADE.

LEGEND

- GRAVEL ACCESS ROAD
- CONSTRUCTION LIMITS

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|---|--|--|--|--|--|--|--|---|--|--|--|-----------------------------|--|--|--|--------|--|--|--|-----------------------|--|--|--|--------------------------|--|--|--|----------------|--|--|--|
| | | | | | | | | | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT CIVIL ROADWAY AND STORM PLAN STA 440+00 TO STA 444+00 Exhibit P4 | | | | | | | | | | | | | | | | | | | | | | | |
| NO. 05-14-12 DATE 05-14-12 BY TAWH APPD. STDR CHK. ISSUED FOR CONSTRUCTION | | | | RFH DESIGNED 06-01-11 DATE 06-01-11 RJM DRAWN 06-01-11 DATE 06-01-11 TAWH CHECKED 04-11-12 DATE 04-11-12 APPROVED 05-14-12 DATE 05-14-12 | | | | | | | | SUBMITTER: DATE: 05-14-12 | | | | APPROVED: DATE: 05-14-12 | | | | SCALE: | | | | DRAWING NO.: C15E-409 | | | | CONTRACT NO.: RH100544JB | | | | SHEET NO.: 251 | | | |

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CONSTRUCTION NOTES

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| (5) CONSTRUCT TYPE 11 BALLAST CURB (SEE TRACK DWGS FOR DETAILS - VOLUME 1) | (42) INSTALL CONCRETE RAIL CROSSING PANELS (SEE TRACK DWGS FOR DETAILS - VOLUME 1) |
| (14) CONSTRUCT BUNGALOW CONCRETE PAD (SEE DWG C15E-1906 FOR DIMENSIONS AND GRADING) (SEE STRUCTURAL DWGS FOR DETAILS - VOLUME 5) | (48) INSTALL EMBEDDED TRACK (SEE TRACK DWGS FOR DETAILS - VOLUME 1) |
| (20) CONSTRUCT RETAINING WALL (SEE STRUCTURAL DWGS FOR DETAILS - VOLUME 5) | (52) INSTALL IRRIGATION SLEEVE (SEE LANDSCAPE DWGS FOR DETAILS - VOLUME 4) |
| (40) INSTALL FENCE/RAILING (SEE ARCHITECTURAL DWGS FOR DETAILS - VOLUME 4) | |
| (40A) INSTALL GATE (SEE ARCHITECTURAL DWGS FOR DETAILS - VOLUME 4) | |

LEGEND

- | | |
|-----------------------------------|-----------------------|
| ASPHALT DRIVEWAY/OVERLAY | CONSTRUCTION LIMITS |
| PCC ROADWAY/SIDEWALK/ DRIVEWAY | CONSTRUCT NEW INLET |
| GRAVEL ROADWAY | ADJUST EXISTING INLET |
| STORMWATER FACILITY | REMOVE EXISTING INLET |

GENERAL NOTES

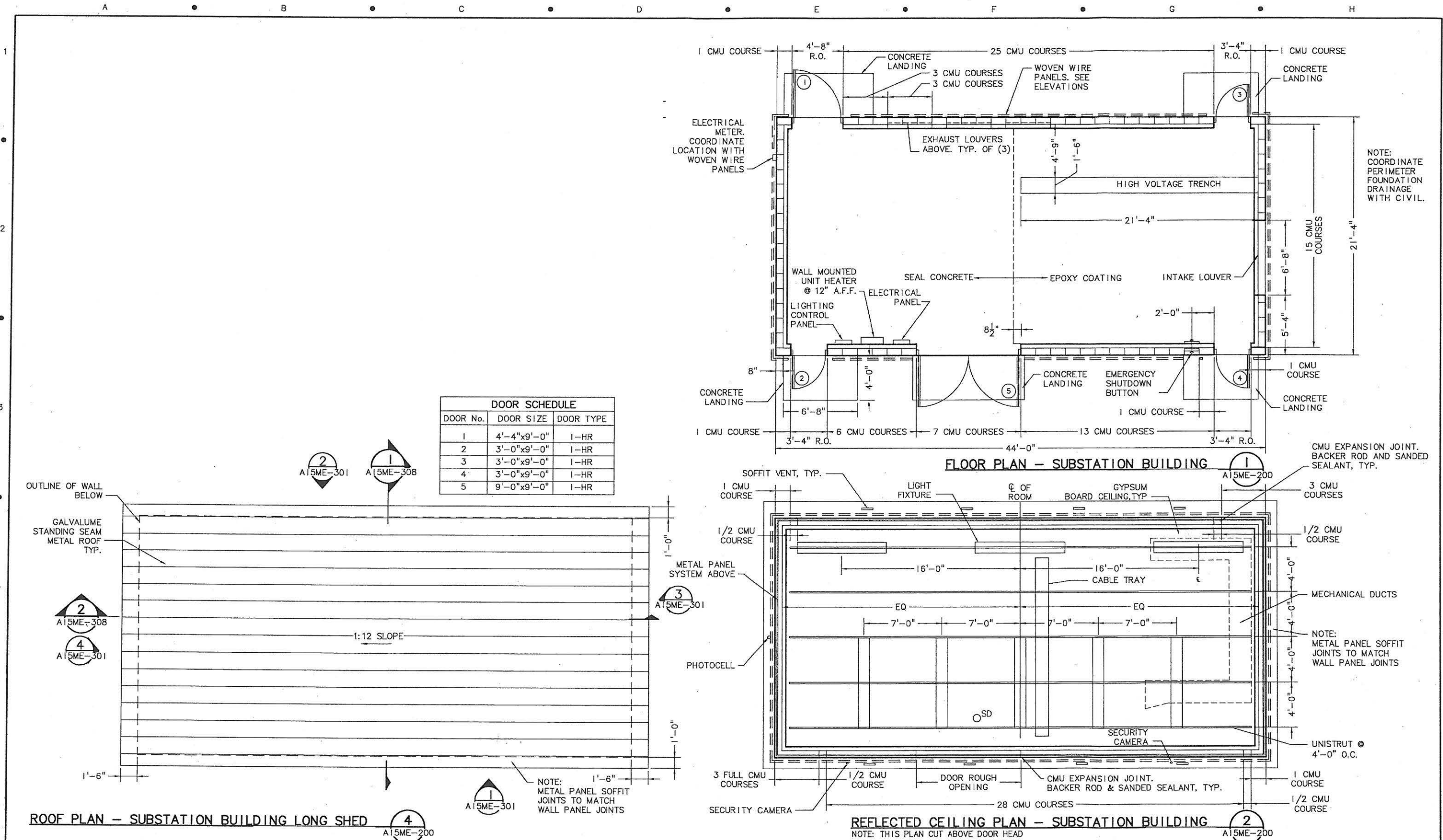
1. BASE MAPPING USED AS A BASIS FOR THE DESIGN WAS PROVIDED BY TRIMET. EXISTING TOPOGRAPHIC FEATURES WERE DEVELOPED BY TRIMET AND CH2M HILL FROM GIS DATA, AS-BUILT DRAWINGS, FIELD VISITS, AND AERIAL PHOTOGRAMMETRY. FEW COMPONENTS INCLUDE INFORMATION FROM ON THE GROUND FIELD SURVEY. CONTRACTOR SHALL VERIFY TOPOGRAPHY PRIOR TO CONSTRUCTION. HORIZONTAL AND VERTICAL CONTROL FOR THIS PROJECT SHALL BE OBTAINED FROM TRIMET PRIOR TO STARTING CONSTRUCTION.
2. FOR PROPOSED RIGHT OF WAY SEE RIGHT OF WAY PLANS, VOLUME 6.
3. ALL CONSTRUCTION TO BE PER CITY OF MILWAUKIE STANDARDS.
4. FIELD VERIFY ALL CONNECTIONS TO EXISTING STORM STRUCTURES AND PIPE INVERT DATA PRIOR TO CONSTRUCTION.
5. ADJUST PRIVATE AND PUBLIC MANHOLES, CLEANOUTS, INLETS, JUNCTION BOXES, VALVES, VALVE BOXES, AND UTILITY BOXES TO FINISH GRADE.

| <div>15-14-12 TAWH STDR ISSUED FOR CONSTRUCTION</div> <table border="1"><thead><tr><th>NO.</th><th>DATE</th><th>BY</th><th>CHK.</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> | | | | NO. | DATE | BY | CHK. | | | | | | | | | | | | | | | | | | | | | <div>RFH DESIGNED 06-01-11 DATE</div> <div>RJM DRAWN 06-01-11 DATE</div> <div>TAWH CHECKED 04-11-12 DATE</div> <div>APPROVED 05-14-12 DATE</div> | | <div>REGISTERED PROFESSIONAL ENGINEER SCOTT T. DREYER EXPIRES: 12/31/2013</div> | | <div>TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON</div> <div>DAVID EVANS AND ASSOCIATES INC.</div> <div>TRIOMET</div> <div>CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232</div> | | | | <div>PORTLAND TO MILWAUKIE LRT EAST SEGMENT CIVIL ROADWAY AND STORM PLAN STA 444+00 TO STA 449+00</div> <div>Exhibit P5</div> | | | |
|---|------|----|------|---|------|----|------|---|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---|--|---|--|--|--|---|--|--|--|
| NO. | DATE | BY | CHK. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| SUBMITTER: <i>[Signature]</i> DATE: 05-14-12 | | | | APPROVED: <i>[Signature]</i> DATE: 05-14-12 | | | | SCALE: DRAWING NO.: C15E-411 CONTRACT NO.: RH100544JB SHEET NO.: 252 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

EAST SIDE SYSTEMS BUILDINGS

| LOCATION | BUILDING TYPE | DRAWING INDEX | | ROOF FORM | ROOF MATERIAL | ROOF ORIENTATION | WALL TYPE | HVAC UNIT ELEVATION LOCATION | NOTES |
|--------------|---------------|---------------|-----------|------------|---------------|-------------------------------|------------|------------------------------|--------------------|
| | | PLAN | ELEVATION | | | | | | |
| | | | | | | DENOTES LOW SIDE OF SHED EAVE | | | |
| OMSI | SIG/COMM | 201, 203 | 303, 305 | BY OTHERS | BY OTHERS | BY OTHERS | BY OTHERS | BY OTHERS | BY OTHERS |
| GRAND AVENUE | TPSS | 200 | 301, 302 | SHORT SHED | METAL | WEST | WOVEN WIRE | N/A | POTENTIAL PV - NIC |
| CLINTON | SIG/COMM | 201 | 303 | SHORT SHED | BUILT UP | NORTH | WOVEN WIRE | NE | GREEN ROOF - NIC |
| RHINE | SIG/COMM | 201 | 303 | SHORT SHED | METAL - PV | WEST | WOVEN WIRE | EAST | POTENTIAL PV - NIC |
| HOLGATE | COMM | 203 | 305 | SHORT SHED | METAL - PV | NORTH | WOVEN WIRE | WEST | POTENTIAL PV - NIC |
| HOLGATE | TPSS | 200 | 301, 302 | SHORT SHED | METAL - PV | NORTH | WOVEN WIRE | N/A | POTENTIAL PV - NIC |
| 17TH AVE | SIG | 202 | 304 | SHORT SHED | METAL - PV | SOUTH | WOVEN WIRE | EAST | POTENTIAL PV - NIC |
| HAROLD | SIG | 202 | 304 | SHORT SHED | BUILT UP | NORTHEAST | WOVEN WIRE | EAST | GREEN ROOF - NIC |
| BYBEE | TPSS | 200 | 301, 302 | SHORT SHED | METAL - PV | SOUTH | WOVEN WIRE | N/A | POTENTIAL PV - NIC |
| BYBEE | COMM | 203 | 305 | SHORT SHED | METAL | SOUTH | GLAZED CMU | NORTH | |
| TACOMA | SIG/COMM | 201 | 303 | SHORT SHED | BUILT UP | EAST | WOVEN WIRE | EAST | GREEN ROOF - NIC |
| TACOMA | TPSS | 200 | 301, 302 | SHORT SHED | METAL - PV | SOUTH | WOVEN WIRE | N/A | POTENTIAL PV - NIC |
| MONROE | TPSS | 200 | 301, 302 | LONG SHED | METAL - PV | SOUTH | WOVEN WIRE | N/A | POTENTIAL PV - NIC |
| LAKE ROAD | SIG/COMM | 201 | 303 | SHORT SHED | BUILT UP | EAST | WOVEN WIRE | WEST | GREEN ROOF - NIC |
| PARK AVE | TPSS | 200 | 301, 302 | SHORT SHED | BUILT UP | EAST | WOVEN WIRE | N/A | GREEN ROOF - NIC |
| PARK AVE | SIG | 202 | 304 | SHORT SHED | BUILT UP | NORTHEAST | WOVEN WIRE | EAST | GREEN ROOF - NIC |
| PARK AVE | OCB | 204 | 306 | SHORT SHED | BUILT UP | EAST | WOVEN WIRE | EAST | GREEN ROOF - NIC |

| | | | | | | | | | | |
|----------|------|-------------------------------------|-----|-------------------------|--|------------|-------------------------------|------------------------|--------------------------|----------------|
| | | JYG DESIGNED 01/27/12 DATE | | | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | PORTLAND MILWAUKIE LIGHT RAIL | | | |
| | | JGG DRAWN 01/27/12 DATE | | | Hennebery Eddy Architects Inc. | | EAST SEGMENT | | | |
| | | SE CHECKED 02/02/12 DATE | | | TRI-COUNTY MET | | ARCHITECTURAL | | | |
| | | DB APPROVED 04/20/12 DATE | | | CAPITAL PROJECTS AND FACILITIES DIVISION 710 N.E. HOLLADAY STREET PORTLAND, OREGON 97232 | | SUBSTATION MATRIX | | | |
| 05/14/12 | | SE | DB | ISSUED FOR CONSTRUCTION | | APPROVED: | | DATE: 05/14/12 | | |
| NO. | DATE | BY | CHK | REVISIONS | | SCALE: NTS | | DRAWING NO.: A15ME-100 | CONTRACT NO.: RH100544JB | SHEET NO.: 240 |



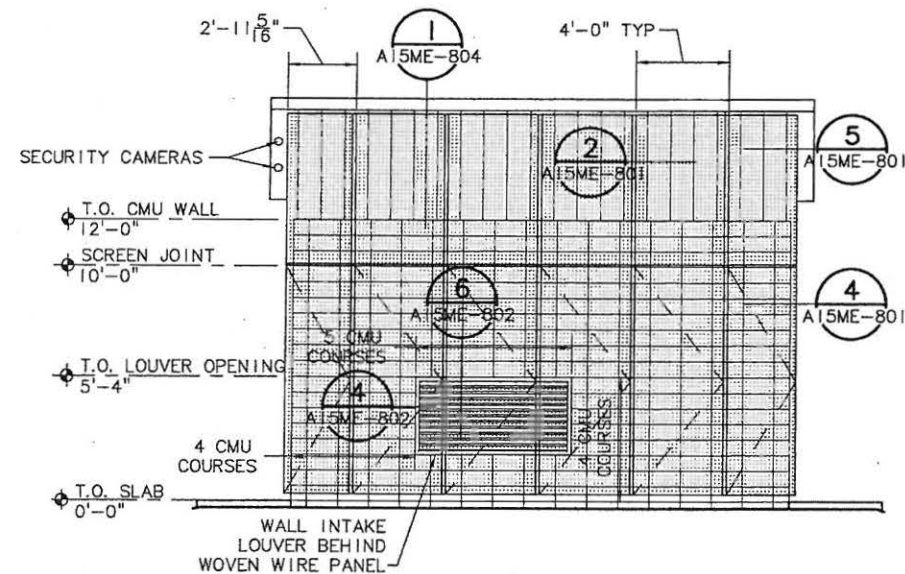
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ELEVATION NOTES

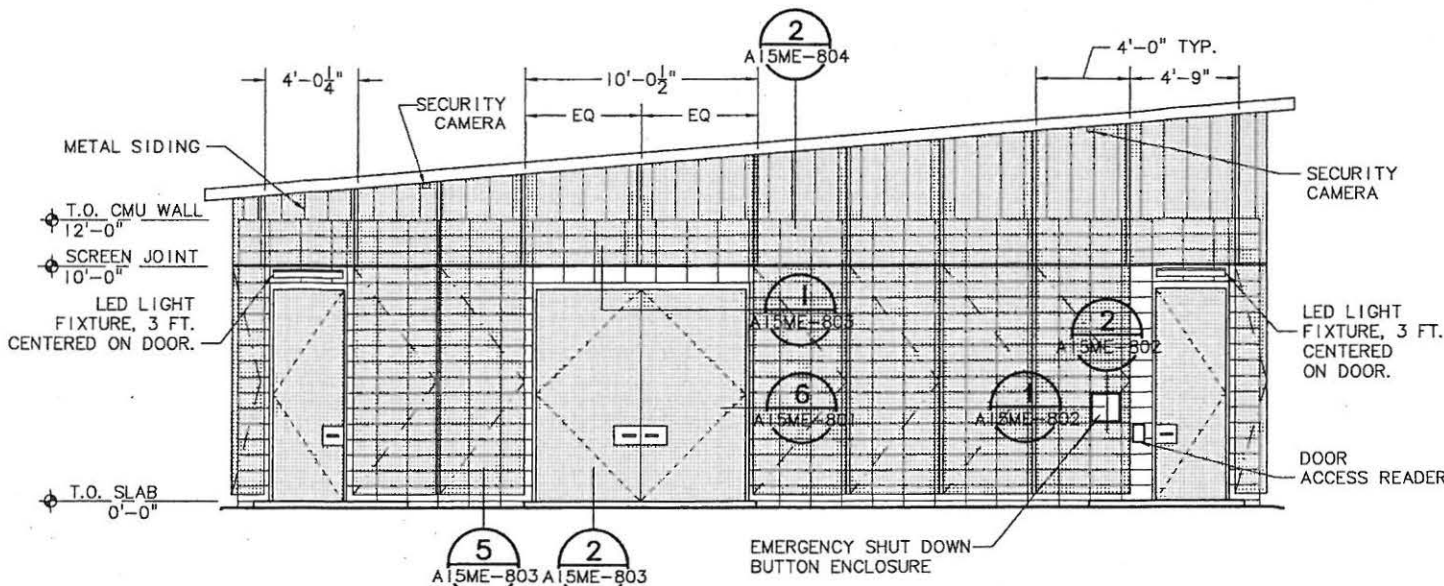
1. ALL WOVEN WIRE PANELS BELOW SCREEN JOINT ARE OPERABLE, TYP.
2. ALL WOVEN WIRE PANELS ARE 4'-0" WIDE UNLESS OTHERWISE NOTED.
3. SEE 6/A15ME-801 FOR TYPICAL DOOR JAMB, 1/A15ME-803 FOR DOOR HEAD, 2/A15ME-803 FOR DOOR THRESHOLD.
4. FOR SCREEN DETAIL AT DOOR HANDLES, SEE 2/A15ME-802 BENT PLATE FRAME DETAIL.

