CITY OF MILWAUKIE
CITY COUNCIL MEETING
APRIL 1, 2003

CALL TO ORDER

The 1907th meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Deborah Barnes
Joe Loomis
Susan Stone

Staff present:

Mike Swanson, City Manager
Alice Rouyer, Community Development/ Public Works Director
John Gessner, Planning Director
Michelle Gregory, Neighborhood Services Manager
Jeff King, Project Manager
Les Hall, Code Compliance Assistant
Kenneth Kent, Associate Planner

PLEDGE OF ALLEGIANCE

PROCLAMATION, COMMENDATIONS, AND SPECIAL REPORTS

Mayor Bernard announced that City Recorder Pat DuVal was accepted into the IIMC Master Municipal Clerk Academy.

The City Council will join the Riverfront Board on April 9 at 5:00 p.m. at the Jefferson Street Boat Ramp to unveil the new project sign.

As part of the ongoing recognition of Milwaukie's Centennial, Mayor Bernard read history notes prepared by Milwaukie Museum Curator Madalaine Bohl regarding the efforts to incorporate Milwaukie in 1903 and the first City Council election.

CONSENT AGENDA

It was moved by Councilor Stone and seconded by Councilor Loomis to adopt the consent agenda that included:

1. **City Council Minutes of March 18, 2003; and**
2. **Resolution 10-2003: A Resolution of the City Council of the City of Milwaukie, Oregon Assessing the Costs of Abatement of the Nuisance Located at 4471 SE White Lake Road and Entering the Same on the Docket of City Liens Pursuant to Milwaukie Municipal Code Section 8.04.200(D).**

The motion to adopt the Consent Agenda passed unanimously among the members present.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

Downtown Design Guidelines Project – Zoning Amendments ZA-01-03 and ZA-02-01—Resolution and Ordinance

Mayor Bernard called the public hearing on the legislative Downtown Design Guidelines and the Zoning Ordinance amendments initiated by the City to order at 6:10 p.m.

The purpose of the hearing was to consider a resolution adopting the Downtown Design Guidelines and amendments to the Zoning Ordinance that establish a design review process consistent with the downtown design guidelines and amends sign standards for the downtown zone.

This was a legislative decision by the Council based on the following standards: the statewide planning goals; applicable federal or state laws or rules; any applicable plans and rules adopted by Metro; applicable Comprehensive Plan policies; and applicable provisions of implementing ordinances.

Mayor Bernard reviewed the order of business. He stated that the City Council decision would be the final decision of the City and that all testimony and evidence must be directed toward the applicable substantive criteria. Failure to address a criterion or raise any issue with sufficient detail would preclude an appeal based on that criterion or issue. Any party with standing may appeal the decision of the City Council to the State Land Use Board of Appeals according to the rules adopted by that Board. Persons with standing are those who submit written comments or testify and sign the City Council Attendance sign-up sheet on the information table in the hall.

Conflicts of Interest: There were no conflicts of interest declared.

Staff Presentation

Associate Planner Kenneth Kent presented the staff report. After conducting a joint public hearing on February 25, 2003, the Milwaukie Planning Commission and Design and Landmarks Commission (DLC) recommend the City Council approve the proposed project. He noted Planning Commissioner and Design and Landmarks Commission Chair Brent Carter was in attendance if the Council had any questions for him.

The Downtown Design Guidelines Project consists of 3 main elements: the guidelines, design review code, and sign code amendments. The design guidelines and the design review process are final policy tools to implement the Downtown Plan. The project was

launched shortly after the Downtown Plan was adopted, and the DLC conducted numerous meetings and public workshops.

The proposed guidelines provide descriptions and visual benchmarks to help property owners and designers understand the desired quality and character of development in downtown Milwaukie. The 5 main elements of the proposed design guidelines are: character and uniqueness, pedestrian emphasis, architecture, lighting, and signs.

The proposed design review process amends the Zoning Ordinance by establishing a process through which new development as well as major alterations will be reviewed against the proposed design guidelines. This review would occur before the DLC. Key elements of the process are: new construction and significant building alterations are subject to DLC review; minor work is subject to staff level review; the DLC may grant modifications to standards with findings in lieu of the applicant's going through the variance process; the DLC has the authority to grant variances to development standards such as building height, floor area ratio, and street setbacks; stand alone residential development is exempt from design review; and mixed use buildings would require design review for the non-residential portions.

Proposed sign code amendments came about through development of the design guidelines themselves. The intent is to incorporate sign features into the code so a majority of signs could be approved in the building permit process. Only those signs having the potential to affect the design character of the downtown area would require DLC review. The key elements of the sign code amendment are a height and area reduction for freestanding signs; awning signs are limited to the first floor of buildings; internally illuminated cabinet signs are discouraged; other internally illuminated signs would be subject to DLC review; and backlit, individually lettered, and indirectly lit signs would be permitted.

Staff recommends Council adopt the proposed ordinance amending the code for the design review process and sign code amendments as identified in the staff report with findings. Further, staff recommends the City Council approve a resolution that would adopt the Downtown Design Guidelines.

Councilor Stone complimented Kent on the report. She asked if streetscaping and landscaping had been considered as one of the major design elements.

Kent said some of the streetscaping elements are addressed in the public area requirements adopted for the downtown area. These include sidewalk standards, streetlights, and in many cases, particularly on Main Street, buildings must be constructed adjacent to the right-of-way, and within that, there are standards for benches, streetlights, and trees. There are also limited landscaping requirements on some sites downtown. Essentially, landscaping would be reviewed on an overall site design for those projects going before the DLC.

Councilor Stone thinks landscaping is an important element in beautifying the City and should incorporate streetscaping with trees and pavers.

Councilor Barnes referred to staff report page V.A.13 and the anchors that the downtown hoped to attract. She specifically liked the idea of an arts, entertainment, and office campus on the south end of Main Street with a graphics-oriented higher education facility. She asked if this concept was being acted upon.