ELEVATION LEGEND

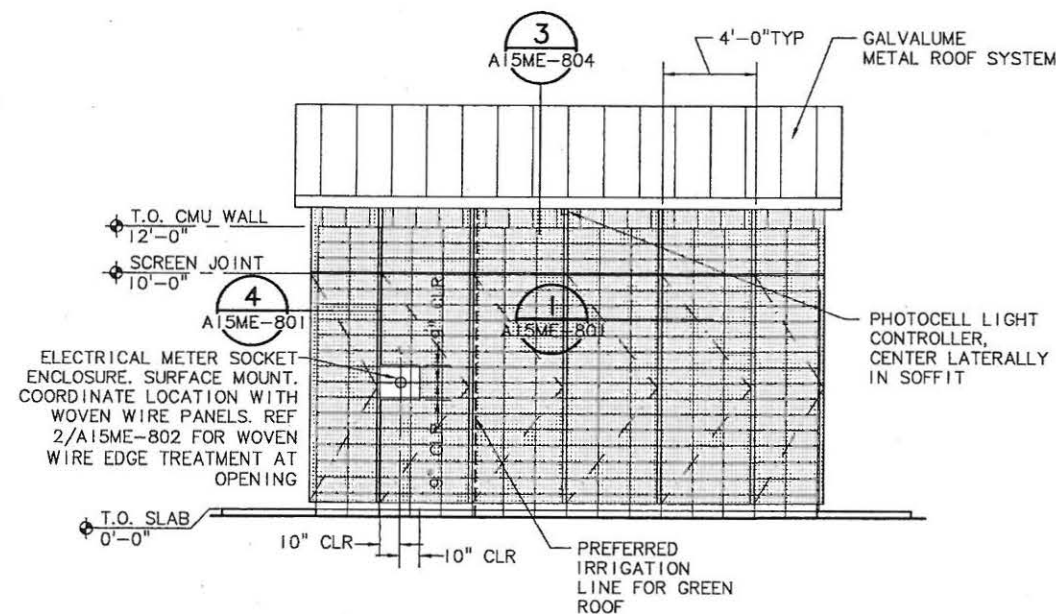
- PAINTED CMU COLOR: TO BE DETERMINED BY PROJECT ENGINEER
- METAL LAP SIDING FINISH: TO MATCH CMU COLOR
- WOVEN WIRE PANEL GALVANIZED FINISH



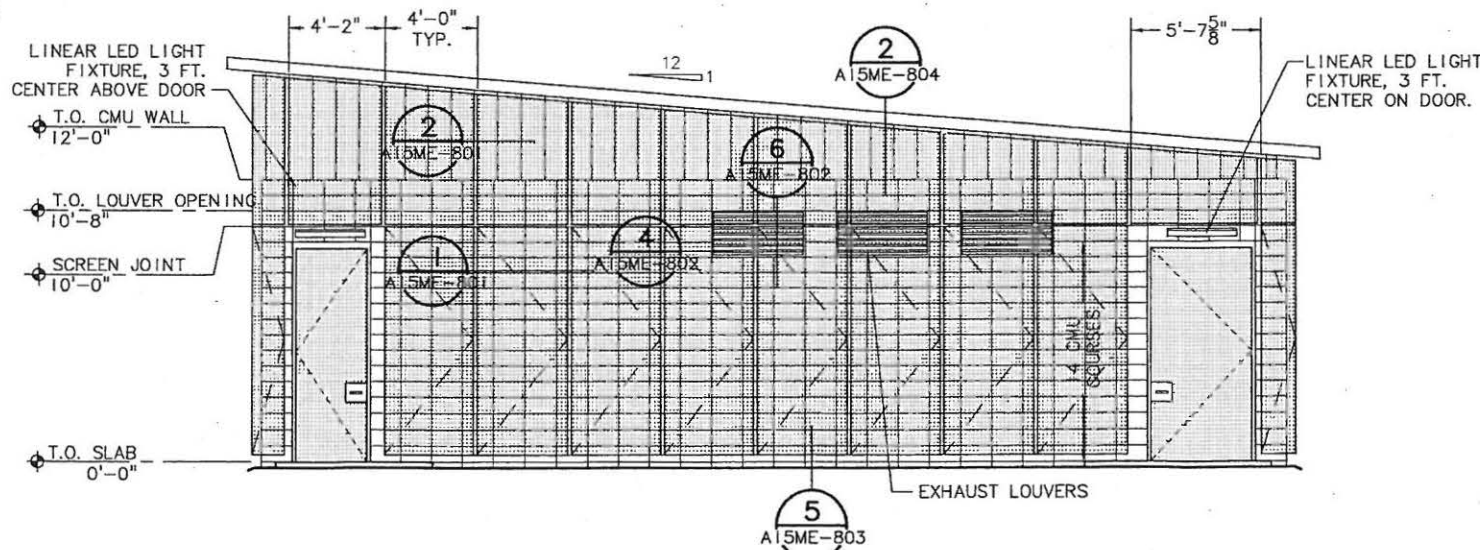
TPSS SIDE 1 ELEVATION 3 A15ME-301



TPSS BACK ELEVATION 1 A15ME-301

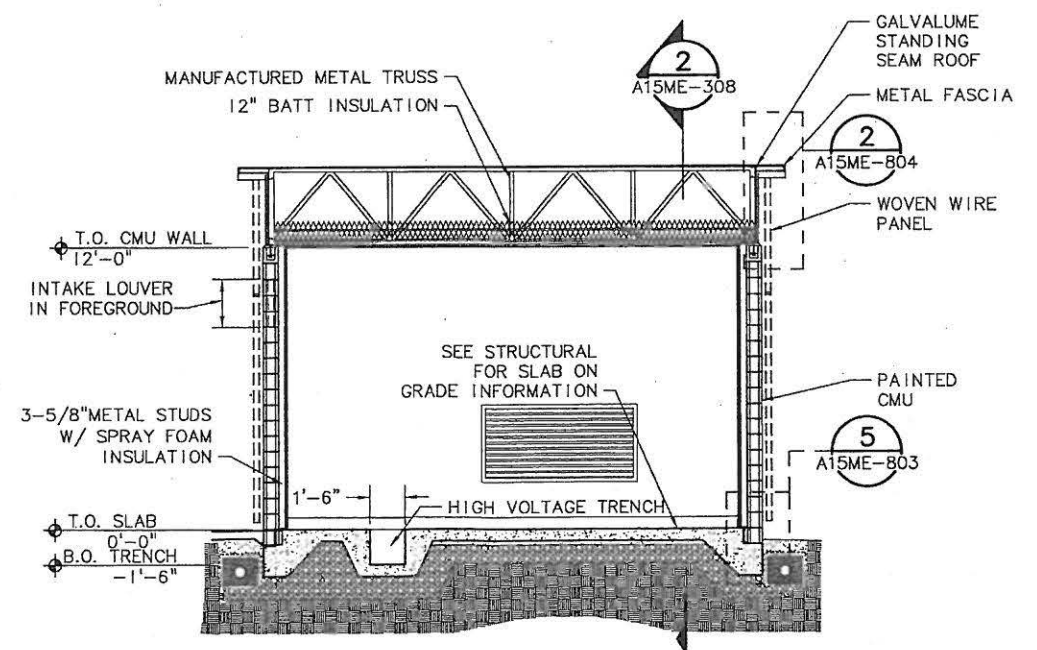
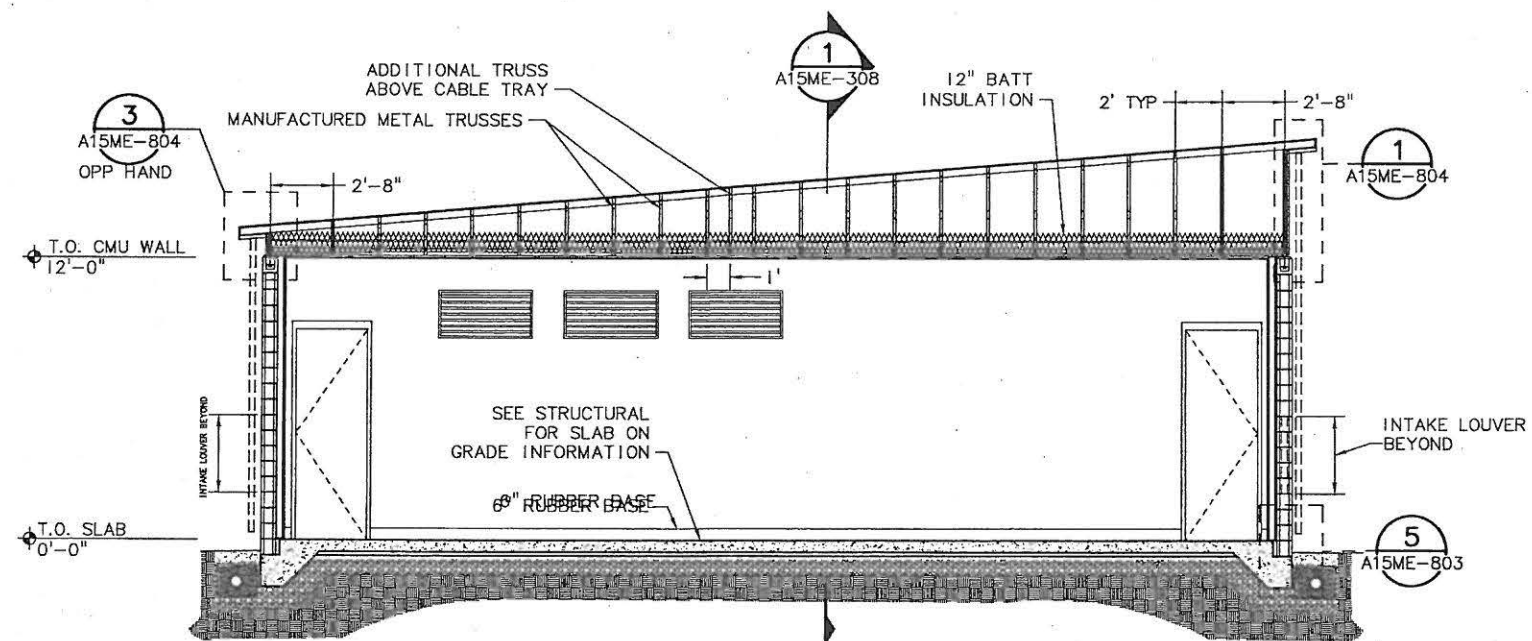







TPSS SIDE 2 ELEVATION 4 A15ME-301

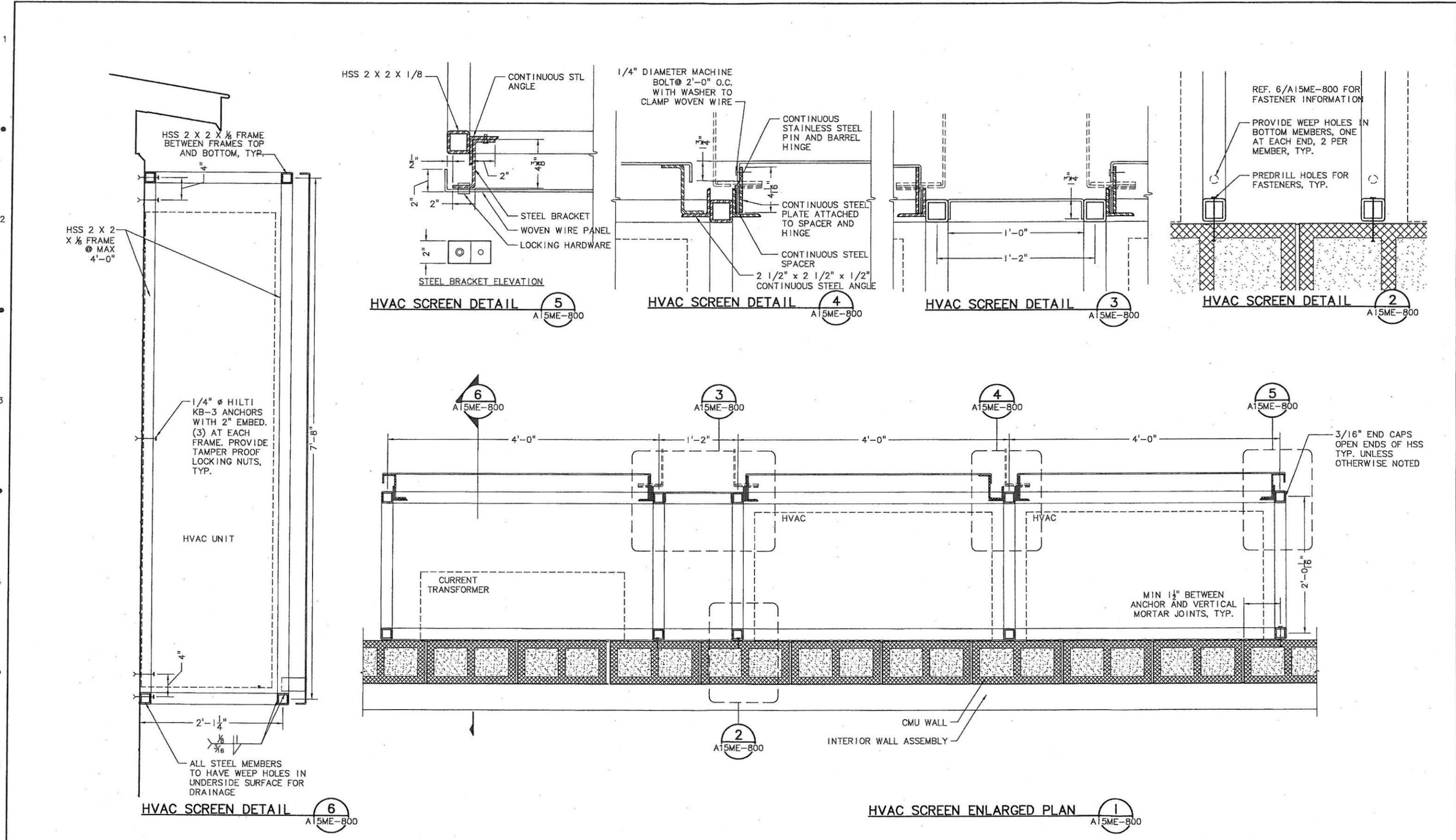


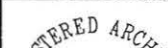




TPSS FRONT ELEVATION 2 A15ME-301

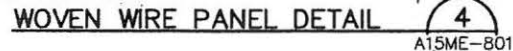
| | | | | | | | | | | | |
|----------|------|------|-------------------------|----------------------------|---|---|--|---|------------------------|--------------------------|----------------|
| | | | | JYG DESIGNED 01/27/12 DATE | REGISTERED ARCHITECT DAVID E. HENNEBERY PORTLAND, OREGON STATE OF OREGON | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | PORTLAND MILWAUKIE LIGHT RAIL EAST SEGMENT SUBSTATION BUILDING - LONG SHED ELEVATIONS | | Exhibit P8 | |
| | | | | JYG DRAWN 01/27/12 DATE | | Hennebery Eddy Architects Inc. | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | |
| | | | | SE CHECKED 02/02/12 DATE | | TRI MET | | | | | |
| | | | | DB APPROVED 04/20/12 DATE | | SUBMITTED: <i>Ab</i> DATE: 3/2/12 | | APPROVED: <i>David Robins</i> DATE: 05/14/12 | | | |
| 05/14/12 | SE | DB | ISSUED FOR CONSTRUCTION | | | | | | | | |
| NO. | DATE | BY | APPD. | REVISIONS | | | | | | | |
| | | CHK. | | | | | | | | | |
| | | | | | | | | SCALE: | DRAWING NO.: A15ME-301 | CONTRACT NO.: RH100544JB | SHEET NO.: 246 |



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|----------|------|----|------|-------|-----------------|------------------|---|---|--|--|--|--|--|--|--|----------------|--|---|--|----------------|--|--------|--|---------------------------|--|-----------------------------|--|-------------------|--|
| | | | | | JYG DESIGNED | 01/27/12 DATE |  |  TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND MILWAUKIE LIGHT RAIL EAST SEGMENT SUBSTATION BUILDING - LONG SHED SECTIONS | | | | Exhibit P9 | | | | | | | | | | | | | |
| | | | | | JGG DRAWN | 01/27/12 DATE | | Hennebery Eddy Architects Inc. | | | |  CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | | | | | | | | | | | | | |
| | | | | | SE CHECKED | 02/02/12 DATE | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | DB APPROVED | 04/20/12 DATE | | | | | | | | | | | | | | | | | | | | | | | |
| 05/14/12 | | | | | SE | DB | ISSUED FOR CONSTRUCTION | | | | | | | | | | | | | | | | | | | | | | |
| NO. | DATE | BY | CHK. | APPD. | REVISIONS | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | SUBMITTED:  | | DATE: 05/14/12 | | APPROVED:  | | DATE: 05/14/12 | | SCALE: | | DRAWING NO.: A15ME-308 | | CONTRACT NO.: RH100544JB | | SHEET NO.: 253 | |



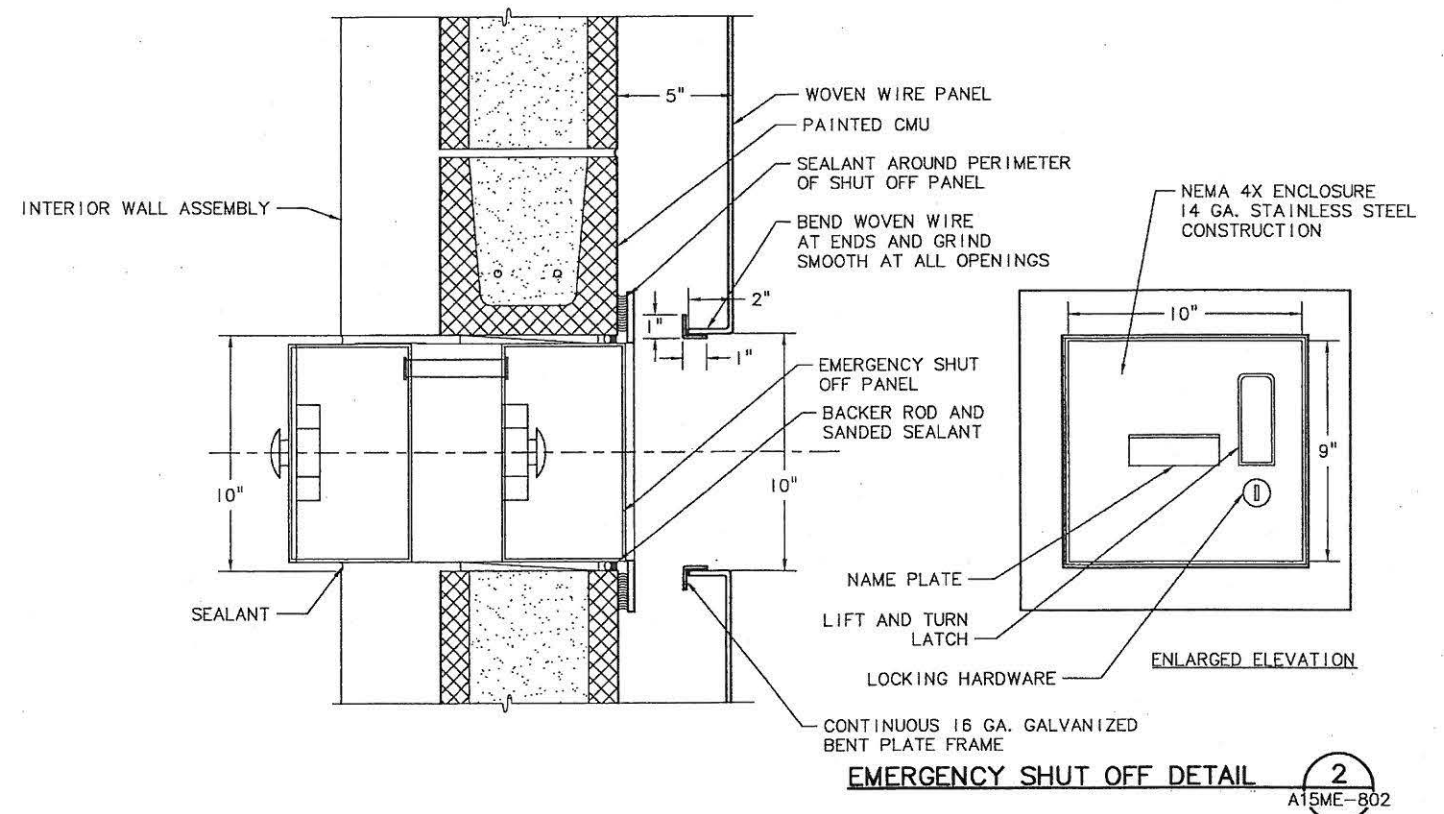
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| | | | | JG DESIGNED | 01/27/12 DATE |  |  TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | PORTLAND MILWAUKIE LIGHT RAIL EAST SEGMENT EXTERIOR DETAILS Exhibit P10 | | | | | | |
| | | | | JG DRAWN | 01/27/12 DATE | | Hennebery Eddy Architects Inc. |  CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | | | |
| | | | | SE CHECKED | 02/02/12 DATE | | | | | | | | | | |
| | | | | DB APPROVED | 04/20/12 DATE | | | | | | | | | | |
| 05/14/12 | SE | DB | ISSUED FOR CONSTRUCTION | | | | SUBMITTED:  | DATE: 05/14/12 | APPROVED:  | DATE: 05/14/12 | SCALE: | DRAWING NO.: A15ME-800 | CONTRACT NO.: RH100544JB | SHEET NO.: 256 | |
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| | | CHK. | | | | | | | | | | | | | |