Kent understands these elements were identified as a goal in the original Downtown Plan because there was interest on the part of an existing business.

Correspondence: None.

Testimony in Support: None.

Testimony in Opposition: None.

Neutral Testimony: None.

Close Public Hearing

It was moved by Councilor Barnes and seconded by Councilor Stone to close the public testimony portion of the hearing. The motion passed unanimously among the members present. Mayor Bernard closed the public testimony portion of the hearing at 6:25 p.m.

Council Discussion

Councilor Barnes believes the plan is well-thought out and is supported by considerable citizen input. Her only concern is the complexity of the appeal process.

Kent said the City Council would hear any appeals of DLC decisions. The intent of the design guidelines, in general, is to provide a variety of options rather than establishing specific, regimented standards. If applicants do not agree with the DLC decision, an appeal process would be in place.

Council Decision

It was moved by Councilor Stone and seconded by Councilor Barnes to read the ordinance amending Milwaukie Municipal Code Title 2 – Administration, Title 19 – the Zoning Ordinance, and Title 14 – the Sign Ordinance for the first time by title only with the changes. Motion passed unanimously among the members present. The ordinance was read for the first time by title with Section 2 in its entirety: "Section 2. Milwaukie Municipal Code Title 2: Administration and Finance and Milwaukie Municipal Code Title 19: Zoning Ordinance (Ordinance 1712) are amended as shown in Exhibit A."

It was moved by Councilor Barnes and seconded by Councilor Stone to read the ordinance amending Milwaukie Municipal Code Title 2 – Administration, Title 19 – the Zoning Ordinance, and Title 14 – the Sign Ordinance for the second time by title only with the changes. Motion passed unanimously among the members present. The ordinance was read for the second time by title with Section 2 in its entirety: "Section 2. Milwaukie Municipal Code Title 2: Administration and Finance and Milwaukie Municipal Code Title 19: Zoning Ordinance (Ordinance 1712) are amended as shown in Exhibit A."

It was moved by Councilor Stone and seconded by Councilor Loomis to adopt the ordinance amending Milwaukie Municipal Code Title 2 – Administration, Title 19 – the Zoning Ordinance, and Title 14 – the Sign Ordinance with the changes. Motion passed unanimously among the members present.

> **ORDINANCE NO. 1916:**
> **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICIPAL CODE TITLE 2 – ADMINISTRATION AND FINANCE, TITLE 19 – ZONING ORDINANCE, AND TITLE 14 – SIGN ORDINANCE.**

It was moved by Councilor Stone and seconded by Councilor Barnes to adopt the resolution adopting the Downtown Design Guidelines. Motion passed unanimously among the members present.

> **RESOLUTION NO. 11-2003:**
> **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE DOWNTOWN DESIGN GUIDELINES.**

LUBA Appeal Information

Mayor Bernard announced that any party with standing may appeal the decision of the City Council to the State Land Use Board of Appeals according to the rules adopted by that Board. The written decision will contain an explanation of the appeal rights, and planning department staff will be available to answer questions.

Swanson told the City Council there was a second ordinance and a motion required to read by title only an ordinance of the City Council of the City of Milwaukie amending Milwaukie Municipal Code Title 19 – Zoning Ordinance and Title 14 – Sign Ordinance.

Mayor Bernard said there had been an oversight in the meeting outline prepared for Council.

Mayor Bernard so moved and Councilor Barnes seconded. Motion passed unanimously among the members present. The ordinance was read for the first time by title only.

It was moved by Mayor Bernard and seconded by Councilor Barnes to read the ordinance for the second time by title only. Motion passed unanimously among the members present. The ordinance was read for the second time by title only.

It was moved by Mayor Bernard and seconded by Councilor Barnes to adopt the ordinance. Motion passed unanimously among the members present.

> **ORDINANCE NO. 1917:**
> **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICIPAL CODE TITLE 19 – ZONING ORDINANCE, AND TITLE 14 – SIGN ORDINANCE.**

South Corridor Transit Options Locally Preferred Alternative -- Resolution

Mayor Bernard called the public hearing on the South Corridor Transit Options Locally Preferred Alternative to order at 6:35 p.m.

The purpose of the hearing was to consider public testimony on the proposed resolution endorsing the South Corridor Policy Committee's Locally Preferred Alternative along with considerations for future design and mitigation measure for the Phase 2 Milwaukie alignment. He reviewed the order of business.

Staff Report

City Manager Swanson said this is the formal City Council consideration of the South Corridor Locally Preferred Alternative (LPA) Report. The South Corridor Project is an outgrowth of what was the South North Project. The transportation alternatives were developed after a series of public listening posts held subsequent to the defeat of the 1998 bond measure. The South Corridor Project was originally a non-light rail study, but light rail was added as an alternative after community support was shown. Metro and Tri-Met staff were not eager to begin that particular process again and were content at that point in time to be looking at non-light rail alternatives.

The South Corridor process eventually focused on 6 alternatives that were then studied in the Supplement Draft Environmental Impact Statement (SDEIS). The alternatives were no-build, bus rapid transit, busway, Milwaukie light rail, I-205 light rail, and the combined light rail alternative. The SDEIS compared impacts, benefits, and costs. There was an extensive public involvement process including a formal public comment period, which was held from December to February of this year.

The South Corridor Policy Committee guided the process and became active at this stage. After considering the Environmental Impact Statement (EIS), public comments, and plans, the Committee adopted the Locally Preferred Alternative (LPA) Recommendation in February 2003. The Recommendation is before the Milwaukie City Council for its consideration and adoption.