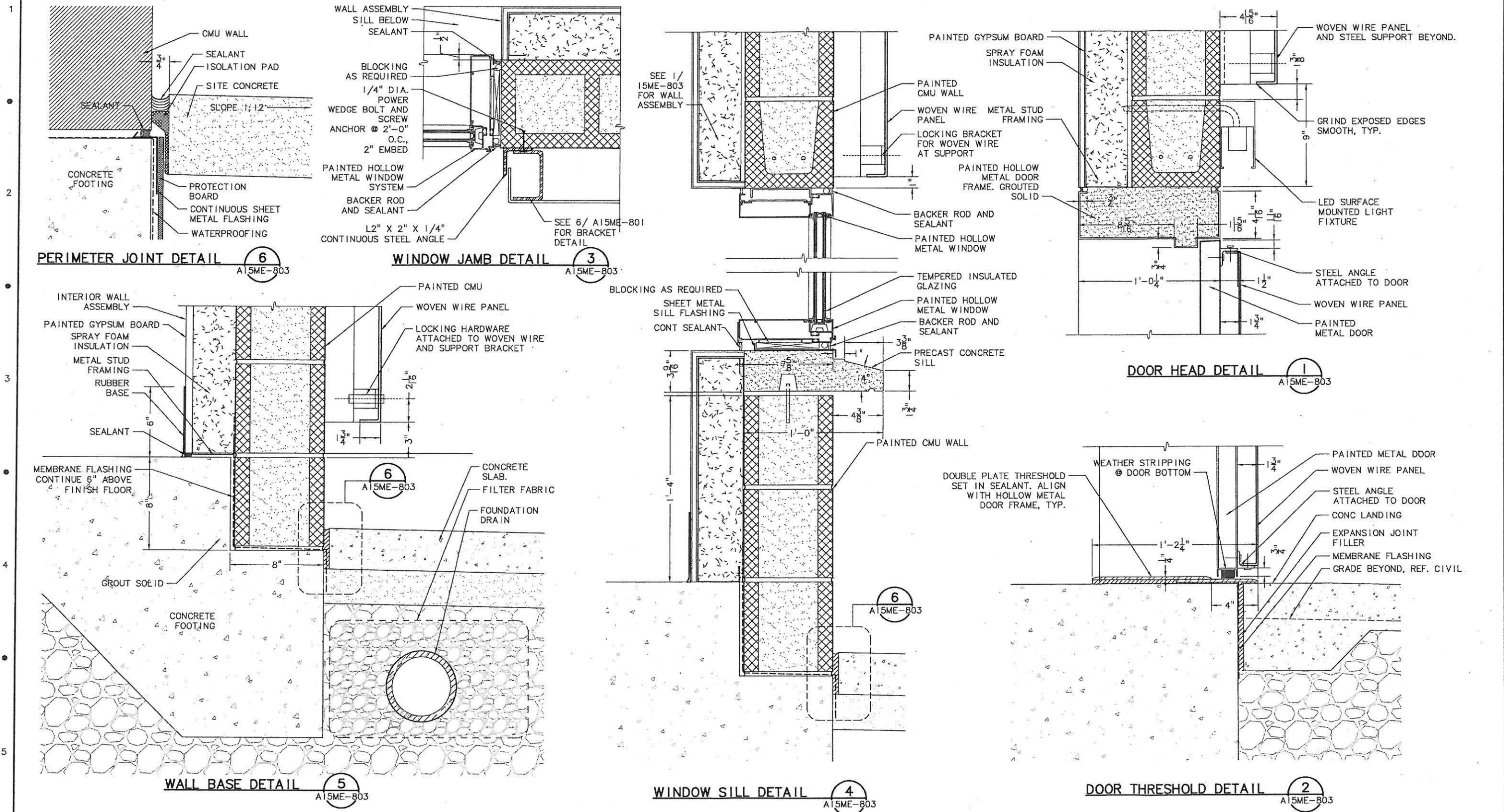
DOOR JAMB DETAIL  6
A15ME-801



| | | | |
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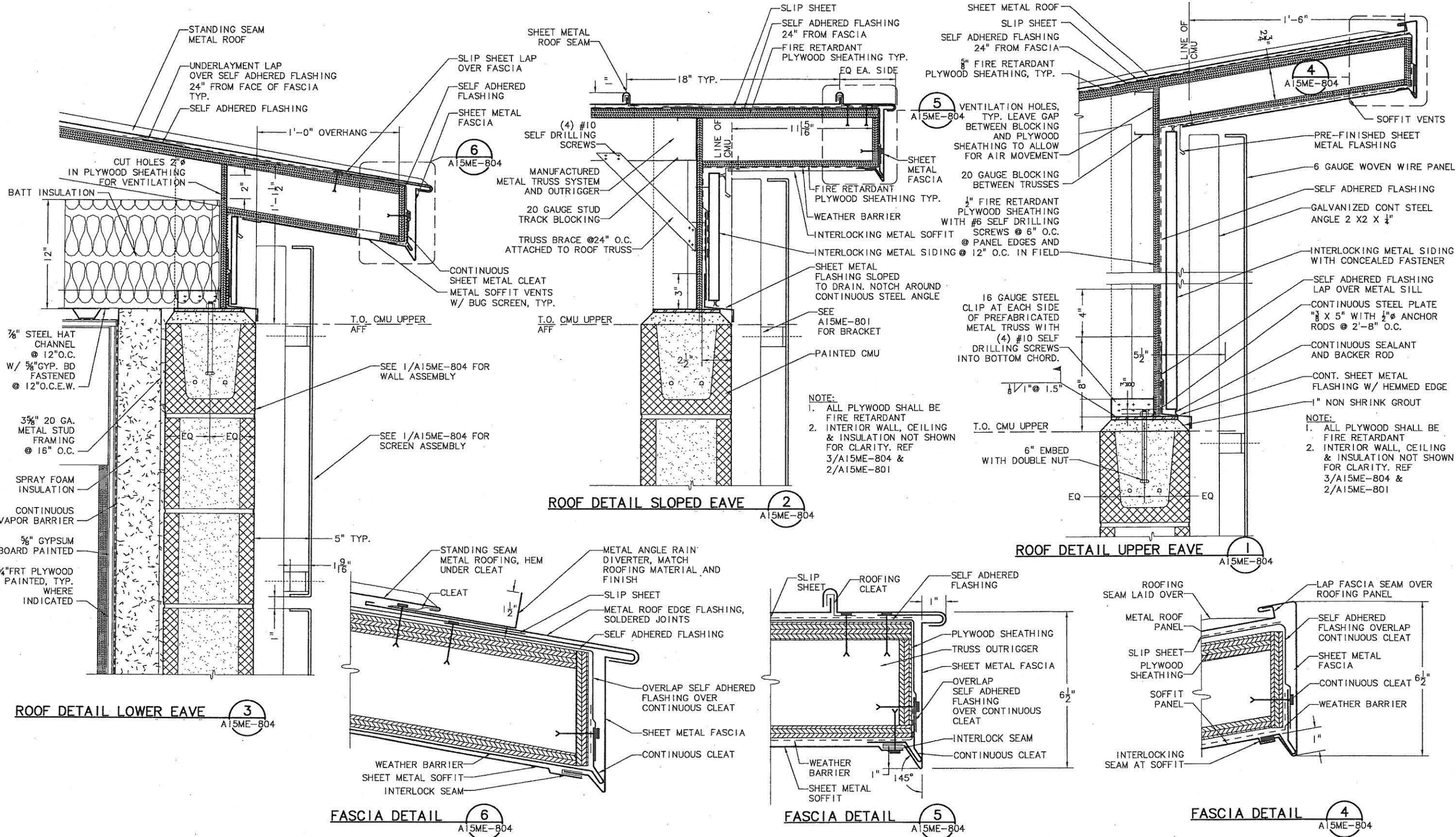


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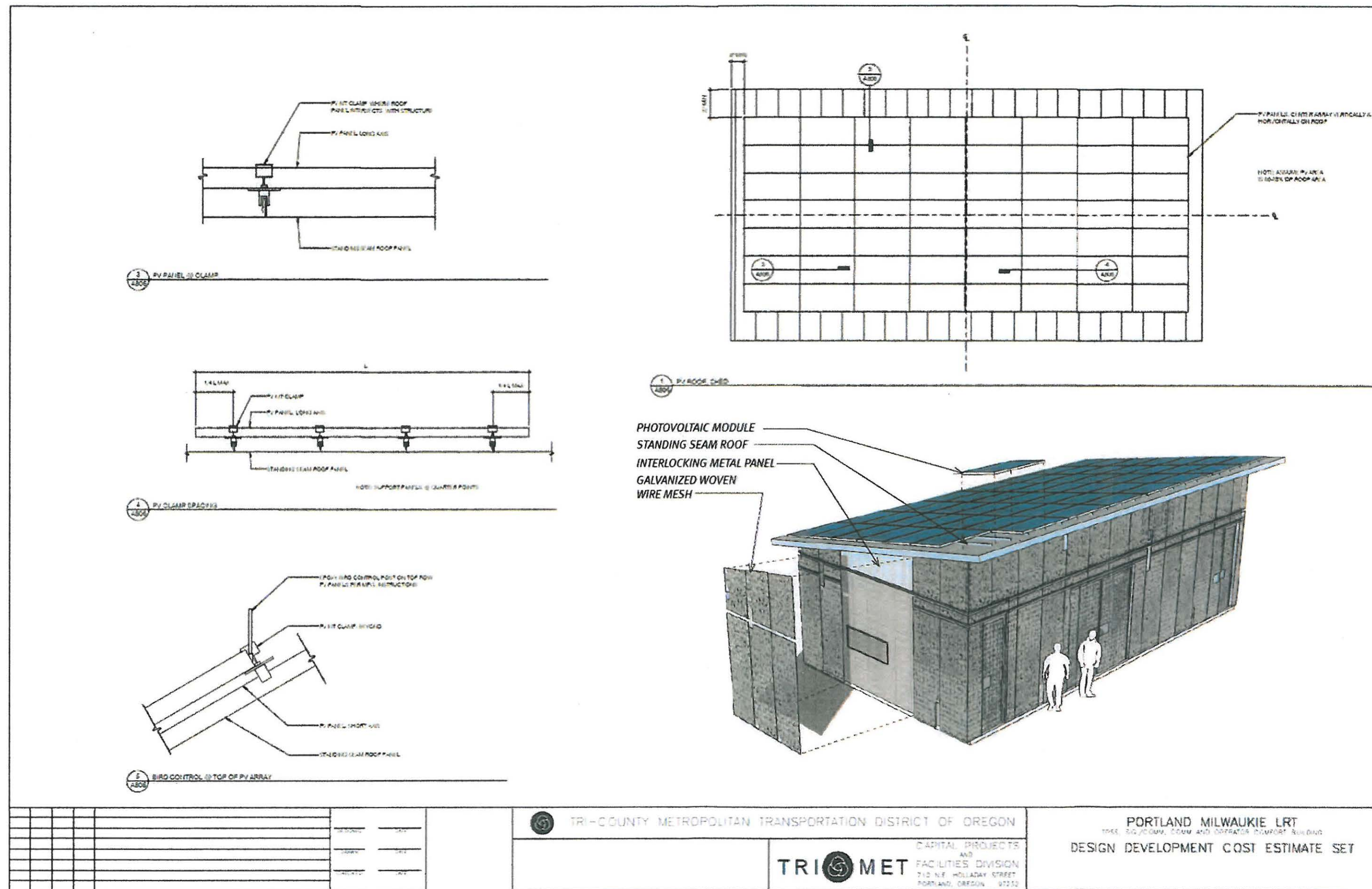
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PORTLAND MILWAUKIE LIGHT RAIL
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SCALE: DRAWING NO.: A15ME-804 CONTRACT NO.: RH100544JB SHEET NO.: 260



Tentative Details and Intent for Application of Potential Photovoltaics.

NOTE: Substation building roof under review slopes the length of the building. This sheet to indicate general means of attachment only.

S-5!®

The Right Way!

S-5-PV Kit



The concept of combining photovoltaic arrays with standing seam metal roofing is growing—and for good reasons. A standing seam metal roof has a life expectancy consistent with that of framed PV modules. A 30-year power source on a 40-year roof, along with zero-penetration technology creates the most sustainable roof system available with alternative power generation, all without compromising the roof's warranty!

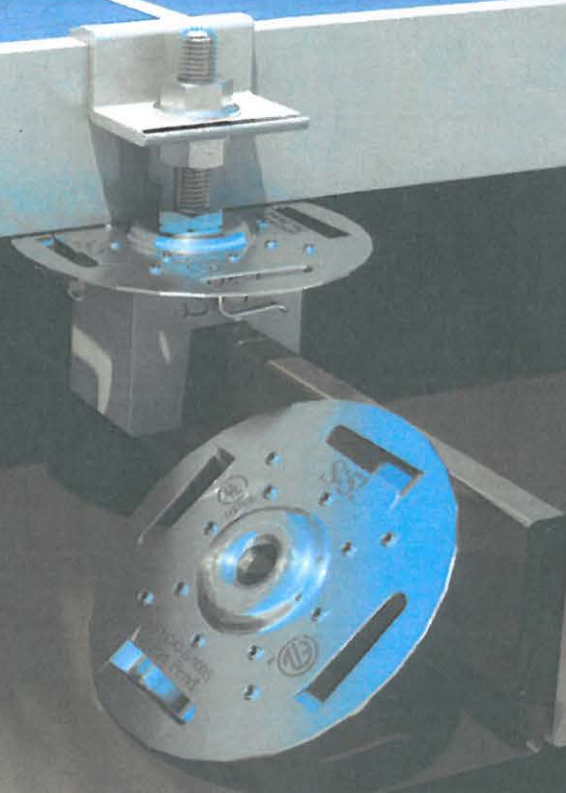
The new S-5-PV Kit boasts an important breakthrough in PV mounting technology. It is one of the first solar module mounting solutions in the industry to be listed to the new UL subject 2703, a standard that covers both bonding and mounting. Furthermore, the S-5-PV Kit has gained an ETL Listing to UL 1703.

The S-5-PV Kit features a groundbreaking new stainless steel mounting disk with twelve nodes designed to ensure the module-to-module conductivity of anodized aluminum module frames. This means the module is simply anchored with the kit and is automatically bonded. No lugs or wire required except to connect one string of modules to another and to ground the system. This connection detail represents installed electrical cost savings of \$6-\$12 per unit. In most cases, the savings in time and materials is sufficient to pay for the entire S-5-PV Kit and clamp setup.

The right way to attach almost anything to metal roofs!

S-5-PV Kit

888-825-3432 | www.S-5.com



S-5!®

The Right Way!

The S-5-PV Kit is a revolutionary new solution to attach solar PV panels to standing seam metal roofs!

The **S-5-PV Kits** are furnished with the hardware shown at right, excluding the attachment clamp, which is supplied separately. Additional nuts will need to be ordered for use on end applications. S-5-PV Kits are compatible with most common metal roofing materials, including brass. Providing flexibility, S-5! offers one kit to accommodate all PV frame thicknesses from 1.3" (33 mm) to 2.5" (64 mm).

The embossed panel guide makes the module placement easier. The mounting disk is multi-directional and rails are not required. Flat mounting disks are available for use with the S-5! VersaBracket for exposed-fastened trapezoidal profiles.

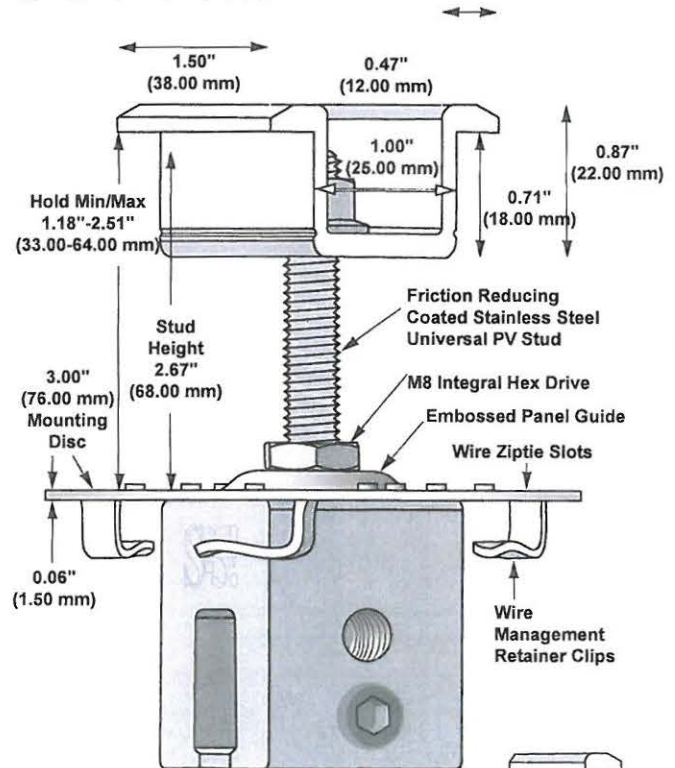
Four strategically placed under-disk hooks assist in wire management. The PV grab ears that hold the solar panel in place are broader to allow for ease of installation and precise module engagement.

The S-5-PV Kit fits the majority of solar panels on the market. Using the S-5! mini clamps, it also fits the majority of metal roofs on the market, including exposed fastened and corrugated. It is designed to universally fit both field (two adjacent panels) and end conditions.

The S-5-PV Kit continues to be the easiest, most cost-effective way to install solar panels directly to standing seam metal roofs, remaining the most popular choice worldwide.

Wind dynamics are complex, thus, each system should be reviewed by a qualified licensed professional who understands wind effects on metal roof design and construction prior to purchase and installation. For more detailed information including specifications, installation instructions and CAD drawings, visit www.S-5.com or your S-5-PV Kit distributor.

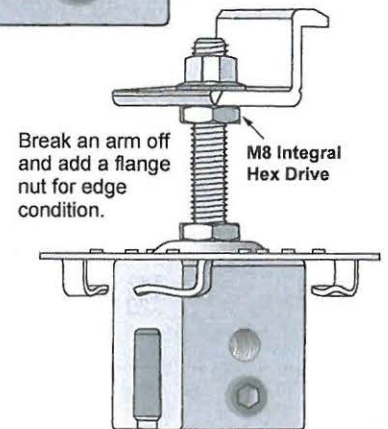
S-5-PV Kit



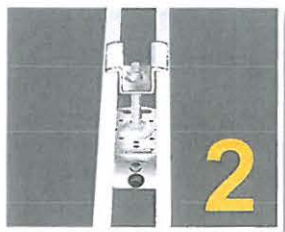
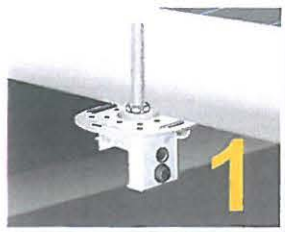
Please note: All measurements are rounded to the second decimal place.