The LPA envisions a 2-phase project, which would be done sequentially. The first phase is an I-205 light rail project with a Portland Mall component. The second phase is a Milwaukie light rail project that would go to downtown Portland. He stressed the Milwaukie project is in the future and would require a financing plan and at the very least would go to a vote in 2004 or 2006 for funding. The LPA was developed by the South Corridor Project Committee and is being considered by the local governments. During March and April, the LPA has gone through Clackamas County, Oregon City, Multnomah County, Tri-Met Board, City of Portland, and Milwaukie Planning Commission. On April 10, the LPA goes before the Metro Joint Policy Advisory Committee on Transportation (JPACT), and the final step is an April 17 hearing before the Metro Council.

Those involved realize a vote in 2004 or 2006 is simply a vote on whether to fund phase 2 of the project; it is not tangible or concrete. The Milwaukie neighborhoods and individuals in the City assumed leadership roles in the process and said that Milwaukie did not intend to be in the position of just wishing for something. Milwaukie believes it has invested the time and energy and needs something tangible at the outset regardless of the outcome of the vote. As a result, in phase 1 there is language that includes transit improvements in the City of Milwaukie as follows: construction of a Southgate park-and-ride lot schedule to begin in the fall of 2003 and relocation of the existing on-street Milwaukie Transit Center to the Southgate area.

City Council and staff talk about doing something to add value to the community in order to create a sustainable tax base and to provide a level of service to its citizens. One place to create that value is in the downtown area, but in order to make that happen the Milwaukie Transit Center must be relocated. Moving the Transit Center to Southgate is a tangible benefit that Milwaukie representatives worked hard to get. In a sense the work has just begun to ensure Tri-Met makes it happen. This is another building block in Milwaukie's efforts to stimulate downtown redevelopment.

Further, the Milwaukie Planning Commission had a hearing on March 11 and took comments from property and business owners in the North Industrial Area. This is another area in which the City hopes to add value, so addressing access issues is critical. Staff recommends the City Council adopt the LPA report and incorporate the Planning Commission's recommended findings on the design options.

Donald Hammang, Planning Commission Chair, reviewed Exhibit A to the proposed resolution, which outlined the Commission's deliberations. The synopsis of these LPA findings is that Milwaukie must remember 2 things. The short-range benefit is support for current projects: Downtown Redevelopment, the North Main Project, and the North

Industrial Area. The long-term benefit is support of a healthy community. There is an opportunity to correct previous mistakes by identifying satisfactory transportation solutions in the North Industrial at McLoughlin Boulevard intersections. The Planning Commission heard comments about the need for more outreach to the North Industrial Area. Hammang sees this as a significant step forward for Milwaukie. Unlike the South North Project, the community has been fully involved in the South Corridor process, and its issues are being addressed. The Planning Commission recommends the City Council adopt the resolution endorsing the LPA along with the Commission's findings.

Swanson said, in closing, the community has really stepped up with incredible leadership, and he has been very impressed with people like David Aschenbrenner, Carlotta Collette, Ed Zumwalt, Peter Koonce, Art Ball and other neighborhood representatives. He has come to respect them and feels some great things can happen. He also recognized Alan Lehto and Michael Fisher of Tri-Met and Kristin Hull and Brian Newman of Metro for their work with the community. The process has generated some interesting and productive partnerships he hopes to see continue. Swanson respectfully requested the City Council recommend that the Metro Council approve the LPA as adopted by the South Corridor Policy Committee and include the Milwaukie Planning Commission design options.

Mayor Bernard received a letter from a North Industrial Area property owner saying he believed the process was flawed. Bernard asked how business and property owners find out about meetings.

Swanson said Metro staff has used about every avenue it can think of to let people know about meetings. The Planning Commission recommends implementing a strategy that ensures thorough participation by all affected business and property owners.

Hammang said, after taking testimony from interested persons from the North Industrial Area, the Planning Commission suggested that they form a "neighborhood association" to represent that area. These associations are the standard vehicles for disseminating information and would formalize their inclusion.

Mayor Bernard said he received notice of the South Corridor hearings as a downtown property owner.

Swanson knows that Milwaukie's office of neighborhoods and Metro are very professional and feel deeply about getting in touch with people although it may not work in every instance. If some people are missed, it is not for want of trying.

Councilor Barnes commented this is not the first letter received from someone in the North Industrial Area saying they were left out of the loop. She is sure Gregory did her job but wants someone to tell her why 4 businesses have stepped forward and said they were not informed.

Swanson hopes to rectify that feeling. There is a lot of time in the process, and there is a common interest in improving access to the North Industrial Areas which parties may be able to leverage.

Mayor Bernard added this project would not happen for about 10 years, so there is time to develop those partnerships.

Councilor Barnes asked if there were a specific date for moving the Transit Center.

Swanson said he would like to get the LPA approved and then push for dates specific. There will be a relocation of the Transit Center by the time phase 1 is finished. According to the LPA, construction of a park-and-ride will begin this fall.

Councilor Barnes said so that is the only thing for which there is a "kind of" guarantee.

Swanson said as far as the relocation of the Transit Center goes, he does not wish to be the entity that throws a wrench into the works by saying Milwaukie wants to change the LPA to get the Transit Center relocation by the end of 2004. Milwaukie's work just begins once the LPA it is approved.

Correspondence: **Mayor Bernard** received an e-mail from Councilor Lancaster who is out of town for this meeting expressing his support for the recommendation. Further, he wants consideration given to neighborhood conditions and urges the strategic partnership with Clackamas County not be adversely impacted.

There was no other correspondence that was not included in the packet.

Testimony in Support

Brian Newman, 10440 SE 24th Avenue, Milwaukie. He spoke as a Metro Councilor, South Corridor Policy Committee Chair, former Milwaukie Councilor, and Milwaukie citizen whose property borders the alignment. Today is the culmination of 4 years of hard work, hundreds of citizen volunteer hours, and many meetings throughout the South Corridor study area.