Listed to UL subject 2703.
ETL Listed to UL 1703.



PV Kit with edge condition



Patents pending.
Due to the variety of attachment needs, S-5-PV Kits are sold separately from S-5! mini clamps. The S-5-PV Kit fits only S-5! mini clamps, NOT standard clamps.

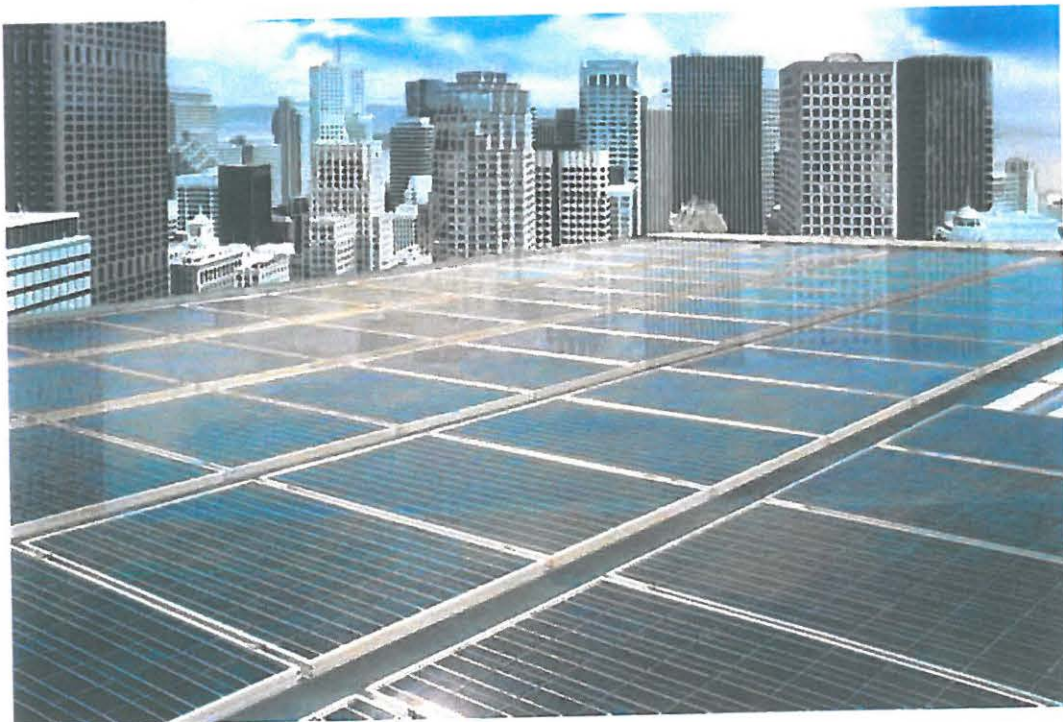
S-5! Warning! Please use this product responsibly!

Products are protected by multiple U.S. and foreign patents. Visit the website at www.S-5.com for complete information on patents and trademarks. For maximum holding strength, setscrews should be tensioned and re-tensioned as the seam material compresses. Clamp setscrew tension should be verified using a calibrated torque wrench between 160 and 180 inch pounds when used on 22ga steel, and between 130 and 150 inch pounds for all other metals and thinner gauges of steel. Consult the S-5! website at www.S-5.com for published data regarding holding strength.

Copyright 2011, Metal Roof Innovations, Ltd. S-5! products are patented protected. S-5! aggressively protects its patents, trademarks and copyrights.

Distributed by

TriMet PMLR
System Buildings
PV Panel Installations Using S5 Clips



PHOTOVOLTAICS

We recommend monofacial crystalline PV panels for several reasons. These panels can produce 15 - 18 W/SF and allow for modular replacement. They typically weigh approximately 30 LBS/panel. They are generally warrantied for 20 years of power performance and 5 years of product workmanship. Simple mounting hardware allows these PVs to be directly fastened to the standing seams without jeopardizing the material or weather-tightness warranties. Thin Film PVs on standing seam roofs is another viable option, included in the project specifications. Thin Film are typically less efficient and produce 8 - 9 W/SF. However, they are more vandal resistant than glass and can work with multiple roof geometries. In addition, this lightweight solution installs quickly, as no roof mounting system is needed. Local manufacturers of these technologies include Sanyo, in Salem OR and SoloPower in Wilsonville, OR respectively. Additionally, local metal roof company, Fabral, manufactures standing seams roofs that are compatible with both applied Thin Film PV or seam mounted crystalline panels.

Bifacial PV Panels let daylight through, giving a high experiential quality and have the highest power output at 18 - 19 W/SF. They have a life span of 20-30 years and weigh about 50 lbs. We do not recommend Bifacial PVs for this context because they will not perform in the intended fashion when placed directly on a roof surface.

Thin Film Rigid technology is another option. Thin Film rigid panels typically produce about 7 W/SF and weigh 28 lbs. They require less raw material to manufacture because they are frameless and end of life recycling is currently available. Their modular design allows for single panel replacement. However, TriMet should be aware that because this is a relatively new technology, UL safety testing is still underway.

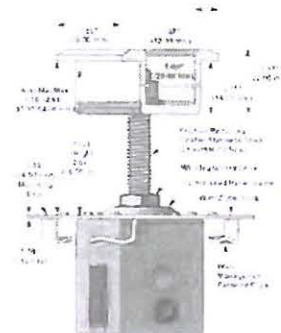
We also explored Building Integrated Photovoltaics (BIPVs) in early schematic design when considering non-rectilinear roof and building forms. In particular, organic PVs (photoactive ink) embedded in polycarbonate, used by the San Francisco MTA, work with an almost infinite number of roof geometries, including curvilinear, and can be configured to let daylight penetrate. Polycarbonate is a 40% post-industrial recycled material. On the down side, monolithic form designs will be more costly to replace, the technology is new, and the lifespan of polycarbonate is unknown. However, resins are very durable because of their low porosity. Graffiti can be removed with a simple water-alcohol solution. This is the most costly solar energy solution and only produces 3 W/SF.

RECOMMENDATION

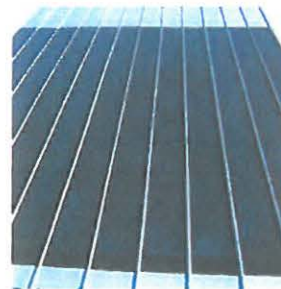
HEA examined several technologies for harnessing solar energy. Our recommendation is to use either monofacial crystalline PV panels or Thin Film on a standing seam roof.



SANYO Crystalline PV Panel



SSR By Clump 00



Thin Film PVs on Standing Seam Roof



San Francisco MTA BIPV

Kelver, Brett

From: Karen Karlsson <karen@klk-consulting.com>
Sent: Monday, August 20, 2012 1:33 PM
To: Kelter, Brett; doranj@trimet.org; jeffjoslin@klk-consulting.com; 'Recker, Joseph D'
Cc: Siegel, Scot; Weigel, Zachary
Subject: RE: access easement for substation (CSU-12-08)

Brett,

We checked in with the TriMet property group and they have clarified that the easement TriMet will be obtaining over 2305 SE Washington for substation access is an easement in gross. This means we can go wherever we need on their property (within reason) to get in and out of our site. So, exiting the substation will not be along the east side one-way driveway.

Let us know if you have any other questions.

Karen

From: Kelter, Brett [mailto:KelterB@ci.milwaukie.or.us]
Sent: Wednesday, August 15, 2012 3:21 PM
To: doranj@trimet.org; 'jeffjoslin@klk-consulting.com' (jeffjoslin@klk-consulting.com); Recker, Joseph D (ReckerJ@trimet.org)
Cc: Siegel, Scot; karen@klk-consulting.com; Weigel, Zachary
Subject: access easement for substation (CSU-12-08)

Jeb, Jeff, Joe—

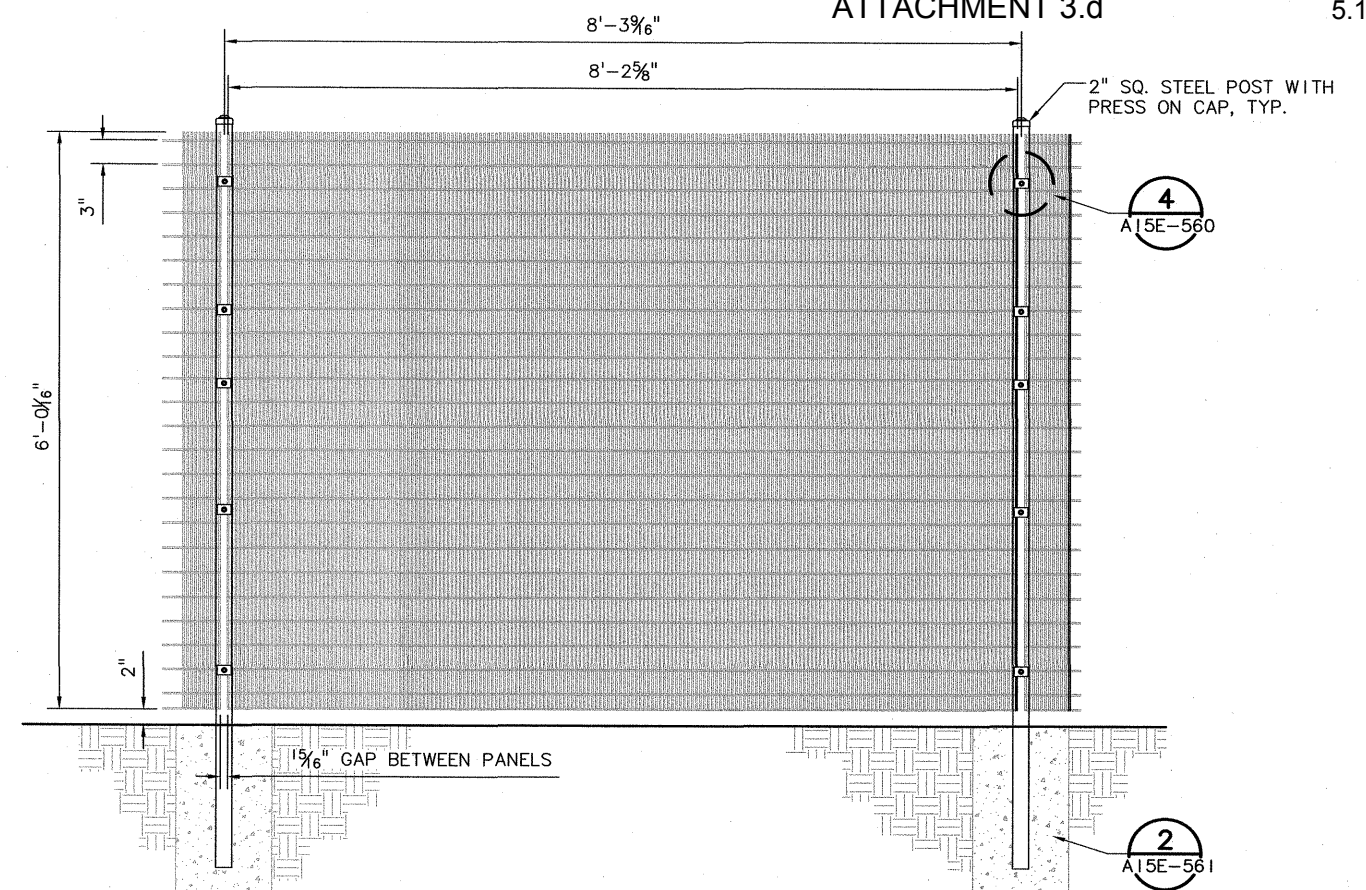
I know we talked about the access easement for the substation site not needing to be finalized until a little later in the land use review process. However, one question I was wondering about is whether the easement area on the 2305 SE Washington St property is sufficient to allow two-way traffic.

The parking area on 2305 SE Washington St appears configured to facilitate only one-way traffic along the easement route—is the expectation that TriMet vehicles will then exit through the same area, against the flow of one-way traffic coming in from Washington St? It looks more like the site is more set up for traffic to exit the Washington St site through the driveway closer to the light rail tracks.

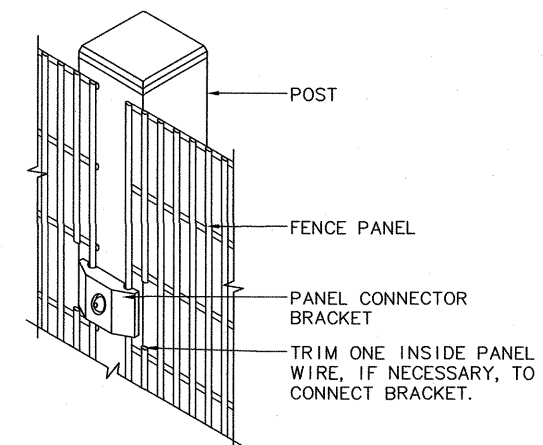
Sorry if I'm misunderstanding the situation—just wondering how to explain how the proposed easement will work to get TriMet vehicles off the site. Thanks!

* * * * *

Brett Kelter, AICP
Associate Planner
City of Milwaukie
6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
Tel – (503) 786-7657
Fax – (503) 774-8236
kelverb@ci.milwaukie.or.us



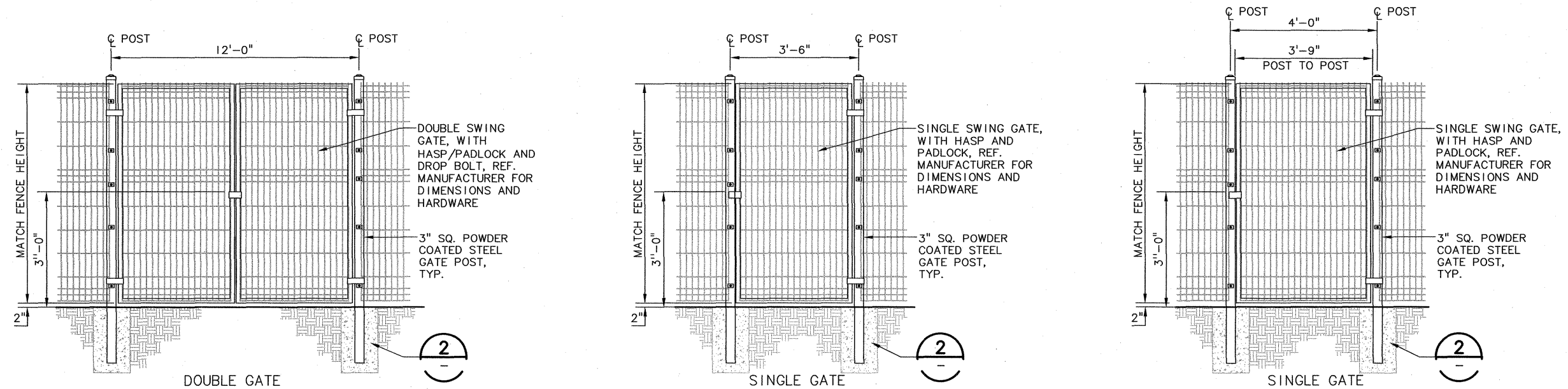
FENCE - SCREEN
72" WELDED WIRE FENCE
SCALE: NTS



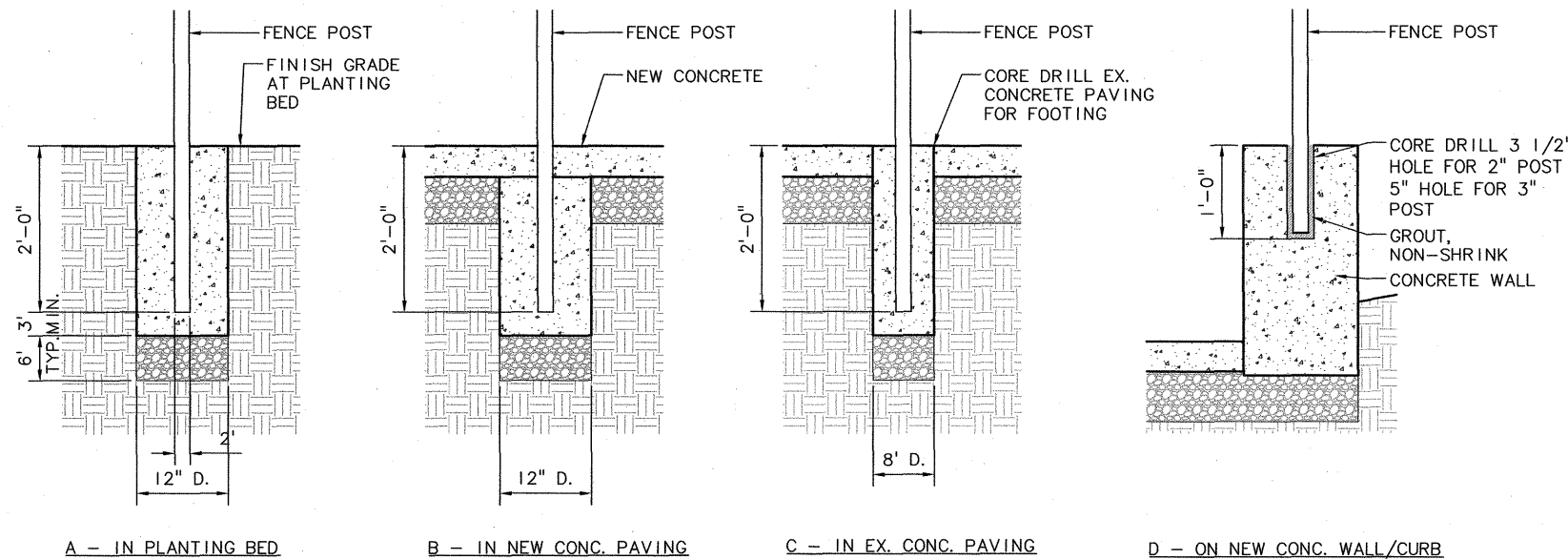
**FENCE — SCREEN
PANEL CONNECTION**
SCALE: NTS

-
- Diagram illustrating the connection of a fence panel to a post using a panel connector bracket. The components shown are:
- POST
 - FENCE PANEL
 - PANEL CONNECTOR BRACKET
 - TRIM ONE INSIDE PANEL WIRE, IF NECESSARY, TO CONNECT BRACKET.