He is proud of the recommendation and hopes the Milwaukie City Council will support it. While going through the alternatives analysis 2 years ago, Milwaukie found itself caught between the City of Portland and Clackamas County. At that time, Clackamas County was pushing the 17- foot elevated busway concept through the center of Milwaukie on Hwy. 224 and using the Safeway site as a Transit Center that would have had 60 – 90 busses at Peake hours. This proposal, of course, resulted in a lot of concern by Milwaukie citizens. On the other side, the Portland neighborhoods had never given up on the idea of light rail.

It was not immediately evident what Milwaukie would be supportive of the South Corridor proposal. Fortunately, the neighborhood leadership met with Michelle Gregory

to determine what its members could support. The result was the "14 Points" which supported a light rail alternative as long as it was on the City's terms and met mitigation concerns. The "14 Points" was a watershed moment for the entire process with the neighborhood leadership feeling ownership in finding a solution. The leadership took the "14 Points" to the neighborhood association membership and received positive feedback.

Of the "14 Points", Newman identified 4 as being most significant. The main point was that light rail stay out of residential neighborhoods, and the recommendation before Council, unlike the previous South North proposal, results in zero residential displacements. The second point is that the leadership wanted no mandates on density or other planning requirements if light rail were to come to Milwaukie. Metro has agreed that light rail will come to Milwaukie on its terms with no density requirements. As Milwaukie's Metro Councilor, Newman will be vigilant that this commitment is kept. Third, there was a stipulation that the downtown Transit Center be moved specifically to the Southgate Theatre site in the North Industrial Area. He was happy to say this is part of phase 1, and he committed to making sure this happens early in the initial phase. He reported dirt would be moved as early as November 2003 on the park-and-ride, and he promised to work with Tri-Met staff in making sure this happens. Finally, the leadership did not want a park-and-ride at Linwood Avenue and Harmony Road. Newman reported this is not in the proposal, and he does not expect it to come back. As a matter of fact, the Linwood Neighborhood is not impacted by the South Corridor recommendation.

The plan before Council was developed by the citizens of Milwaukie and is recognized as a watershed moment. Ironically, it took 2 years to get to this point. There was a lengthy public process that included Neighborhood District Association and Chamber of Commerce meetings as well as other organizations like Rotary. North Industrial Area business and property owners attended an open house during which staff was able to gather a lot of information on their concerns. In the 2 subsequent public hearings, there were many comments in support of the recommendation. The City Council should be proud of its citizens and staff for making this happen.

Newman discussed the 2 main concerns with the proposal. One is the current economy. These projects take decades to plan and build, and they cannot stop each time the economy dips. The second concern he hears is about the North Industrial Area, and he believes this is a legitimate concern. He supports the Planning Commission's recommendation to form a work group to ensure every consideration is given to mitigate impacts, lessen displacements, and address issues with freight mobility and access to that district. He is hopeful money can be leveraged to make additional improvements in that area.

In closing, Newman understands Council must often focus on the minutia and that there are in reality only a few times a Council can vote on an issue that shapes the community's future. If South Corridor moves forward and is built, hopefully people can enjoy the fruits of this 4 year process, tonight's Council vote, and the work that is just beginning. Newman owns property adjacent to the Tillamook line, and he will be quite

literally impacted although none of his property is needed for the project. Any concern, whether from the North Industrial leaders, Historic Milwaukie Neighborhood, the downtown business community or Waldorf School, is of particular interest to him. As long as he is involved in the process, he will be vigilant and aggressively ensure that concerns are mitigated, that future decisions are made with sensitivity, and that Milwaukie is proud of the final product.

Councilor Barnes pointed out Newman said dirt would be moved on the park-and-ride in November 2003. She asked Newman in his opinion and from his position how soon the whole transit mall would be out of downtown Milwaukie and moved to Southgate.

Newman responded that he was optimistic Tri-Met will gain ownership of the property this year, put a plan in place that includes traffic considerations, and begin the planning application process. He is confident the Transit Center will be moved in 3 years. Metro controls the purse strings for a lot of federal dollars of which Tri-Met is the recipient of a major portion, and he will work to make sure the relocation takes place in 3 years. Tri-Met has federal dollars that must be expended on the park-and-ride before the end of this calendar year.

David Aschenbrenner, 11505 SE Home Avenue, Milwaukie, Hector Campbell Neighborhood Association Chair. He expressed his support for the process and agreed with others' comments that the Transit Center should be relocated as soon as possible. There are many important questions that need to be answered and designs that have to happen. He wanted to make it clear that the neighborhood leadership and community want to be actively involved and encouraged the City Council to implement the advisory group recommended by the Planning Commission. The project has his support, and he would be pleased to continue working on it.

Peter Koonce, 3509 SE Wake Street, Milwaukie, former chair of the Ardenwald Neighborhood Association. The watershed event that Newman alluded to was an interesting process. When hearing that Southeast Portland neighborhoods were still interested in light rail, Milwaukie representatives were skeptical about if it would work for their community. The "14 Points" were developed to outline certain stipulations important to Milwaukie and spelled out what the City did want, not what it didn't want. Koonce has observed certain changes over the past 4 years in how Metro, Tri-Met and City staff have collaborated on a solution that is workable with the "14 Points" and responded to transportation and community livability concerns. When the original plan came out, the proposed Tacoma Street Station had a 1000-space parking garage. The Ardenwald neighborhood was concerned about the number of vehicles and additional traffic on the Johnson Creek Boulevard corridor. In response to that concern, the garage was changed to 600 spaces and is an example of flexibility of the project design. The community is concerned about the intersection of Johnson Creek Boulevard and 32nd Avenue and does not support a signal that would encourage additional traffic by providing additional capacity. He feels Tri-Met and Metro are listening to these issues and trying to address community concerns. The North Main Street Project would benefit from the Transit Center's relocation to the North Industrial Area.

Testimony in Opposition

Bill Monson, Iridio Photo Studio, 9592 SE Main Street, Milwaukie. He is in favor of light rail and building a mass transit infrastructure because it is important to Milwaukie and the world. He was specific in his opposition to the Southgate Crossover Plan with the light rail tracks aligned on Main Street. From the perspective of those creating value in the North Industrial Area, this plan is fatally flawed. Running the light rail track on Main Street would eliminate 80 parking spaces, markedly restrict truck access, and put an additional traffic burden on an already inadequate thoroughfare with inadequate access points. Monson has the sensation that mitigation is a lip service because there is no land to build a parking lot to mitigate those 80 lost spaces. He believes most people in the North Industrial Area think the Tillamook Branch alignment is cheaper, less intrusive, good for the community, and not burdensome on the north side. He asked why North Industrial Area people were not included in the planning process. He never got a mailing or a phone call. Howard Dietrich, a majority land owner in that area, did not know about the project. Oregon Transfer said it flew in under their radar cover. Monson told WW Metal Fab, which employs 130 people, the project would eliminate 30 of its parking spaces and the bay on the west side of the building. If this plan goes through, WW Metal Fab will move from its current location. The plan calls for Monson's building to be torn down, so he felt he should have at least gotten a phone call. He senses anger about that. He found out about this process when he received a notice from John Gessner about the North Industrial Land Use Study. He was not included in the South Corridor process, and, had he known about it, he would have developed a different business plan. He is committed to rehabilitating the building, and now he has a good tenant. He would not have done this if he had known the building was scheduled for demolition. This whole process has had a freezing effect on businesses in the North Industrial Area.

Councilor Loomis asked Monson if he thought the park-and-ride would impact his business.

Monson responded that Tri-Met estimates about 2.5 trips per day per parking space. That coupled with additional bus traffic makes a significant amount of traffic at what already is a choke point. Getting into the area is a problem, and, if they had been included in the planning process, he and others from the North Industrial Area would have shared that information.

Councilor Barnes asked what could be done at this point to make things better or easier for Monson and the other property owners. She does not want him to walk away feeling forgotten.

Monson will not let himself be forgotten, and he intends to be part of the planning process. The South Corridor project could be very positive for the area, but the current plan will not work. He has the sensation the LPA juggernaut is moving forward, and he is concerned the north side businesses will be trampled. The most heavily impacted

area was not even consulted. He feels it was an artifact of the LPA growing out of the neighborhood associations in which the North Industrial Area has no representation. That area needs to create some kind of association or mechanism to provide input to the planning process.

Swanson said the LPA along with the Planning Commission's list of criteria attempt to add an involvement strategy to phase 2. Phase 1, which is the I-205 alignment, is not impacted. The Planning Commission's list, he believes, protects the interests of the North Industrial Area business and property owners. Swanson hopes improved communication will put the project on a positive track since he believes the interests of the City and the North Industrial Area are the same.

Monson said he is a Salem resident, and his father built the building in 1959.

Mayor Bernard has talked for 2 years with Howard Dietrich on this topic and what might happen to the Southgate Theatre property.

Monson has not received a phone call or a mailing and has not been active in Milwaukie government. If he and others in the North Industrial Area had been involved in the planning process, the plan would not show light rail tracks on Main Street.

Swanson commented this is an opportunity to reset the dial and consider the Planning Commission's findings.

Mayor Bernard added the whole North Industrial Area offers a lot of opportunities. Council supports keeping businesses and jobs in the community and is committed to helping promote the North Industrial Area.

Monson does not believe there is a way to mitigate the Southgate Crossover Plan in terms of parking or access. This concept puts too many activities in a limited space. He is happy to hear the planning process is still open but is concerned the LPA is being advanced as the final plan. Is it open for planning or not? Is the Tillamook Branch back on the table? He honestly does not know how it can be fixed.

Councilor Stone hoped Monson would be provided with a copy of the Planning Commission's recommended findings and observations. She feels points 6 and 7 of that document directly address his comments. She understands his concerns, and it is not the City's intent to adopt something that is going to displace businesses. She understands the Planning Commission's recommendations will be adopted with the resolution, so Milwaukie's voice will be heard by Metro.

Mayor Bernard said specifically the Planning Commission's findings read "Milwaukie is concerned that property owner decisions made between now and the time at which final phase 2 light rail design issues are resolved, may result in design changes to the presently proposed alignment and related facilities."

Neutral Testimony

Terry Parker, 1527 NE 65th Avenue, Portland, 97213. He chaired the first light rail citizens advisory committee that recommended the Portland to Gresham alignment and improvements to the Banfield. The South Corridor Policy Committee that is recommending the 2-phase proposal is made up of politicians in a high-priced candy store wanting everything they see and expecting to raise taxes. Multnomah County already wants to fleece taxpayers to make schools the top priority. He supports the I-205 Max line because property was set aside for that purpose when the freeway was constructed. He also supports moving Milwaukie's Transit Center. He does not support Max on the downtown mall when a First Avenue alignment exists. While Portland promotes walking as an alternative, it sets a double standard exception for downtown Max riders. There is already a transit jam during some Peake periods on the mall. Putting Max on the transit mall is a short-term option that will create over capacity, slowness, and an alignment that will be obsolete in less than 20 years. The aesthetics of the mall are strictly local, and he doubts the downtown would take responsibility for paying the entire local match.