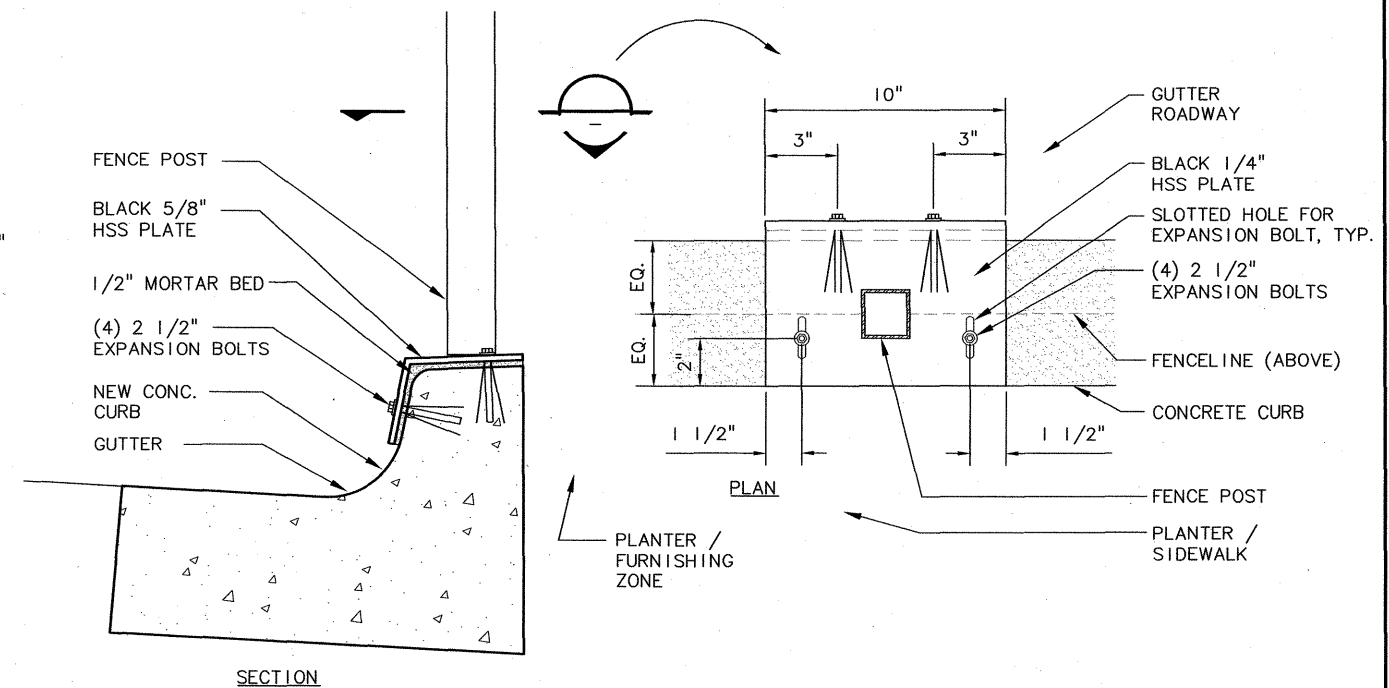
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NOTES FOR SHEETS A15E-561 AND A15E-562:

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2. TYPE 9B WWM FENCE TO BE BLACK POWDERCOATED FINISH.
3. TYPE 9D WWM FENCE TO BE GALVANIZED FINISH.
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| | | | | | Mayer/Reed | | DAVID EVANS AND ASSOCIATES INC. | | TRIOMET | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | | | | | |
| | | | | | SUBMITTED: | | DATE: | | APPROVED: | | DATE: | | SCALE: | | DRAWING NO.: | | | CONTRACT NO.: | | |
| | | | | | 5-14-12 | | 5-14-12 | | 5-14-12 | | 5-14-12 | | VARIES | | A15E-561 | | | RH100544JB | | |
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







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| ACCA | Acer campestre 'Evelyn' | QUEEN ELIZABETH HEDGE MAPLE | 2 1/2" CAL. | 7 |
| ACCI | Acer circinatum | VINE MAPLE | 7'-8', MULTI-STEM, 3 STEM MIN. | 47 |
| ACGI | Acer ginnala 'Flame' | FLAME MAPLE | 2 1/2" CAL., MULTI-STEM, 3 STEM MIN. | 18 |
| ACGR | Acer grandidentatum 'Schmidt' | ROCKY MOUNTAIN GLOW MAPLE | 2 1/2" CAL. | 9 |
| ACMA | Acer macrophyllum | BIG LEAF MAPLE | 2 1/2" CAL. | 10 |
| ACRF | Acer rubrum 'Franks Red' | RED SUNSET MAPLE | 2 1/2" CAL. | 1 25 |
| ALRU | Alnus rubra | RED ALDER | 2 1/2" CAL. | 30 |
| AMAL | Amelanchier alnifolia | SERVICEBERRY | 1 1/2" CAL. | 24 |
| AMJF | Amelanchier laevis 'JFS-Arb' PP 15304 | SPRING FLURRY SERVICEBERRY | 2 1/2" CAL. | 30 |
| AMSN | Amelanchier laevis 'Snowcloud' PP 7203 | SNOWCLOUD SERVICEBERRY | 2 1/2" CAL. | 16 |
| ARME | Arbutus menziesii | PACIFIC MADRONE | 5 GAL. | 3 |
| BEPA | Betula papyrifera 'Renci' PP12768 | RENAISSANCE REFLECTION PAPER BIRCH | 2 1/2" CAL. | 6 |
| COSA | Cornus kousa 'Satomi' | SATOMI DOGWOOD | 2" CAL. | 1 |
| COEW | Cornus x 'Eddie's White Wonder' | EDDIE'S WHITE WONDER DOGWOOD | 2 1/2" CAL. | 19 |
| COKO | Cornus kousa 'Chinensis' | KOUSA DOGWOOD | 2" CAL. | 9 3 |
| CONU | Cornus nuttalli | PACIFIC DOGWOOD | 5 GAL. | 5 |
| FASY | Fagus sylvatica 'Fastigiata' | FASTIGIATE EUROPEAN BEECH | 2 1/2" CAL. | 19 |
| FRLA | Fraxinus latifolia | OREGON ASH | 2 1/2" CAL. | 11 |
| FRCI | Fraxinus pennsylvanica 'Cimmzam' PP8077 | CIMMARON GREEN ASH | 2 1/2" CAL. | 29 |

| DECIDUOUS TREES | | | | |
|-----------------|---|-----------------------------|------------------------------|-----------|
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | QUANTITY |
| | | | | *CF *OF |
| FRRU | Fraxinus pennsylvanica 'Rugby' | PRAIRIE SPIRE GREEN ASH | 2 1/2" CAL. | 66 |
| GIAU | Ginkgo biloba 'Autumn Gold' | AUTUMN GOLD GINKGO | 2 1/2" CAL. | 10 |
| GIMG | Ginkgo biloba 'Magyar' | Magyar GINKGO | 2 1/2" CAL. | 18 |
| GIPR | Ginkgo biloba 'Princeton Sentry' | PRINCETON SENTRY GINKGO | 2 1/2" CAL. | 38 |
| GLSK | Gleditsia triacanthos inermis 'Skyline' | SKYLINE HONEYLOCUST | 2 1/2" CAL. | 12 41 |
| MAGA | Magnolia x 'Galaxy' | GALAXY MAGNOLIA | 2 1/2" CAL. | 75 |
| MATR | Malus transitoria 'Schmidtcutleaf' Golden Raindrops | CUTLEAF CRABAPPLE | 1 1/2" CAL. | 13 |
| NYSY | Nyssa sylvatica | BLACK TUPELO | 2 1/2" CAL. | 129 |
| PAPE | Parrotia persica | PERSIAN IRONWOOD | 2 1/2 " CAL. | 9 35 |
| PRSA | Prunus sargentii 'Columnaris' | COLUMNAR SARGENT CHERRY | 2 1/2" CAL. | 10 |
| PRVI | Prunus virginiana | CHOKECHERRY | 2 1/2" CAL. | 10 4 |
| PRCA | Prunus virginiana 'Canada Red' | CANADA RED CHOKECHERRY | 2 1/2" CAL. | 2 24 |
| QUFR | Quercus frainetto 'Schmidt' | FOREST GREEN OAK | 2 1/2" CAL. | 25 17 |
| QUGM | Quercus gambelii | GAMBEL OAK | 3" CAL. | 1 |
| QUGA | Quercus garryana | OREGON WHITE OAK | A= 2 1/2" CAL. B= 3" CAL. | 1 5 25 |
| QULO | Quercus lobata | VALLEY OAK | 2 1/2" CAL. | 1 |
| ULJA | Ulmus japonica x wilsoniana 'Morton' | ACCOLADE ELM | 2 1/2" CAL. | 18 |
| ZEMU | Zelkova serrata 'Mussashino' | MUSSASHINO COLUMNAR ZELKOVA | 2 1/2" CAL. | 26 |
| ZESE | Zelkova serrata 'Village Green' | VILLAGE GREEN ZELKOVA | 2 1/2" CAL. | 41 |

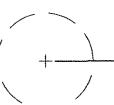
* CF = CONTRACTOR FURNISHED OF = OWNER FURNISHED

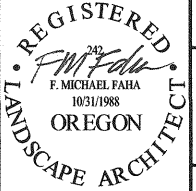

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|-----|------|----|------|--------------------------------------|-----------|-------------------------|---|---------------------|--|--|---|---------------|-----------------------|--------------------------|---------------------|
| | | | | TS DESIGNED 05-03-11 DATE | | | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT LANDSCAPE PLANTING LEGEND | | | | |
| | | | | CM/AP DRAWN 08-10-11 DATE | | | | | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | |
| | | | | SK/TS CHECKED 04-23-12 DATE | | | | TRI-COUNTY MET | | | | | | | |
| | | | | PME APPROVED 05-14-12 DATE | | | | SUBMITTED: | | APPROVED: | | | | | |
| NO. | DATE | BY | CHK. | APPD. | REVISIONS | ISSUED FOR CONSTRUCTION | | SUBMITTED: 05-14-12 | | APPROVED: 05-14-12 | | SCALE: 1"=20' | DRAWING NO.: L15E-002 | CONTRACT NO.: RH100544JB | SHEET NO.: 26 of 26 |

MASTER TREE LEGEND CONT'D

| CONIFEROUS TREES | | | | | | |
|--|---|----------------------------|------------------------------|----------|-----|--|
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | QUANTITY | | |
| | | | | *CF | *OF | |
|  A/B | CADE Calocedrus decurrens | INCENSE CEDAR | A=10-12' HT. B=14-16' HT. | 7 149 | | |
|  CHNO | Chamaecyparis nootkatensis 'Glauca Pendula' | WEEPING ALASKA CEDAR | 15-18' HT. | 24 | | |
|  CUSE | Cupressus sempervirens | ITALIAN CYPRESS | 12-14' HT. | 26 | | |
|  A/B | PSME Pseudotsuga menziesii | DOUGLAS FIR | A=10-12' HT. B=14-16' HT. | 34 27 | | |
|  TADI | Taxodium distichum 'Mickelson' | SHAWNEE BRAVE BALD CYPRESS | 14' -16' HT. | 25 | | |
|  A/B | THPL Thuja plicata | WESTERN RED CEDAR | A=10-12' HT. B=14-16' HT. | 50 39 | | |
|  A/B | THPF Thuja plicata 'Fastigiata' | HOGAN CEDAR | A=10-12' HT. B=14-16' HT. | 81 62 | | |
|  A/B | TSHE Tsuga heterophylla | WESTERN HEMLOCK | A=10-12' HT. B=14-16' HT. | 6 4 | | |

* CF = CONTRACTOR FURNISHED, OF = OWNER FURNISHED

| EXISTING TREES | |
|---|--|
|  | EXISTING TREE TO BE PROTECTED AND PRESERVED - SEE SPECIFICATIONS SECTION 01535. SYMBOL SIZE DOES NOT NECESSARILY REFLECT ACCURATE EXISTING CANOPY SIZE IN FIELD. CONTRACTOR MUST FIELD VERIFY CANOPY EXTENTS AND ADHERE TO TREE PRESERVATION DETAIL PER APPLICABLE JURISDICTION AND AS SHOWN IN DETAIL 1 ON SHEET L15E-303. |

| | | | | | | | | | | | | | | | | | |
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| | | | | TS DESIGNED 05-03-11 DATE | |  | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT LANDSCAPE PLANTING LEGEND | | | | | | |
| | | | | CM/AP DRAWN 08-10-11 DATE | | | GREENWORKS | | DAVID EVANS AND ASSOCIATES INC. | | TRIOMET | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | |
| | | | | SK/TS CHECKED 04-23-12 DATE | | | SUBMITTAL | | DATE: 05-14-12 | | APPROVED:  | | DATE: 05-14-12 | | | | |
| | | | | APPROVED 05-14-12 DATE | | | | | | | SCALE: 1"=20' | | DRAWING NO.: L15E-003 | | CONTRACT NO.: RH100544JB | | SHEET NO.: 201 |
| NO. DATE BY APPD. REVISIONS | | | | ISSUED FOR CONSTRUCTION | | | | | | | | | | | | | |

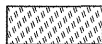




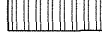






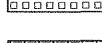


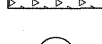






MASTER SHRUBS/GROUNDCOVER LEGEND







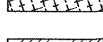
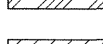
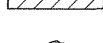











| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING |
|-------------|---|---------------------------------|--------------|----------|
| ● | ABGR Abelia x grandiflora 'Francis Mason' | FRANCIS MASON ABELIA | 2 GAL. | AS SHOWN |
| ○ | ARUN Arbutus unedo 'Compacta' | COMPACT STRAWBERRY TREE | 5 GAL. | AS SHOWN |
| ▨ | ARMA Arctostaphylos uva-ursi 'Massachusetts' | MASSACHUSETTS KINNICKINNICK | 1 GAL. | 18" O.C. |
| ▨ | ARUV Arctostaphylos uva-ursi | KINNICKINNICK | 1 GAL. | 18" O.C. |
| ▨ | ARWO Arctostaphylos uva-ursi 'Woods Compacta' | WOOD'S COMPACT KINNICKINNICK | 1 GAL. | 18" O.C. |
| ▨ | BEBU Berberis buxifolia 'Nana' | BOXLEAF BARBERRY | 1 GAL. | 18" O.C. |
| ▨ | BUMI Buxus microphylla 'Green Gem' | GREEN GEM BOXWOOD | 1 GAL. | 24" O.C. |
| ▨ | CAAC Calamagrostis x acutiflora 'Avalanche' | AVALANCHE FEATHER REED GRASS | 1 GAL. | 18" O.C. |
| ▨ | CAAO Calamagrostis x acutiflora 'Overdam' | VARIEGATED REED GRASS | 1 GAL. | 18" O.C. |
| ▨ | CAAL Carex albula 'Frosty Curls' | FROSTY CURLS SEDGE | 1 GAL. | 18" O.C. |
| ▨ | CABU Carex buchananii | LEATHERLEAF SEDGE | 1 GAL. | 12" O.C. |
| ▨ | CADN Carex densa | DENSE SEDGE | 1 GAL. | 12" O.C. |
| ▨ | CAIC Caryopteris incana 'Sunshine Blue' | SUNSHINE BLUE CARYOPTERIS | 1 GAL. | 18" O.C. |
| ▨ | CAGO Carex morrowii 'Gold Band' | GOLD BAND JAPANESE SEDGE | 1 GAL. | 12" O.C. |
| ▨ | CAMO Carex morrowii 'Ice Dance' | ICE DANCE JAPANESE SEDGE | 1 GAL. | 12" O.C. |
| ▨ | CAVA Carex morrowii 'Variegata' | VARIEGATED JAPANESE SEDGE | 1 GAL. | 12" O.C. |
| ▲ | CETH Ceanothus thyrsifolia 'Victoria' | VICTORIA CALIFORNIA LILAC | 5 GAL. | AS SHOWN |
| ▨ | COSG Cornus sanguinea | BLOODTWIG DOGWOOD | 3 GAL. | 36" O.C. |
| ▨ | COSE Cornus sericea 'Kelsey' | DWARF RED-TWIG DOGWOOD | 1 GAL. | 24" O.C. |
| ⊕ | COST Cornus stolonifera | RED-TWIG DOGWOOD | 3 GAL. | AS SHOWN |
| ● | COAF Cornus stolonifera 'Arctic Fire' | ARCTIC FIRE DOGWOOD | 3 GAL. | AS SHOWN |
| ▨ | COLG Cotoneaster adpressus 'Little Gem' | CREEPING LITTLE GEM COTONEASTER | 1 GAL. | 24" O.C. |


| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING |
|-------------|---|-------------------------------|--------------|----------|
| ▨ | CODA Cotoneaster dammeri 'Lowfast' | LOWFAST BEARBERRY COTONEASTER | 1 GAL. | 24" O.C. |
| ▨ | DECA Deschampsia cespitosa | TUFTED HAIRGRASS | 1 GAL. | 12" O.C. |
| ▨ | DEGT Deschampsia cespitosa 'Goldtau' | GOLD DEW TUFTED HAIRGRASS | 1 GAL. | 18" O.C. |
| ▨ | ECPU Echinacea purpurea 'Magnus' | MAGNUS PURPLE CONEFLOWER | 1 GAL. | 12" O.C. |
| ▨ | ELAC Eleocharis acicularis | DWARF HAIRGRASS | 1 GAL. | 12" O.C. |
| ▨ | ELPA Eleocharis palustris | CREEPING SPIKERUSH | 1 GAL. | 12" O.C. |
| ▨ | EQHY Equisetum hyemale | SCOURING RUSH | 1 GAL. | 12" O.C. |
| ⊕ | ERDA Erica x darleyensis 'Kramer's Rote' | KRAMER'S ROTE WINTER HEATH | 2 GAL. | AS SHOWN |
| ▨ | EUCH Euphorbia characias ssp. characias 'Humpty Dumpty' | HUMPTY DUMPTY EUPHORBIA | 1 GAL. | 18" O.C. |
| ▨ | FEGL Festuca glauca 'Boulder Blue' | BOULDER BLUE FESCUE | 1 GAL. | 12" O.C. |
| ▨ | FEID Festuca idahoensis | IDAHO BLUE FESCUE | 1 GAL. | 12" O.C. |
| ▨ | FRCH Fragaria chiloensis | BEACH STRAWBERRY | 1 GAL. | 12" O.C. |
| ▨ | HESE Helictotrichon sempervirens | BLUE OAT GRASS | 1 GAL. | 18" O.C. |
| ▨ | HEPA Hesperaloe parviflora 'Yellow' | YELLOW FALSE YUCCA | 1 GAL. | 24" O.C. |
| ● | HODI Holodiscus discolor | OCEAN SPRAY | 5 GAL. | AS SHOWN |
| ⊕ | HYQU Hydrangea quercifolia 'Pee Wee' | PEE WEE OAK LEAF HYDRANGEA | 3 GAL. | AS SHOWN |
| ⊗ | ILCC Ilex crenata 'Convexa' | CONVEXA JAPANESE HOLLY | 1 GAL. | AS SHOWN |
| ○ | ILVO Ilex vomitoria 'Stokes Dwarf' | STOKES DWARF YAUPOH HOLLY | 1 GAL. | AS SHOWN |
| ▨ | IRTE Iris tenax | OREGON IRIS | 1 GAL. | 12" O.C. |
| ▨ | JUEF Juncus effusus | COMMON RUSH | 1 GAL. | 12" O.C. |

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| | | | | TS DESIGNED 05-03-11 DATE | | | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT LANDSCAPE PLANTING LEGEND | | | | |
| | | | | CM/AP DRAWN 08-10-11 DATE | | | | | | | DAVID EVANS AND ASSOCIATES INC. | | | | |
| | | | | SK/TS CHECKED 04-23-12 DATE | | | | | | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | |
| | | | | FMP APPROVED 05-14-12 DATE | | | SUBMITTAL | | | | APPROVED | | | | |
| NO. 05-14-12 | | | | SK/TS | | MF | | ISSUED FOR CONSTRUCTION | | | | | | | |
| DATE | | | | BY | | APPD. | | REVISIONS | | | | | | | |
| CHK. | | | | | | | | | | | | | | | |
| | | | | | | | | DATE: 05-14-12 | | | | SCALE: 1"=20' | | | |
| | | | | | | | | DRAWING NO.: L15E-004 | | | | CONTRACT NO.: RH100544JB | | | |
| | | | | | | | | | | | | SHEET NO.: 268 | | | |

MASTER SHRUBS/GROUNDCOVER LEGEND CONT'D

| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING |
|---|----------------|-----------------------------------|--------------------------|------------------------|
|  | JUQC | Juncus effusus 'Quartz Creek' | SOFT RUSH | 1 GAL. 12" O.C. |
|  | JUEN | Juncus ensifolius | DAGGER LEAF RUSH | 1 GAL. 12" O.C. |
|  | JUPA | Juncus patens | SPREADING RUSH | 1 GAL. 12" O.C. |
|  | JUCG | Juncus patens 'Carmen's Gray' | CARMEN'S GRAY RUSH | 1 GAL. 12" O.C. |
|  | JUEB | Juncus patens 'Elk Blue' | ELK BLUE SPREADING RUSH | 1 GAL. 12" O.C. |
|  | JUTE | Juncus tenuis | SLENDER RUSH | 1 GAL. 12" O.C. |
|  | LEFO | Leucothoe fontanesiana 'Nana' | DWARF DROOPING LEUCOTHOE | 2 GAL. AS SHOWN |
|  | LIBB | Liriope muscari 'Big Blue' | BIG BLUE LIRIOPE | 1 GAL. 12" O.C. |
|  | LIMU | Liriope muscari 'Evergreen Giant' | EVERGREEN GIANT LIRIOPE | 1 GAL. 12" O.C. |
|  | LOIN | Lonicera involucrata | TWINBERRY | 5 GAL. AS SHOWN |
|  | LOPI | Lonicera pileata | BOXLEAF HONEYSUCKLE | 1 GAL. AS SHOWN |
|  | MAAQ | Mahonia aquifolium | OREGON GRAPE | 3 GAL. AS SHOWN |
|  | MAAQ | Mahonia aquifolium | OREGON GRAPE | 3 GAL. 24" O.C. |
|  | MACO | Mahonia aquifolium 'Compacta' | COMPACT OREGON GRAPE | 2 GAL. 24" O.C. |
|  | MANE | Mahonia nervosa | DULL OREGON GRAPE | 2 GAL. AS SHOWN |
|  | MARE | Mahonia repens | CREEPING MAHONIA | 1 GAL. 18" O.C. |
|  | MYCA | Myrica californica | PACIFIC WAX MYRTLE | 5 GAL. AS SHOWN |
|  | NAFO | Narcissus 'Fortissimo' | FORTISSIMO DAFFODIL | 3 BULBS 12" O.C. |
|  | PATR | Parthenocissus tricuspidata | BOSTON IVY | 1 GAL. AS SHOWN STAKED |
|  | PEAL | Pennisetum alopecuroides 'Hameln' | HAMELN PENNISETUM | 1 GAL. 24" O.C. |
|  | PHLE | Philadelphus lewisii | MOCK ORANGE | 5 GAL. AS SHOWN |
|  | PHCA | Physocarpus capitatus | PACIFIC NINE BARK | 3 GAL. AS SHOWN |

| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING |
|---|----------------|---------------------------------|---|-----------------------|
|  | POMU | Polystichum munitum | WESTERN SWORD FERN | 2 GAL. AS SHOWN |
|  | RHMA | Rhododendron macrophyllum | PACIFIC RHODODENDRON | 5 GAL. AS SHOWN |
|  | RISA | Ribes sanguineum | RED FLOWERING CURRANT | 3 GAL. AS SHOWN |
|  | RORA | Rosa 'Radcor' | RAINBOW KNOCKOUT ROSE | 3 GAL. AS SHOWN |
|  | ROCS | Rosa 'Radsun' | CAREFREE SUNSHINE FLOWERING CARPET ROSE | 1 GAL. AS SHOWN |
|  | RONU | Rosa nutkana | NOOTKA ROSE | 3 GAL. AS SHOWN |
|  | RUHI | Rudbeckia hirta 'Goldsturm' | GOLDSTURM BLACK-EYED SUSAN | 1 GAL. 18" O.C. |
|  | SASC | Salix scouleriana | SCOULER'S WILLOW | 6' MIN. HT. 36/100 SF |
|  | SALS | Salix scouleriana | SCOULER'S WILLOW | LIVE STAKES 5' O.C. |
|  | SARA | Sambucus racemosa | RED ELDERBERRY | 3 GAL. AS SHOWN |
|  | SPBE | Spiraea betulifolia 'Tor' | BIRCHLEAF SPIREA | 1 GAL. AS SHOWN |
|  | SPBU | Spiraea x bumalda 'Gold Flame' | GOLD FLAME SPIREA | 1 GAL. AS SHOWN |
|  | SPDE | Spiraea densiflora | ALPINE SPIREA | 2 GAL. 24" O.C. |
|  | SPDO | Spiraea douglasii | DOUGLAS SPIREA | 3 GAL. AS SHOWN |
|  | SPJA | Spiraea japonica 'Goldmound' | GOLDMOUND SPIREA | 1 GAL. AS SHOWN |
|  | SYMO | Symphoricarpos mollis | CREEPING SNOWBERRY | 2 GAL. 24" O.C. |
|  | VAOV | Vaccinium ovatum | EVERGREEN HUCKLEBERRY | 3 GAL. 24" O.C. |
|  | VIDA | Viburnum davidii | DAVID VIBURNUM | 2 GAL. AS SHOWN |
|  | VIED | Viburnum edule | HIGHBUSH CRANBERRY | 2 GAL. AS SHOWN |
|  | VITI | Viburnum tinus 'Spring Bouquet' | SPRING BOUQUET VIBURNUM | 5 GAL. AS SHOWN |

| | | | | | | | | | | | | | | | | | | | |
|---|--|--|--|--------------------------------------|--|---|---|--|--|--|---|--|---------------|--|-----------------------|--|--------------------------|--|----------------|
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| | | | | CM/AP DRAWN 08-10-11 DATE | | | GREENWORKS | | DAVID EVANS AND ASSOCIATES INC. | | | | | | | | | | |
| | | | | SK/TS CHECKED 04-23-12 DATE | | | TRI-COUNTY MET | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | | | | | | |
| NO. 05-14-12 SK/TS MF DATE BY APPD. CHK. | | | | ISSUED FOR CONSTRUCTION REVISIONS | | | APPROVED 05-14-12 DATE | | SUBMITTER DATE: 05-14-12 | | APPROVED DATE: 05-14-12 | | SCALE: 1"=20' | | DRAWING NO.: L15E-005 | | CONTRACT NO.: RH100544JB | | SHEET NO.: 269 |

MASTER PLANTING MIXES LEGEND

| MIX A | | | | | | |
|--------------------------------|---------------------|-----------------------|--------------|---------|------------------------|------------|
| NOTES: WOODLAND UNDERSTORY MIX | | | | | | |
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
| MARE | Mahonia repens | CREeping MAHONIA | 1 GAL. | 3' O.C. | GROUPS OF 9, 12, OR 15 | 40% |
| POMU | Polystichum munitum | WESTERN SWORD FERN | 2 GAL. | 3' O.C. | GROUPS OF 9, 12, OR 15 | 30% |
| VAOV | Vaccinium ovatum | EVERGREEN HUCKLEBERRY | 3 GAL. | 3' O.C. | GROUPS OF 3, 5, OR 7 | 30% |

| MIX B | | | | | | |
|-------------------------------|---------------------|--------------------|--------------|---------|----------------------|------------|
| NOTES: MAHONIA/SWORD FERN MIX | | | | | | |
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
| MARE | Mahonia repens | CREeping MAHONIA | 1 GAL. | 2' O.C. | GROUPS OF 5, 7, OR 9 | 60% |
| POMU | Polystichum munitum | WESTERN SWORD FERN | 2 GAL. | 2' O.C. | GROUPS OF 3, 5, OR 7 | 40% |

| MIX C | | | | | | |
|----------------------------|-----------------------|-----------------------|--------------|---------|-----------------------|------------|
| NOTES: UPLAND RIPARIAN MIX | | | | | | |
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
| MANE | Mahonia nervosa | DULL OREGON GRAPE | 2 GAL. | 3' O.C. | GROUPS OF 7, 9, OR 12 | 27% |
| PHCA | Physocarpus capitatus | PACIFIC NINE BARK | 3 GAL. | 3' O.C. | GROUPS OF 1, 2, OR 3 | 10% |
| POMU | Polystichum munitum | WESTERN SWORD FERN | 2 GAL. | 3' O.C. | GROUPS OF 5, 7, OR 9 | 27% |
| RISA | Ribes sanguineum | RED FLOWERING CURRANT | 3 GAL. | 3' O.C. | GROUPS OF 3, 5, OR 7 | 10% |
| RONU | Rosa nutkana | NOOTKA ROSE | 3 GAL. | 3' O.C. | GROUPS OF 1, 2, OR 3 | 10% |
| SPDO | Spiraea douglasii | DOUGLAS SPIREA | 3 GAL. | 3' O.C. | GROUPS OF 7, 9, OR 12 | 10% |
| SYAL | Symphoricarpos albus | SNOWBERRY | 1 GAL. | 3' O.C. | GROUPS OF 5, 7, OR 9 | 6% |

| MIX D | | | | | | |
|--------------------------|-----------------------|------------------|--------------|----------|------------------------|------------|
| NOTES: STORMWATER ZONE A | | | | | | |
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
| CAOB | Carex obnupta | SLOUGH SEDGE | 1 GAL. | 12" O.C. | GROUPS OF 9, 12, OR 15 | 20% |
| CAQU | Camassia quamash | COMMON CAMAS | 1 GAL. | 12" O.C. | GROUPS OF 5, 7, OR 9 | 5% |
| DECA | Deschampsia cespitosa | TUFTED HAIRGRASS | 1 GAL. | 12" O.C. | GROUPS OF 9, 12, OR 15 | 20% |
| JUEF | Juncus effusus | COMMON RUSH | 1 GAL. | 12" O.C. | GROUPS OF 9, 12, OR 15 | 30% |
| JUEN | Juncus ensifolius | DAGGER LEAF RUSH | 1 GAL. | 12" O.C. | GROUPS OF 9, 12, OR 15 | 25% |

| MIX E | | | | | | |
|--------------------------|-----------------------|-----------------------|--------------|---------|-------------------------|------------|
| NOTES: STORMWATER ZONE B | | | | | | |
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
| COST | Cornus stolonifera | RED-TWIG DOGWOOD | 1 GAL. | 3' O.C. | GROUPS OF 7, 9, OR 12 | 20% |
| DECA | Deschampsia cespitosa | TUFTED HAIRGRASS | 1 GAL. | 3' O.C. | GROUPS OF 12, 15, OR 17 | 25% |
| MAAQ | Mahonia aquifolium | OREGON GRAPE | 1 GAL. | 3' O.C. | GROUPS OF 12, 15, OR 17 | 20% |
| RISA | Ribes sanguineum | RED FLOWERING CURRANT | 1 GAL. | 3' O.C. | GROUPS OF 3, 5, OR 7 | 10% |
| SPDO | Spiraea douglasii | DOUGLAS SPIREA | 1 GAL. | 3' O.C. | GROUPS OF 9, 12, OR 15 | 25% |

| MIX F | | | | | | |
|-------------------------------|-----------------------|------------------|--------------|----------|----------------------|------------|
| NOTES: DESCHAMPSIA/JUNCUS MIX | | | | | | |
| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
| DECA | Deschampsia cespitosa | TUFTED HAIRGRASS | 1 GAL. | 12" O.C. | GROUPS OF 5, 7, OR 9 | 50% |
| JUPA | Juncus patens | SPREADING RUSH | 1 GAL. | 12" O.C. | GROUPS OF 3, 5, OR 7 | 50% |

| | | | | | | | | | | | | | | | | | |
|-----------------------------|--|--|--|--------------------------------------|--|--|---|----------|--|----------|---|--|-----------------------|--|--------------------------|--|----------------|
| | | | | TS DESIGNED 05-03-11 DATE | | | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT LANDSCAPE PLANTING LEGEND | | | | | | |
| | | | | CM/AP DRAWN 08-10-11 DATE | | | | | | | | | | | | | |
| | | | | SK/TS CHECKED 04-23-12 DATE | | | | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | | | | |
| ISSUED FOR CONSTRUCTION | | | | APPROVED 05-14-12 DATE | | | SUBMITTER: | | APPROVED: | | SCALE: 1"=20' | | DRAWING NO.: LI5E-006 | | CONTRACT NO.: RH100544JB | | SHEET NO.: 270 |
| NO. DATE BY APPD. REVISIONS | | | | | | | | 05-14-12 | | 05-14-12 | | | | | | | |

MASTER PLANTING MIXES LEGEND CONT'D

MIX G

NOTES: OAK MIX

| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
|-------------|-------------------------|--------------------|--------------|----------|------------------------|------------|
| BADE | Balsamorhiza deltoidea | BALSAMROOT | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| BRCA | Bromus carinatus | CALIFORNIA BROME | 1 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 20% |
| CAQU | Camassia quamash | COMMON CAMAS | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| FERO | Festuca roemerii | ROEMER'S FESCUE | 1 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 20% |
| FERU | Festuca rubra | RED FESCUE | 1 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 20% |
| FRCH | Fragaria chiloensis | BEACH STRAWBERRY | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| RAOC | Ranunculus occidentalis | WESTERN BUTTERCUP | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| SYMO | Symphoricarpos mollis | CREEPING SNOWBERRY | 2 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 20% |

MIX H

NOTES: PLAZA MIX

| TEXT SYMBOL | BOTANICAL NAME | COMMON NAME | INSTALL SIZE | SPACING | LAYOUT | PERCENTAGE |
|-------------|---------------------------------|---------------------------|--------------|----------|------------------------|------------|
| AQFO | Aquilegia formosa | RED COLUMBINE | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| ASSU | Aster subspicatus | DOUGLAS' ASTER | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| CAQU | Camassia quamash | COMMON CAMAS | 1 GAL. | 18" O.C. | GROUPS OF 3, 5, OR 7 | 5% |
| DEGT | Deschampsia cespitosa 'Goldtau' | GOLD DEW TUFTED HAIRGRASS | 1 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 30% |
| FEID | Festuca idahoensis | IDAHO FESCUE | 1 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 30% |
| KOCR | Koehleria cristata | JUNE GRASS | 1 GAL. | 18" O.C. | GROUPS OF 9, 12, OR 15 | 20% |
| SIID | Sisyrinchium idahoense | BLUE-EYED GRASS | 1 GAL. | 18" O.C. | GROUPS OF 5, 7, OR 9 | 5% |

SEED MIX A

NOTES: PERMANENT SEED MIX

| BOTANICAL NAME | COMMON NAME | % PLS | APPLICATION RATE |
|------------------------------|-------------------------------------|-------|------------------|
| Achillea millefolium | COMMON YARROW | 1.5% | 2 LBS./ 1,000 SF |
| Alyssum maritum | DWARF WHITE ALLYSSUM | 2.5% | |
| Armeria maritima | SEA PINK | 2% | |
| Bellis perennis | DWARF ENGLISH DAISY | 1% | |
| Festuca ovina var. azay blue | AZAY BLUE SHEEP FESCUE | 18% | |
| Festuca rubra var. sealink | SEALINK SLENDER CREEPING RED FESCUE | 55% | |
| Limnanthes douglasii | DOUGLAS MEADOWFOAM | 4% | |
| Nemophila menziesii | BABY BLUE EYE'S | 5% | |
| Trifolium fragiferum | STRAWBERRY CLOVER | 8% | |
| Trifolium repens | MICRO CLOVER | 3% | |

SEED MIX B

NOTES: 1. PROTINE 705 PDX BY HOBBS & HOPKINS

2. PERCENTAGES OF SPECIES NOT AVAILABLE, ONLY AVAILABLE AS PROPRIETARY BLEND

| BOTANICAL NAME | COMMON NAME | % PLS | APPLICATION RATE |
|--------------------------|--------------------------|-------|------------------|
| Achillea millefolium | COMMON YARROW | N/A | 2 LBS./ 1,000 SF |
| Festuca ovina duriuscula | HARD FESCUE | N/A | |
| Lobularia maritima | SWEET ALYSSUM | N/A | |
| Lolium perenne | DWARF PERENNIAL RYEGRASS | N/A | |
| Trifolium fragiferum | STRAWBERRY CLOVER | N/A | |
| Trifolium repens | MICRO CLOVER | N/A | |

LANDSCAPE MATERIALS

TYPE

BARK MULCH AS SPECIFIED IN SPECIFICATION SECTION 32 93 00

ROUNDED RIVER ROCK MULCH AS SPECIFIED IN SPECIFICATION SECTION 32 93 00, INSTALL GEOTEXTILE FABRIC UNDER ALL ROUNDED RIVER ROCK MULCH

| | | | | | | | | | | | | | | | | | | | | | | |
|--------------|--|--|--|--------------------------------------|--|--|---|--|------------------------------------|--|---|--|----------------|--|---------------|--|--|--|--------------------------|--|----------------|--|
| | | | | TS DESIGNED 05-03-11 DATE | | | TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | | | | PORTLAND TO MILWAUKIE LRT EAST SEGMENT LANDSCAPE PLANTING LEGEND | | | | | | | | | | | |
| | | | | CM/AP DRAWN 08-10-11 DATE | | | GREENWORKS | | DAVID EVANS AND ASSOCIATES INC. | | | | | | TRIOMET | | CAPITAL PROJECTS DIVISION 710 NE HOLLADAY STREET PORTLAND, OREGON 97232 | | | | | |
| | | | | SK/TS CHECKED 04-23-12 DATE | | | SUBMITTED | | DATE: 05-14-12 | | APPROVED: Leah Robbins | | DATE: 05-14-12 | | SCALE: 1"=20' | | DRAWING NO.: L15E-007 | | CONTRACT NO.: RH100544JB | | SHEET NO.: 271 | |
| NO. 05-14-12 | | | | BY SK/TS MF | | | ISSUED FOR CONSTRUCTION | | APPROVED | | DATE: 05-14-12 | | | | | | | | | | | |

Kelver, Brett

From: Larsen, Tom
Sent: Monday, August 13, 2012 11:42 AM
To: Kelter, Brett
Subject: 2316 SE MONROE; CSU-12-08

Brett,
I have no comment on this application.
-Tom

Kelver, Brett

From: Boumann, Mike <michaelbou@CCFD1.com>
Sent: Tuesday, August 21, 2012 10:38 AM
To: Kelter, Brett
Subject: #CSU-12-08

Hi Brett,

The Fire District has no comments for file #CSU-12-08 at this time.

Thanks,

Mike

Mike Boumann
Lt. Deputy Fire Marshal | Fire Prevention
direct: [503.742.2673](tel:503.742.2673)
main: [503.742.2600](tel:503.742.2600)



*To Safely Protect & Preserve
Life & Property*

CLACKAMAS FIRE DISTRICT #1
www.clackamasfire.com

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MEMORANDUM

TO: Community Development Department
THROUGH: Gary Parkin, Director of Engineering
FROM: Zach Weigel, Civil Engineer
RE: Community Service Use – 2316 SE Monroe Street
CSU-12-08
DATE: August 22, 2012

Construction of a Portland Milwaukie Light Rail substation utility building.

1. MMC Chapter 19.700 – Public Facility Improvements

The Planning Commission finds that the following complies with the applicable criteria of MMC Chapter 19.700.

A. 19.702 Applicability

The proposed development consists of new construction.

The Planning Commission finds that the proposed development is subject the standards and requirements of MMC Chapter 19.700.

B. 19.703 .1 Preapplication Conference

A pre-application conference for the proposed development was held on November 17, 2011.

The Planning Commission finds that the proposed development complies with MMC Section 19.703.1.

C. 19.703.2 Application Submittal

The Engineering Director has determined that a transportation impact study is not required as part of the proposed development in accordance with MMC Section 19.704. A TFR land use application is not required. The proposed development requires submission of other land use applications. Compliance with MMC 19.700 will be reviewed concurrently with other land use applications.

The Planning Commission finds that the proposed development complies with MMC Section 19.703.2.

D. 19.703.3 Approval Criteria

Public facility improvements associated with the proposed development comply with the standards and requirements of MMC Chapter 19.700, as provided herein. Public facility improvements shall comply with the Public Works Standards at the time of development.

The applicant proposes transportation facility improvements and mitigation at the time of development in rough proportion to the potential impacts of the development in accordance with MMC Section 19.705.

The applicant proposes transportation facility improvements that meet or exceed the safety and functionality standards of MMC Section 19.703.3.C

The Planning Commission finds that the proposed development, as conditioned, meets the approval criteria of MMC Section 19.703.3.

E. 19.704 Transportation Impact Evaluation

The projected increase in trip generation resulting from the proposed development, being a building to house mechanical equipment in support of light rail operations, is minimal. The Engineering Director has determined that the projected impacts to the transportation system are not significant enough to require a transportation impact study.