Parker sees a lot of pressure at the last minute to put Max on the mall. Milwaukie is being thrown a bone – moving the transit center, building a park-and-ride, and postponing Max to Milwaukie to phase 2. It takes about 20 minutes to get from Portland State University to Union Station on Max, and they have figured out voters will not support redoing the downtown mall. The project that is really needed is connecting Milwaukie to the rest of the Max system. All phases must be bare bones transportation related and not frou-frou like art and designer streetscapes unless storefront owners are willing to pay for them. There is a far greater need for transportation in the South Corridor than to realign the tracks downtown. The Milwaukie line using the Hawthorne Bridge must take priority over the last minute, backroom, public-not-invited transit mall deal with the new Max bridge. Any downtown realignment of MAX must be phase 3 and take place only after an in-depth, long-term study with citizen involvement is completed. The majority of local match funds for a new Max lines should come from transit users, not property tax. This project must be guided by 3 directives: efficient use of funds by choosing the lowest cost routes; a one transportation project at a time approach; and funded by transit users not taxpayers. Milwaukie is affected greatly by the decision to make the downtown mall a higher priority than a needed transit option. Parker urged the Milwaukie City Council to voice its concern.

Richard Brandman, Metro Deputy Planning Director and South Corridor Planning Director. He has seen a strong commitment from Tri-Met to actually move the Milwaukie Transit Center. However, a few things must be done first: environmental work involved with federally funded projects; control of the land; and getting the funds to actually move it. Although he cannot give a hard date, Metro and Tri-Met are committed to making the relocation happen sooner than later.

The Supplement Draft Environmental Impact Statement (SDEIS) was just completed, and during this process a lot is learned. Certain assumptions are made going into a

process which are studied and evaluated based on their impacts and benefits. The most promising, those that would result in construction, are carried forward to the Final Environmental Impact Statement (FEIS) phase. Comments are taken on what it would take to mitigate as many impacts as possible, and those measures are codified in the FEIS, which is produced by Metro and Tri-Met on behalf of the federal government. What is contained therein has the force of law and is part of the construction plans. At the present time, alignments and stations can move and park-and-ride lot sizes may change. The goal is to work together to come up with a project of which Milwaukie can be proud.

Councilor Stone asked if highways could be moved. Parker had said that Milwaukie was thrown a bone in terms of getting the park-and-ride station moved just a few blocks north of where it is now. What is really in it for Milwaukie? Has anyone raised the issue of what we really want for our City and the importance of redeveloping our downtown and waterfront? She thinks a lot is hinging on what can be done with the federal highway going through our City, McLoughlin Boulevard. She suggested tying light rail into getting federal dollars to sink the highway and removing the barrier to the riverfront. That is what Milwaukie is looking at in terms of light rail and development to make this City vibrant again. She asked Brandman to speak to that.

Brandman said ODOT owns the highway. The short answer to Stone's question is "yes". There are instances in which highways are moved or replaced. If the City has a desire to relocate that facility and can tie it to a logical planning exercise with a logical relocation site, it would be an appropriate thing to consider.

Councilor Stone expressed concern because Clackamas County and all Milwaukie precincts voted down light rail funding in 1998. She wants to ensure Milwaukie gets the biggest bang for its buck in terms of collaborating on this idea of mass transit.

Ed Zumwalt, 10888 SE 29th Avenue, Milwaukie, spoke as an individual. Citizens fought light rail in 1996 because the plan arrogantly desecrated complete neighborhoods in Milwaukie. In the last 2 years, Tri-Met and Metro staff have worked wonderfully with the neighborhoods. It is clear the regional rail system is for the good of the Portland businessman. This whole process was moving along well, and then the I-205 alignment raised its ugly head. Then a man from Portland wrote a letter and everything changed. Zumwalt does not feel the Clackamas County Commissioners consider Milwaukie residents their constituents. He believes there will be serious problems in downtown Portland when the Interstate light rail line is completed in about a year. Putting the I-205 option as phase 1 stalls for time and provides time to fix the downtown transit center. This phasing puts the Milwaukie alignment out 11 years, but Portland crooked its finger and everything stopped. He wants to see what is right for Milwaukie cited a federal government report that supports the bus rapid transit option. The purpose of light rail is to get people to jobs in Portland, but Milwaukie needs jobs in its own community. Milwaukie gets 3 light rail developments: Washington Street between Main Street and McLoughlin Boulevard, Southgate, and Tacoma. This developable, taxable land will be given over to the transit-related structures, and Portland gets all the jobs.

He does not believe this is what Milwaukie really wants, and people have 11 years to think about it. This project must be for Milwaukie, not Portland. If the 2004 or 2006 funding measure fails, many people say they will move to Vancouver. Selecting I-205 as phase 1 ignores 30 years of studies.

Additional Staff Comments

Swanson said Milwaukie is at the stage of making a recommendation to the Metro Council on the Locally Preferred Alternative. The City's focus is on its downtown area and creating value, and, in the short-term, relocating the Transit Center will help accomplish that. The whole Transit Center issue is an immediate, concrete positive change. It is a tangible, and Milwaukie has fought for it. He recommended endorsing the LPA and the Planning Commission's recommendations in respect to the North Industrial Area issues.

Councilor Barnes said according to the March 11, 2003 Planning Commission minutes, Howard Dietrich, Southgate owner, said the property is for lease but not for sale.

Swanson said Tri-Met has the authority to condemn for purposes of the park-and-ride.

Alan Lehto, Transit Corridor Planning Manager for Tri-Met. Tri-Met is trying to purchase the property so ground can be broken by the end of this calendar year and work proceed of the park-and-ride. Work toward relocating the Transit Center will begin after that. Condemnation is the last resort and is rarely done. The expectation of those working on the project is that there is a reasonable solution for all parties that will result in Tri-Met purchasing the property.

Close Public Hearing

Mayor Bernard closed the public testimony portion of the hearing at 8:07 p.m.

Mayor Bernard understands Clackamas County has committed some funding for the Milwaukie Transit Center.

City Council Discussion

Councilor Loomis supported the staff and Planning Commission recommendations. The 1998 vote was an issue with the neighborhoods. It is his understanding that Milwaukie neighborhood leaders developed a list of what they wanted to see in a project and gave it to Metro. He feels Milwaukie should work with Metro in hopes of getting money for other projects. The main issues seem to be related to light rail, and that will still be up for a vote 2004 or 2006. In focusing on communicating with the neighborhoods, it seems the North Industrial Area was left out of the discussion, but he knows that will be resolved by personal contact in the future.