The Planning Commission finds that the proposed development complies with MMC Section 19.704.

F. 19.705 Rough Proportionality

The proposed development consists of new construction on an existing lot. The proposed development property does not front a public roadway. However, the applicant proposes design and construction of transportation facility improvements along 92 feet of Washington Street, fronting 2305 SE Washington Street, the parcel through which access will be provided to the development property. The proposed transportation facility improvements are consistent with the Public Works Standards. The projected increase in trip generation resulting from the proposed development is minimal. The transportation facility improvements are roughly proportional to the impacts of the proposed development.

The Planning Commission finds that the proposed development complies with MMC Section 19.705.

G. 19.706 Fee In Lieu of Construction

The applicant proposes to construct the required transportation facility improvements.

The Planning Commission finds that the proposed development complies with MMC Section 19.706.

H. 19.707 Agency Notification and Coordinated Review

The proposed development is within 300 feet of a public railroad crossing. Notice of the proposed land use application has been provided to ODOT Rail Division for their review and comment.

The proposed development is within 200 feet of a designated collector roadway, Monroe Street. Notice of the proposed land use application has been provided to Metro and Clackamas County for their review and comment.

The Planning Commission finds that the proposed development complies with MMC Section 19.707.

I. 19.708 Transportation Facility Requirements

The proposed development property does not front a public roadway. The applicant proposes to share existing access on Washington Street with the adjacent property to the south, 2305 SE Washington Street. The applicant shall modify access, as necessary, in accordance with the access management standards of MMC Section 12.16.040.E and MMC Section 12.16.040.F.

The applicant shall demonstrate compliance with the clear vision standards of MMC Chapter 12.24 prior to start of construction.

The proposed development is located within a non-downtown zone, but has access to a street, Washington Street, that is shown in the Milwaukie Downtown and Riverfront Plan: Public Area Requirements. Transportation facility improvements are subject to the requirements of the Milwaukie Downtown and Riverfront Plan: Public Area Requirements. The applicant proposes transportation facility improvements on Washington Street consistent with public area requirements.

The Planning Commission finds that the proposed development, as conditioned, complies with MMC Section 19.708.

J. 19.709 Public Utility Requirements

The Engineering Director has determined that the existing public utilities are adequate to serve the proposed development.

The Planning Commission finds that the proposed development complies with MMC Section 19.709.

Recommended Conditions of Approval

Prior to issuance of building permit, the following shall be resolved.

1. Demonstrate compliance with clear vision standards of MMC Section 12.24.

Prior to final inspection of building permit, the following shall be resolved.

2. Modify access to 2305 SE Washington Street, as necessary, in accordance with MMC Section 12.16.040.E and MMC Section 12.16.040.F.
3. Construct transportation facility improvements on Washington Street, fronting the western 92 feet of 2305 SE Washington Street in accordance with the Milwaukie Downtown and Riverfront Plan: Public Area Requirements.

Advisory Notes

The following are advisory notes for the applicant. The advisory notes are a list of requirements that may apply to the proposed development at the time of building permit. The advisory notes are for informational purposes only.

Storm Water Management

Submit a storm water management plan prepared by a qualified professional engineer with required development/building permits as part of the proposed development. The plan shall conform to Section 2 – Stormwater Design Standards of the City of Milwaukie Public Works Standards.

- The storm water management plan shall demonstrate that the post-development runoff does not exceed the pre-development, including any existing storm water management facilities serving the development site.
- The storm water management plan shall demonstrate compliance with water quality standards in accordance with the City of Portland Stormwater Management Manual.

Development/building permits will not be issued for construction until the storm water management plan has been approved by the City of Milwaukie.

List of Materials in the Official Record (CSU-12-08 – PMLR substation utility building)

The following documents are part of the official record for this application (CSU-12-08):

A. Application Forms

(received May 2, 2012)

1. Community Service Use application form
2. Submittal Requirements Checklist

B. Applicant's Submittal Materials

(final revised materials received Aug 9, 2012, unless otherwise noted):

1. Planning Notes from Preapplication Conference Report (for meeting on Nov 17, 2011)
2. Cover Memo from Jeff Joslin (KLK Consulting), requesting completeness determination
3. Narrative Addressing Code Sections (including some figures)
4. Exhibits = Technical Drawings
Including:
 - Exhibit P1 – Architectural Site Plan
 - Exhibit P2 – Landscape Planting Plan
 - Exhibit P3 – Civil (Existing and Demo) Plan
 - Exhibit P4 – Civil Roadway and Storm Plan
 - Exhibits P5 through P14 – Substation Details and Elevations
 - Exhibit P15 – Photovoltaic Details and Diagrams
5. E-mail communication from Karen Karlsson re: easement "in gross" *(received Aug 20, 2012)*
6. Architectural Details for Fencing, Drawing #s A15E-560 and A15E-561 *(stamped "Received" on Sept 4, 2012)*
7. Landscaping legend (6 sheets, including Drawing #s L15E-002 through L15E-007) *(stamped "Received" on Sept 7, 2012)*

C. Public Notification Information

1. Application Referral form *(sent Aug 10, 2012)*
2. Revised Application Referral form (to ODOT Rail Division) *(sent Aug 22, 2012)*
3. Notice posted at the site
4. Notice mailed to properties within 300' radius w/ site map *(mailed on Sept 5, 2012)*
5. Certification of Legal Notice Mailing, with Mailing List for properties within 300 ft
6. Application Materials form (to PC and City Attorney)
7. Sign Posting Affidavit *(received Sept xx, 2012)*
8. List of Interested Persons for CSU-12-08
(none to date)
 - a. Interested Persons w/ Standing
 - b. Other Interested Persons
9. Notice of Decision *(sent on Sept xx, 2012)*

D. Public Comments Received

(none to date)

E. Agency Responses

1. Tom Larsen, City of Milwaukie Building Official – No comments.

2. Mike Boumann, Lieutenant Deputy Fire Marshal – No comments.
3. Zach Weigel, City of Milwaukie Engineering Department – Comments related to public facility improvements, access management, and clear vision.

F. Public Testimony Received at Public HearingSeptember 25, 2012 (Planning Commission)

- 1.
- 2.
- 3.

G. Other Interested Persons (w/ Standing)

(none to date)

- 1.

H. Materials Received/Presented at Public HearingSeptember 25, 2012 (Planning Commission)

1. Staff Presentation (PowerPoint file)
- 2.
- 3.

I. Staff Reports

1. Staff Report for September 25, 2012 (Planning Commission hearing)
Attachments:
 - a. Recommended Findings in Support of Approval
 - b. Recommended Conditions of Approval
 - c. Record Items B-1 through B-7 (Applicant's Submittal Materials)
 - d. Record Items E-1 through E-3 (Agency Responses)
 - e. List of Record

J. Background Materials/Other

1. Letter addressing incompleteness items (dated May 14, 2012)
2. Completeness determination letter (dated August 30, 2012)



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Scot Siegel, Interim Planning Director

From: Ryan Marquardt, Senior Planner
Beth Ragel, Program Services Coordinator

Date: September 19, 2012, for September 25, 2012, Public Hearing

Subject: **File:** ZA-12-01, Public Mural Sign Code Amendments
Applicant: City of Milwaukie

ACTION REQUESTED

Recommend that City Council approve application ZA-12-01, with the proposed findings and amendments found in Attachment 1.

BACKGROUND INFORMATION

A. History of Prior Actions and Discussions

- **May 22, 2012:** Beth Ragel, Community Services Program Coordinator, briefed the Planning Commission on the proposed Milwaukie Mural Arts Program at a worksession.
- **April 3, 2012:** Staff briefed City Council on community outreach and reported the results from the mural survey. Council directed staff to continue work on the project, including developing the code language to take to the Planning Commission for review.
- **September, 2011:** City Council gave staff the approval to start public outreach and to begin drafting the program and code language.
- **2006:** When the Planning Commission updated the Sign Code in 2006, the difficulty of permitting murals as signs was acknowledged as a problem yet to solve.

B. Why code changes are needed

Murals are a unique form of art that can add character to an area and contribute to a community identity and sense of place. For these reasons, the city would like to allow and

encourage murals within the community. Prior to 2006, Milwaukie's sign ordinance allowed "painted wall decorations or embellishments...not accompanied by a written message" as a display that was exempt from a sign permit.

In 2006, the sign ordinance was revised to be consistent with court rulings regarding sign regulations and free speech protection. The key concept in the court rulings that necessitated the amendments is that the government cannot regulate signs based on their content. Instead, the regulations must be limited to physical aspects of the signs such as the time they are display, the places where they are displayed, and the manner in which they are displayed. The resulting amendments removed language that exempted, prohibited, or required different levels of review based on the message of the display or sign.

The permit exemption for murals was removed because it would require the evaluation of content for the presence of a written message and to determine if the display was a decoration or embellishment as opposed to being a standard sign. The amendments to remove content-based regulations in the sign code had to be accomplished expediently to avoid legal challenges, and staff did not have the time during the Sign Code update to explore alternatives to permitting murals.

Under the revised code, the city standards applying to murals are the same as those applying to signs. Murals are permitted under the same standards as other wall signs, and are subject to the same size regulations, which limit sign face area to 20% of the total wall area in most zones. This presents a difficulty for murals since most murals use all or a significant percentage of the total wall area.

C. Alternative Approaches for Mural Permitting

Other jurisdictions in Oregon have faced the same challenge of wanting to allow murals while maintaining standard sign regulations. Staff identified two models for permitting murals.

1) Murals as Public Art

The basic components of this model are:

- Murals are considered as works of public art. The mural is either on a public building or on a building where the owner grants a public art easement on the face of the wall.
- Public art is exempt from the regulations of the sign code.
- An arts committee has review authority for permitting a mural. A government is allowed to evaluate content and style in selecting pieces of public art in a way that is not allowed under sign regulations. Under this approach, proposed murals are evaluated on artistic merit and community support for the mural.

Portland developed this approach in the early 2000s in response to legal challenges to its sign code regarding an exemption for murals. The resulting program is the Public Arts Mural Program, which is administered by the Regional Arts and Culture Council (RACC). The City of Beaverton adopted a similar approach for allowing murals, though review of proposed murals in that city is performed by a local committee.

2) Creating Standards for Murals

Portland developed a second mechanism to allow murals in 2009 called “Original Art Murals.” This program establishes a type of display called an original art mural that is exempt from sign code regulations. Portland created this process as a streamlined alternative to the RACC public art mural process. The basic regulations for an original art mural are:

- The mural is a hand-produced work of art that is painted or tiled by hand onto a building.
- The mural cannot exceed 30 ft in height from grade.
- The mural must remain in place for 5 years.
- There cannot be compensation given or received for placement of the mural.

Staff has not discovered any other models in Oregon for jurisdictions that are permitting murals in a manner consistent with the requirements for content neutrality. The main difference between the two models is the level of discretionary review for permitting the mural. The public art mural program allows a high-degree of discretion for artistic merit and other subjective factors. It requires dialogue between the approval committee, the community, the building owner, and the mural artist to evaluate the mural’s artistic merit, appropriateness, and its level of community support. Such dialogue can create a better mural project, though if the review process is overly time consuming or results in significant revisions to mural proposals that can be seen as a disincentive to installing a mural. By contrast, creating standards for murals allows for a quick review process, but does not have a subjective review process to safeguard against murals with commercial content or themes that may be controversial or offensive.

D. Establishing Milwaukie’s Mural Program

Multiple community members have expressed interest in installing murals. Milwaukie High School, Dark Horse Comics, and members of the Milwaukie Arts Committee (artMOB) would like to put up new murals in the future. Others have discussed reinstalling a mural that was removed from the side of building at 10801 SE Main Street that faces Jackson Street (at the Chopstick’s Express side of the building) in downtown.

In response to this interest, staff began working on a mural program in 2010. The proposed mural program has been developed with the following input:

- artMOB: Program Service Specialist Beth Ragel is the liaison to the artMOB and has discussed a mural program with them at several meetings from 2009 to the present. A key meeting on February 1, 2012 was a meeting with regional mural experts. At this meeting, regional art coordinators from Beaverton/Hillsboro, Clackamas County and Portland shared their jurisdictions’ experiences with murals. This meeting was promoted through the City website, Facebook and Twitter pages; the artMOB website and Facebook page; and sent via email to the NDAs. A press release was sent regarding this meeting and a feature was posted on OregonLive.com and ClackamasReview.com. This meeting provided an opportunity for residents to ask any question or share any concerns they had regarding murals in Milwaukie. All current artMOB members and three residents attended the meeting s and discussions with Cheryl Snow of the Clackamas Art

Council and representatives from Portland, Hillsboro, RACC and Beaverton discussing mural programs.

- In February 2012, artMOB members and staff liaison Beth Ragel attended each of the seven NDAs to give them an update on the project and solicit feedback. Representatives from artMOB took information about the proposed project (project brochure, a zoning map, and project timeline) plus a paper survey for residents to complete at the meetings.
- An on-line survey was posted for citizens to provide feedback on establishing a mural program. The survey was online from February 1, 2012 to March 19, 2012. A total of 78 responses were received with 11 submitted on paper and 67 online. The survey depicted 10 photos of murals and respondents were asked to rate which types of murals they would like to see in Milwaukie. The survey also included a series of ranking questions and open-ended questions. Survey results indicated a high level of agreement that murals can highlight the uniqueness of a community (95%); can offer a positive opportunity to feature niche businesses (88%); and that murals can enhance public spaces (94%). The majority of respondents agreed that Milwaukie should carefully balance the rights of property owners with the aesthetics of the community (85%) and that the City should exempt murals from the sign code which limits their size (77%). The majority of respondents said that even if a mural is not their taste, they support the freedom of expression (83%).

The survey showed support for an ad-hoc review committee, with 72% in agreement. Respondents believed the most important members to include on the review committee are neighborhood or business representatives (85%) while Milwaukie Arts Committee members, experienced mural artists and public arts professionals also received high marks as important to include (all 70%+). The majority of respondents thought murals should be allowed on commercial buildings (97%) and industrial buildings (95%). There was support for murals on school buildings even if in residential zones (68%) and less support for murals on religious buildings (46%) and private homes or small businesses in residential zones (35%).

- In September 2011, Staff talked with City Council about the staff time required to develop the “Milwaukie Mural Arts Program” (MMAAP) and why a code changes were needed to define murals, establish review criteria and a review process, and exempt murals from sign regulations which limit their size. Staff discussed models in Portland and Beaverton. City Council gave staff the approval to start public outreach and to begin drafting the program and code language.

In April 2012, staff gave City Council an update on the community outreach and reported the results from the mural survey. Council directed staff to continue work on the project, including developing the code language to take to the Planning Commission for review

The discussions and outreach led staff to draft a proposed mural program that is similar to the public art mural programs in Portland and Beaverton. Stakeholders decided that a review of a proposed mural for its artistic merit and other subjective factors is an important part of a mural program. Therefore, the mural program proposed for Milwaukie combines elements of programs used successfully by other jurisdictions but is customized for Milwaukie. The key points of the proposed mural program are listed below. A draft of the amendments to establish the program is in Attachment 1, Exhibit D.

- Mural must be placed on a public building or have a public art easement.
- Murals allowed in downtown, commercial and industrial zones, and on community service use buildings. Murals are not allowed on properties designated as historic resources.
- No compensation can be given or received for installation of a mural.
- Murals must remain in place for at least 5 years, and are required to be maintained in good condition while the mural is in place.
- Notice of a proposed mural sent to NDA chairperson and posted at the site of the proposed mural.
- Mural review criteria are artistic merit, scale, context, community support, feasibility, and media/materials used.
- An ad-hoc committee of arts professionals and mural artists will review the proposed mural against the criteria. Their recommendation will be sent to the Milwaukie Arts Committee, who makes the final decision on the proposed mural.

E. Scope of Planning Commission Review

The amendments to establish the mural program amend a portion of Title 14, Sign Ordinance, and create a new title in the Municipal Code – Title 20, Public Art. The Planning Commission's role in municipal code amendments is to make a recommendation to the City Council for amendments that affect a land use regulation. The amendments to Title 14 are the only land use regulations being amended with this proposal, and are the only portion of the mural program for which the Planning Commission will make an official recommendation.

Planning Commissioners, either as individuals or as a group, are welcome to submit comments about the proposed new code title for public art to City Council for their consideration.

CONCLUSIONS

Staff recommends that the Planning Commission forward a recommendation to City Council approve application ZA-12-01, with the proposed findings and amendments found in Attachment 1. If approved, the amendments to Title 14 and the new title for Public Art would allow properties to install murals. City staff would take the proposed amendments to City Council later in November 2012 if the Planning Commission recommends approval.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance, which is Title 19 of the Milwaukie Municipal Code (MMC).

- Section 19.902, Amendments to Maps and Ordinances

This application is subject to Type V. The Commission has 4 decision-making options as follows:

- A. Recommend that City Council approve the proposed amendments to Title 14 as presented in Attachment 1.
- B. Recommend that City Council approve the proposed amendments to Title 14 with modifications to the materials in Attachment 1.
- C. Recommend that City Council not approve the proposed amendments to Title 14.
- D. Continue the hearing.

The application is a legislative action and is not subject to the 120-day clock.

COMMENTS

Notice of the proposed changes was posted on the City's website and posted in City facilities. The City has not received any comments based on the notices of the proposed amendments. Staff has involved City Council, the Milwaukie Arts Committee, mural professionals, and the public in the early stages of drafting the proposed code amendments.

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

- 1. Draft Ordinance (attached)
 - Exhibit A: Findings for Amendments to Title 14 (attached)
 - Exhibit B: Proposed Amendments to Title 14 – underline/strikeout (attached)
 - Exhibit C: Proposed Amendments to Title 14 – clean copy (attached)
 - Exhibit D: Proposed Title 20, Public Art – draft (attached)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO ESTABLISH MILWAUKIE MUNICIPAL CODE TITLE 20, PUBLIC ART, WITH CHAPTER 20.04, PUBLIC ART MURALS, CONTAINING RULES AND PROCEDURES FOR ALLOWING PUBLIC ART MURALS WITHIN THE CITY, AND AMENDING TITLE 14, SIGNS, TO EXEMPT PUBLIC ART MURALS FROM THE PROVISIONS OF TITLE 14 (FILE #ZA-12-01).

WHEREAS, the City of Milwaukie finds that murals are a unique form of public art that add visual interest to buildings and spaces, build community identity, and celebrate the history, culture, and values of the city; and

WHEREAS, the City of Milwaukie desires to allow murals as a form of public art in order to realize the beneficial aspects of murals; and

WHEREAS, the City does not regulate signage on the basis of sign content, and currently regulates murals in the same manner as other signage; and

WHEREAS, the City of Milwaukie has worked with mural artists, art professionals, and community stakeholders in devising a program for public art murals; and

WHEREAS, the Planning Commission and City Council have held duly advertised public hearings on the establishment of Title 20 and amendments to Title 14, with notice provided per the requirements of the Milwaukie Municipal Code and Oregon Revised Statutes;

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

Section 1. Findings. Findings of fact in support of the proposed amendment(s) to Title 14 are attached as Exhibit A.

Section 2. TITLE 14, Signs, Text Amendment. TITLE 14, Signs, is amended as described in Exhibit B (underline/strikeout version) and Exhibit C (clean copy).

Section 3. TITLE 20, PUBLIC ART. The City of Milwaukie enacts TITLE 20, PUBLIC ART as described in Exhibit D.

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 _____.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

Document2 (Last revised 2/6/2008)

Recommended Findings in Support of Approval

1. The City of Milwaukie ("applicant") proposes to amend regulations that are contained in Title 14, Signs. The land use application for this amendment is ZA-12-01.
2. The purpose of the proposed code amendments is to clarify that public art murals are not subject to the regulations of Title 14. Public art murals would be allowed subject to the provisions of a new title in the Milwaukie Municipal Code (MMC) that is being considered by Milwaukie City Council concurrently with the amendments to Title 14.
3. The proposed amendments are subject to the following provisions of the MMC:
 - MMC Section 19.902 Amendments to Maps and Ordinances
 - MMC Chapter 19.1000 Review Procedures
4. Sections of the MMC or Milwaukie Comprehensive Plan not addressed in these findings are found to be not applicable to the decision on this land use application.
5. MMC Chapter 19.1000 establishes the initiation and review requirements for land use applications. The City Council finds that these requirements have been met as follows.

- A. MMC Subsection 19.1001.6 requires that Type V applications be initiated by the Milwaukie City Council, Planning Commission, Planning Director, or any individual.

The amendments are proposed by the City of Milwaukie and were initiated by the Planning Director on August 21, 2012.

- B. MMC Section 19.1008 establishes requirements for Type V review.
 - i) Subsection 19.1008.3.A.1 requires opportunity for public comment. Opportunity for public comment and review has been provided. Staff held public meetings with the Milwaukie Arts Committee to discuss mural permitting in 2011 and 2012. City staff solicited feedback on mural permitting and preferences through a public survey in February 2012. A study session and worksession were held with Milwaukie City Council in 2012 on establishing a mural program.
 - ii) Subsection 19.1008.3.A.2 requires notice of public hearing on a Type V Review to be posted on the City website and at City facilities that are open to the public at least 30 days prior to the hearing. A notice of the Planning Commission's September 25, 2012, hearing was posted as required on August 24, 2012, at City Hall, Ledding Library, Public Safety Building, and Johnson Creek Facility. A notice of the City Council's _____, 2012, hearing was posted as required on _____, 2012, at the same locations.
 - iii) Subsection 19.1008.3.A.2 requires notice be sent to individual property owners if the proposal affects a discrete geographic area. The proposed amendments apply to the entire city generally in the sign ordinance, and specific property owner notice is not required.
 - iv) Subsection 19.1008.3.B and C require notice of a Type V application be sent to Metro and the Department of Land Conservation and Development (DLCD) 45 days prior to the first evidentiary hearing. The first evidentiary hearing was held on September 25, 2012. Per Oregon Administrative Rule 660-018-0022(1), no goals, commission rules, or land use statutes apply to a particular proposed change, and DLCD notice was not required. Metro responded on September 7, 2012 that the

proposed changes do not affect compliance with any portions of the Metro Function Plan.

- v) Subsection 19.1008.3.D requires notice to property owners if, in the Planning Director's opinion, the proposed amendments would affect the permissible uses of land for those property owners. In the opinion of the Planning Director, the proposed amendments would not affect the permissible uses of any property in the city, and that notice to property owners was not required.
 - vi) Subsection 19.1008.4 and 5 establish the review authority and process for review of a Type V application. The Planning Commission held a duly advertised public hearing on September 25, 2012, and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on _____, 2012, and approved the amendments.
6. MMC Chapter 19.902 establishes requirements for amendments to the text of the Milwaukie Comprehensive Plan and the Milwaukie Municipal Code. The City Council finds that these requirements have been met as follows.
- A. MMC Subsection 19.902.5.A requires that changes to the text of the Milwaukie Municipal Code shall be evaluated through a Type V review per Section 19.1008.
- The Planning Commission held a duly advertised public hearing on September 25, 2012, and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on August 21, 2012, and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.
- B. MMC Subsection 19.902.5.B contains approval criteria for text amendments to the Milwaukie Municipal Code.
 - i) MMC Subsection 19.902.5.B.1 requires that the proposed amendment be consistent with other provisions of the Milwaukie Municipal Code.

The amendments to Title 14 are proposed to be consistent with the Milwaukie Municipal Code. They are intended to coordinate and clarify that public art murals allowed by the proposed Title 20 are reviewed separately from other signage.

 - ii) MMC Subsection 19.902.5.B.2 requires that the proposed amendment be consistent with the goals and policies of the Comprehensive Plan.
- The proposed amendments are consistent with the Comprehensive Plan in that they would facilitate the allowance of public art murals. The City Council finds that murals build a community's identity, and this is a goal stated in multiple parts of the Comprehensive Plan (Chapter 4, Residential Land Use and Housing Element, Goal Statement; Objective #4 Neighborhood Conservation; Economic Development Element, Goal #12 Town Center, Planning Concepts).*
- iii) MMC Subsection 19.902.5.B.3 requires that the proposed amendment be consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.
- The proposed amendments were sent to Metro for comment. Metro did not object to the proposed amendments.*
- iv) MMC Subsection 19.902.5.B.4 requires that the proposed amendment be consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

There are no statutes or administrative rules that were found to be applicable to the proposed amendments.

- v) MMC Subsection 19.902.5.B.5 requires that the proposed amendment be consistent with relevant federal regulations.

There are no federal regulations that were found to be applicable to the proposed amendments.

TITLE 14 SIGNS**CHAPTER 14.04 GENERAL PROVISIONS****14.04.030 DEFINITIONS**

“Sign” means the physical components of materials placed or constructed primarily to convey a message or other display and which can be viewed from a right-of-way or lot under other ownership. Displays permitted through Title 20 are not considered signs for the purposes of Title 14.

CHAPTER 14.12 SIGNS PROHIBITED OR EXEMPTED**14.12.010 EXEMPTED SIGNS**

The following signs shall not require a sign permit but shall conform to all other applicable provisions of this chapter and shall be allowed outright in all zones, except as otherwise noted:

- M. Public murals, as permitted by Title 20. Such displays are not considered signs and are exempt from all provisions of Title 14.

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TITLE 20 PUBLIC ART

Chapter 20.04 Public Murals

Section 20.04.010 PURPOSE

The purpose of this title and the policy of the City of Milwaukie is to permit and encourage Public Murals under certain terms and conditions. Public Murals comprise a unique medium of expression which serve the public interest, and have purposes distinct from signs and confer different benefits. Such purposes and benefits include: improved aesthetics; avenues for original artistic expression; public access to original works of art; community participation in the creation of original works of art; community building through the presence of and identification with original works of art; and a reduction in the incidence of graffiti and other crime. Murals can increase community identity and foster a sense of place and enclosure if they are located at heights and scales visible to pedestrians and are retained for periods of five years or more.

Section 20.04.020 Definitions

“Applicant” means the party that is primarily responsible for the design and installation of a Public Mural.

“Public Mural” means a hand-painted, hand-tiled or digitally printed image on the exterior wall of a building that does not contain any commercial message and where the wall or surface is either on city-owned property or has a public art easement and is viewable from another property or right-of-way. For purposes of this definition, a commercial message is any message that advertises a business, services rendered, or goods produced or sold or is intended to direct attention to a service or good being sold.

“Mural easement” means an easement granted to the City of Milwaukie by a property owner for purposes of installing and maintaining a Public Mural on the surface of a structure or building.

“Compensation” means the exchange of something of value. It includes, without limitation, money, securities, real property interest, barter of goods or services, promise of future payment, or forbearance of debt. “Compensation” does not include goodwill, or an exchange of value that a building owner (or leaseholder with a right to possession of the wall upon which the mural is to be placed) provides to an artist, muralist or other entity where the compensation is only for the creation and/or maintenance of the mural on behalf of the building owner or leaseholder, and the building owner or leaseholder fully controls the content of the mural.

“Owner” means the entity(s) that own(s) the real property that contains the building or structure upon which a Public Mural is installed. In the case where a Public Mural is installed in the right-of-way, the owner means the entity with jurisdiction over that right-of-way.

“Right-of-way” means an area that allows for the passage of people or goods. Right-of-way includes passageways such as freeways, pedestrian connections, alleys, and all streets. A right-of-way may be dedicated or deeded to the public for public use and under the control of a public agency.

Proposed Code Amendment

“City Manager” means the City staff person assigned to manage the Milwaukie Mural Arts Program as designated by the City Manager.

“Ad Hoc Mural Review Committee” means the committee assembled on an ad hoc basis to review and make a recommendation to the Milwaukie Arts Committee regarding a mural application based on criteria established in the Milwaukie Mural Arts Program administrative rules and procedures.

Section 20.04.030 Applicability

The provisions of this Title apply to proposals to install a Public Mural. The provisions of this Title may also be used to permit existing displays on the exterior of a wall or a structure as a Public Mural.

A display that meets the definition of a Public Mural may also be permitted through Title 14 (Sign Ordinance), at the applicant’s choosing.

Section 20.04.040 Location

A. Allowed Locations

No Public Mural shall be installed unless in compliance with the provisions outlined in this Title.

Public Murals are only allowed on buildings or structures as described below, unless a Public Mural is specifically prohibited by Subsection 20.04.040 B of this Title. Zoning designations refer to the base zones established in Title 19.

1. Downtown zones. Public Murals are allowed in areas zoned Downtown Commercial, Downtown Office, Downtown Storefront, Downtown Residential, or Downtown Open Space.
2. Commercial zones. Public Murals are allowed in areas zoned Commercial General, Commercial Limited, Commercial Neighborhood or Community Shopping Commercial.
3. Industrial zones. Public Murals are allowed in areas zoned Manufacturing or Business Industrial.
4. Community Service Uses. Public Murals are allowed on uses that have received approval as a Community Service Use, per Section 19.904. Uses that are considered Community Service Uses that were established prior to September 6, 1984, the effective date of Ord. #1564, and that have not received subsequent Community Service Use approval per Ord. #1564 are also eligible for public art murals.

B. Specifically Prohibited Locations

1. Public Murals are specifically prohibited on buildings or structures that are designated as a Contributing or Significant Historic resource per Section 19.403.
2. Public Murals are specifically prohibited in Residential Zones, unless installed on an approved Community Service Use.

Section 20.04.050 Public Ownership, Duration and Alteration

A. Public Ownership.

The mural must be on the surface of a building or structure that is either on property owned by the City of Milwaukie or for which a mural easement to the City has been granted.

B. Duration and Alteration.

The Public Mural shall remain in place, without alteration, for a minimum period of five years unless specified otherwise in the public art easement. "Alterations" include any change to a permitted mural, including but not limited to any change to the image(s), materials, colors, or size of the permitted mural. "Alteration" does not include naturally occurring changes to the mural caused by exposure to the elements or the passage of time. Minor changes to the permitted mural that result from the maintenance or repair of the mural shall not constitute "alteration." Such minor changes may include slight and unintended deviations from the original image, colors, or materials that occur when the permitted mural is repaired due to the passage of time or as a result of vandalism.

Section 20.04.060 Prohibition of Compensation

No compensation will be given or received for the display of the mural or for the right to place the mural on another's property. The applicant shall certify in the permit application that no compensation will be given or received for the display of the mural or the right to place the mural on the property. Compensation does not include goodwill, or an exchange of value that a building owner (or leaseholder with a right to possession of the wall upon which the mural is to be placed) provides to an artist, muralist or other entity where the compensation is only for the creation and/or maintenance of the mural on behalf of the building owner or leaseholder, and the building owner or leaseholder fully controls the content of the mural.

Section 20.04.070 Physical Standards

A. Dimension

No portion of a mural shall be more than 30 feet vertically above grade, and shall not extend more than 6 inches from the surface of the building or structure to which it is affixed.

B. Materials

Mural materials may include, but are not limited to, the following: paint; painted wood or plastic surfaces affixed to a building or structure; mosaics of ceramic tile and/or glass; painted vinyl or pella surfaces, or similar materials.

C. Placement

No new Public Mural shall be placed over the exterior surface of any building opening, including, but not limited to, windows, doors, and vents.

D. Prohibitions

1. No new or existing Public Mural may consist of, or contain, electrical or mechanical components, or changing images.
2. No new or existing Public Mural may have a light source internal to the mural.

Proposed Code Amendment

E. Mural illumination

Lighting may be allowed, subject to Arts Committee approval, which casts light upon the mural for nighttime visibility or to make the area around the mural more safe and secure.

Lighting shall not create or cause glare or create a safety hazard for vehicles or pedestrians.

Section 20.04.080 Structural Permit

Public Murals that are affixed to a building shall require approval of a structural permit as deemed necessary by the Milwaukie Building Official.

Section 20.04.90 Application

An applicant shall initiate a proposal to place a Public Mural by filing an application with the City Manager, or designee. The application shall be made on forms provided by the City Manager, or designee, include the application fee for review of a Public Mural, and include any accompanying materials, such as proposed designs, site photos, and building or structure elevation drawings, deemed necessary by the City Manager, or designee, for review of the Public Mural proposal.

Any fees shall be in accordance with the City's Fee schedule.

Section 20.04.100 Administrative Review

- A. Upon submission of a complete application for a Public Mural, the City Manager, or designee, shall review the proposal for conformance with the standards in Chapter 20.04.070.
- B. Upon finding that the proposed Public Mural conforms to the standards in Chapter 20.04.070, the City Manager, or designee, shall inform the applicant in writing that the proposed Public Mural application is complete and ready for review by the Ad Hoc Mural Review Committee. The City Manager, or designee, shall complete the public notifications per Section 20.04.110.
- C. Prior to the Ad Hoc Mural Committee Review, the applicant shall provide documentation to the City Manager, or designee, that they complied with the public notice requirements of Section 20.04.120

Section 20.04.110 Public Notice

A. Mailed Notice

Mailed notice is intended to provide Neighborhood District Associations that contain or are near to the proposed Public Mural a chance to discuss the proposal with the applicant.

1. The City Manager, or designee, shall mail a notice to the chairperson of the Neighborhood District Association containing the site of the proposed mural at least 14 days prior to the Ad Hoc Mural Committee's review of the proposed mural.
2. The notice shall include the following: the dates for the Ad Hoc Mural Review Committee meeting and the Milwaukie Arts Committee meeting at which the Public Mural shall be reviewed; the name and contact information for the applicant and

owner; the contact information for the City Manager, or designee; and a legibly-sized color representation of the proposed Public Mural. The notice shall also list how submit comments regarding the proposed Public Mural.

B. Posted Notice

A durable and weatherproof notice shall be posted at the site of the proposed Public Mural by the City Manager, or designee, and shall conform to the following standards.

1. The notice shall be posted at least 14 days prior to the Ad Hoc Mural Committee's review of the proposed mural. The City Manager, or designee, shall be responsible for ensuring that the notice remains posted, and shall replace the notice as soon as practicable if the notice is damaged or removed.
2. The notice shall be clearly visible from the public right-of-way and be at least 11" by 17" in size. The City Manager, or designee, may require more than 1 sign to be posted depending on specific site characteristics.
3. The notice shall include the name and contact information for the applicant and owner, contact information for the City Manager, or designee, and a legibly-sized color representation of the proposed Public Mural.

20.04.120 Ad Hoc Mural Committee Review

The Ad Hoc Mural Committee shall review the proposed Public Mural. The intent of this review is to explore the feasibility of the mural, evaluate the community support for the proposed mural, assess the appropriateness of the mural given its context and its placement on either a City building or building with a public art easement, and to make a recommendation to the Milwaukie Arts Committee about approval of the mural, or approval with conditions.

A. Committee Composition

The Ad Hoc Mural Committee will be comprised of a minimum of three members and maximum of five members. A majority of the members shall be professional mural artists and/or professional public art administrators.

The City Manager, or designee, shall select the members of the Ad Hoc Mural Review Committee.

The Administrative Rules may outline further limits or requirements of Ad Hoc Mural Review Committee Members.

B. Review Process

The Ad Hoc Mural Review Committee shall be convened by the City Manager, or designee, and shall meet within 30 business days of a complete mural application being submitted and deemed complete.

The Ad Hoc Review Committee shall forward a recommendation, in writing, to the Milwaukie Arts Committee. The Milwaukie Arts Committee shall make a decision at their next scheduled meeting.

The Milwaukie Arts Committee shall approve upon finding that the proposed Public Mural substantially meets all Review Criteria.

Proposed Code Amendment

Public comment may be accepted at the Milwaukie Arts Committee meeting, regarding the proposed Public Mural, per the process outlined in the Administrative Rules.

C. Review Criteria

- 1) Artistic merit:
 - a. Concept and execution;
 - b. Demonstrated strength of artist's craftsmanship;
 - c. Originality of proposed mural.
- 2) Scale:
 - a. Appropriateness of scale to the wall upon which mural will be painted/attached and to the surrounding neighborhood.
- 3) Context :
 - a. Architectural, geographical, socio-cultural and/or historical relevance to site.
- 4) Community support:
 - a. General support/advocacy from building owner/user, surrounding neighborhood, adjacent businesses, and/or arts community.
- 5) Feasibility:
 - a. Demonstrated ability to complete the proposed mural on time and within budget.
- 6) Media:
 - a. Appropriate media proposed to ensure mural's longevity and durability.
- 7) Structural and surface stability:
 - a. Commitment to repair mural surface as necessary before painting and plan for mitigating graffiti through design and/or graffiti coating.
- 8) Signed easement form from building owner:
 - a. Commitment to keep the mural in place as approved for minimum of 5 years and to maintain mural during that time.
- 9) Public accessibility, safety and lighting:
 - a. Compliance with city codes for safety, accessibility and lighting

Section 20.04.130 Milwaukie Arts Committee Review

The Milwaukie Arts Committee shall have the authority to determine that an application for a Public Mural meets all of the applicable requirements following procedures established in the Administrative Rules.

The Milwaukie Arts Committee shall approve the proposed Public Mural upon finding that the proposed Public Mural substantially meets all Review Criteria as listed per section 20.04.120 C.

The City Manager, or designee, on behalf of the Milwaukie Arts Committee, shall provide notice to the applicant regarding the approval or denial of their application.

Section 20.04.140 Maintenance

Public Murals shall be maintained by the property owner per the terms of the public art easement.

Section 20.04.150 Violation

It is unlawful to violate any provision of this Title, any Administrative Rules adopted by the City of Milwaukie pursuant to this Title, or any representations made or conditions or criteria agreed to in a Public Mural permit application. This applies to any applicant for a Public Mural permit, to the proprietor of a use or development on which a permitted Public Mural is located, or to the owner of the land on which the permitted Public Mural is located. For the ease of reference in this Title, all of these persons are referred to by the term "operator."

Section 20.04.160 Enforcement**A. Notice of Violations**

Written notice to the building owner is required for any violation of this Chapter. Failure of the building owner to receive the notice of the violation does not invalidate any enforcement actions taken by the City.

B. Responsibility for Enforcement

The regulations of this Title, and the conditions of Public Mural permit approvals, shall be enforced by the City Manager, or designee.



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Steve Butler, Planning Director

Copy: Scot Siegel, Planning Project Manager

From: Brett Kever, Associate Planner

Date: September 19, 2012, for September 25, 2012, Public Hearing

Subject: Amended Information for CSU-12-08 application

File: CSU-12-08

Applicant: Leah Robbins for TriMet

Address: 2316 SE Monroe St (with access through 2305 SE Washington St)

ACTION REQUESTED

None. Staff is providing a correction to the decision-making options listed in the original issuance of the staff report. The corrected staff report (attached) replaces the copy you have; it has also been replaced in the "revised" e-packet online.

CORRECTION

On page 6 of the original staff report, 4 decision-making options were listed when in fact there are only 3 options. Denial of the application is not an option.

The PMLR alignment, which includes the location of specific project elements such as the proposed substation utility building, has an existing land use approval that was issued by Metro in 2008.¹ This land use final order (LUFO) was made pursuant to House Bill 3478 (1996), which provides for the review and siting of regional transportation facilities through local jurisdictions. The City may subject the substation project to reasonable and necessary conditions of approval to ensure conformance with local standards and appropriate mitigation of local impacts. It cannot, however, deny the application or condition the approval of the building in such a way as to prevent the implementation of the 2008 LUFO.

¹ Metro Resolution No. 08-3964 entitled 2008 South/North Land Use Final Order (LUFO) Amendment.