Councilor Barnes said she does not play politics well, and as a former reporter she calls them as she sees them. Her number 1 goal is relocating the Transit Center from downtown to Southgate. Even though she asked Newman directly, she did not get a date specific for the relocation. The City is saying it will accept the LPA and its 2-phased approach in exchange for moving the Transit Center. She wants a date specified in writing. Further, she wants it made clear that Milwaukie is trusting Metro and Tri-Met, and if the City gets burned it will remember and not be as open the next time.

Councilor Stone agreed with Barnes's comment about needing a time frame for moving the Transit Center. She believes Milwaukie has already paid its dues in terms of downtown aesthetics, transient activity, and costs incurred for leasing the Safeway property for 5 years at $90,000 per year and ultimately purchasing it. Certainly some of that money will be recovered when the North Main Project is underway. She is concerned Milwaukie is settling for less than it deserves. Moving the Transit Center should not be that big a deal, and she has concerns it is attached to the building of light rail itself. She would be more comfortable if it were a independent issue and Council adopted a resolution separate from the light rail alignment. She did not believe the funding measure was voted down in 1998 just because light rail was going through neighborhoods; that was just a piece of it. The exorbitant cost at that time was $125 million per mile, and it really did not serve the metropolitan area or Milwaukie in terms of mitigating traffic congestion caused by regional growth. Metro's statistics show that with the light rail alignment there will be increased traffic congestion because some bus service is eliminated. People will have to drive their cars to a light rail station. She is neither convinced this is the best transportation alternative for the region, nor is she convinced Milwaukie should settle for just having the park-and-ride moved. She wants to explore the option of putting 99E underground and opening up the waterfront to help develop a beautiful city.

Councilor Stone was also struggling with the fact the constituents who put her on Council voted "no" in 1998, and she feels obliged to honor their wishes. She understands this will ultimately come to another vote in 2004 of 2006 for funding. It amazes her that the process keeps steamrolling forward even though people say they do not want to fund the project. She is representing those who put her in office and strongly feels government should not operate in that manner. Government should honor what people vote for. She is leaning toward not supporting the proposed resolution because she feels like it has too many attachments, and she is not comfortable the City will realize the moving of the Transit Center given what Barnes discovered about the lease on a building. She believes the City needs to look into this further before a vote is taken.

Mayor Bernard does not believe the neighborhoods have settled for anything. They talked to those responsible for transportation and said, "this is what we want." The partnership with Metro, Tri-Met, and Clackamas County is valuable in the future. Voters will make the final decision on light rail in 2004 of 2006. The Transit Center will be moved before light rail is built. He feels confident that with Newman at Metro and the

continued involvement of the neighborhoods that the City will get what it wants. The City insisted the Transit Center be moved. He was bothered by Monson's comments. On-street parking does not belong to the businesses; it belongs to the public. Southgate is literally one building away from those businesses Monson discussed. He believes this is great project and feels the voters did speak through the neighborhood associations that they are interested in finding ways to mitigate some of these problems. The project will not happen until solutions are found, and mitigation measures will be the law. He intends to vote in favor of the resolution.

Councilor Loomis understands light rail was not on the agenda, and it was proposed by Milwaukie and southeast Portland neighborhoods.

City Council Decision

It was moved by Mayor Bernard and seconded by Councilor Loomis to adopt the resolution endorsing the recommended Locally Preferred Alternative for the South Corridor Project including the Planning Commission's adopted findings, observations, and considerations for future design and mitigation.

Councilor Stone asked how the Hwy 99 issue could be included as part of the resolution adoption.

Mayor Bernard said the City Council is voting on the LPA. In the downtown/riverfront plan, there was discussion of lowering McLoughlin, but there were issues with the creeks and springs and the water table.

Swanson said Stone's question is whether that can be attached as an option for consideration.

Newman said the regional partners cannot do anything until City of Milwaukie makes a request. The City went to Metro with a boulevard plan, and Metro put in $2 million in federal funds and ODOT provided $2 million of state funds. He understands construction will begin on that project in the next year or two. If Milwaukie wishes to initiate a different process or a process that is in addition to the boulevard improvements, the Council may make that request, and he would be happy to work on this issue with the City. The $4 million for the boulevard plan has been committed.

Zumwalt clarified that the southeast Portland neighborhoods asked for light rail; the Milwaukie neighborhoods developed a set of standards they would expect if light rail does eventually come into the City.

Mayor Bernard agreed, Milwaukie said what it would expect if the City had to deal with light rail.

Zumwalt said it was put on the table by southeast Portland, and Milwaukie had no way to stop it.

Newman and **Bernard** disagreed with Zumwalt's comment. There were people from Milwaukie on the South Corridor group.

Zumwalt said the Milwaukie City Council voted not to go along with putting it on the table. The person who was on the South Corridor Committee voted against it. It was on the table, and it all started with southeast Portland. Milwaukie said if it is coming, then the City needed to decide how they wanted it.

Mayor Bernard agreed light rail was coming in this direction. The idea was that if it was coming to Tacoma, then Milwaukie needed to make its priorities known.

Swanson said the original South Corridor project was a non-light rail project, and suggested just leaving it at that point. Southeast Portland never lost interest in light rail.

Newman added that Southeast Portland did want light rail, but Metro said "no" to putting it in the study. The alternatives analysis was done and light rail was not added even at Southeast Portland's request. Mike Burton and Fred Hansen did not want to go through that again. Only after the "14 Points" were written and the Milwaukie neighborhood leadership came up with its plan was Burton convinced to put it back on the table. Southeast Portland was told "no", and only reluctantly was it put back in for consideration when Milwaukie representatives met with Tri-Met and Metro. Newman was at most of those meetings and personally remembered the process.

It was moved by Councilor Barnes to amend the sixth "whereas" paragraph to read "... with the construction of a park-and-ride at Southgate beginning November 2003 and relocation of the transit center from downtown Milwaukie to the Southgate area by April 2006."

Councilor Stone asked for clarification if a separate motion had to be made to add the McLoughlin Boulevard issue to the Planning Commission recommendations.

Swanson said that could be done as an additional condition of the resolution or the request could probably be made through the engineering department as part of the current McLoughlin Boulevard Improvement Project.

Councilor Barnes repeated her motion which added dates for the Southgate park-and-ride construction and eventual relocation of the transit center. Mayor Bernard seconded the motion.

Councilor Stone thought there needed to be some discussion. If the City does explore the option of burying Hwy 99E, she would like to see it in the form of a resolution. She realizes there is a current project on the table, but she has also wondered for a long time if this was just a little cosmetic treatment to beautify McLoughlin Boulevard versus having some engineering done that is going to be a permanent and viable option for the opening up the waterfront. She is very concerned there is still going to be a highway a

barrier to the riverfront which the City really wants to see developed in the not so distant future.

Mayor Bernard called for the vote on Barnes's motion to amend the resolution with the addition of the 2 dates. Motion passed unanimously among the members present.

Councilor Barnes said she did not have a lot of information on Stone's proposal and asked if there was additional information.

Councilor Stone said she did not have further information on her proposal, but it is an alternative she would like to see explored. She does not feel the City is getting as much as it deserves. She wants to put Milwaukie on the map, and the only way to do it is to develop the downtown and the riverfront, and certainly removal of the highway would do a great deal for the City. She would be willing to explore and look at those options.

Councilor Barnes asked if an ODOT representative was in the audience, but no one from ODOT was present.

Swanson offered language that would amend the resolution by adding a new Section 3: "That the City Council requests that the Metro Council consider the Milwaukie realignment/sinking/removal of McLoughlin Boulevard in conjunction with the Milwaukie light rail alignment."

Councilor Stone moved to amend the resolution by adding an addition "whereas" paragraph which states: "the Milwaukie City Council requests Metro Council consider the realignment/sinking/removal of McLoughlin Boulevard in conjunction with the light rail alignment." Motion failed for lack of a second.

Mayor Bernard called for the vote on the motion to approve the resolution with the amendment regarding construction dates for the Southgate park-and-ride and relocation of the Milwaukie Transit Center to Southgate. Motion passed 3 – 1 with the following vote: Mayor Bernard, Councilor Barnes, and Councilor Loomis aye; Councilor Stone nay.

RESOLUTION NO. 12-2003:
A RESOLUTION OF THE CITY COUNCIL OF CITY OF MILWAUKIE, OREGON ENDORSING THE RECOMMENDED LOCALLY PREFERRED ALTERNATIVE FOR THE SOUTH CORRIDOR PROJECT.

OTHER BUSINESS

Amend Municipal Code Section 2.04.300(A) to Comply with Charter

City Manager Swanson presented the staff report. The purpose of this amendment is to adopt an ordinance that brings the municipal code in conformance with the charter.

It was moved by Mayor Bernard and seconded by Councilor Loomis to read the ordinance amending Municipal Code Chapter 2.04.300(A) relating to Council voting for the first time by title only. Motion passed unanimously among the members present. The ordinance was read for the first time by title only.

It was moved by Mayor Bernard and seconded by Councilor Stone to read the ordinance amending Municipal Code Chapter 2.04.300(A) relating to Council voting for the second time by title only. Motion passed unanimously among the members present. The ordinance was read for the second time by title only.

It was moved by Mayor Bernard and seconded by Councilor Stone to read the ordinance amending Municipal Code Chapter 2.04.300(A) relating to Council voting. Motion passed unanimously among the members present.

ORDINANCE NO. 1918:
AN ORDINANCE AMENDING SECTION 2.04.300(A) OF THE MILWAUKIE MUNICIPAL CODE RELATING TO COUNCIL VOTING.

North Main Developer Recommendation

Project Manager Jeff King was joined by North Main Developer Selection Committee members Sue Trotter, Michael Davis, Ed Zumwalt, and Peter Koonce, and Kim Knox with the consulting firm Shiels Obletz Johnsen. Committee members Jeff Reaves and Gill Williams were unable to attend.

King said this was a very thorough, objective and well-run process. He briefly reviewed the main points of the recommendation. At Council direction, the Selection Committee was appointed late last year to review proposals submitted for the North Main Development Project. Peake Development and Northwest Housing Alternatives/Brian McCarl submitted valid proposals that were evaluated against 4 established review criteria. These criteria were: team qualifications, program and design, project financing, and the business offer. The other critical point was that the City Council and community developed the "Community Vision and Development Objectives for the North Main Project" as the framework within which the Committee worked.

The process included Committee meetings, an open house, site tours of the 2 developers' existing projects, and developer team interviews. As a result, the Committee is pleased to recommend Peake Development to the City Council for exclusive negotiations on the North Main Street Project.

Sue Trotter discussed the process, which was thorough and engaged all learning styles of the Committee members. Members reviewed all the documentation relating to the project including the Committee charge, selection criteria, and request for proposal. They also went on a field trip during which potential developers showcased points in existing projects they felt were relevant to Milwaukie's North Main Project. The open

house gave the Committee a chance to hear community concerns as well as observe the developers' ability to interact with Milwaukie citizens and business people. The Committee then developed its questions for the developer interview phase of the process in which both teams presented their proposals. The consultant handled additional Committee questions that came up after the interviews were completed. The Committee reached the unanimous conclusion that it would recommend Peake Development to the City Council. The orientation of the building to Main Street, retail space, and the fact that it is an owner/developer of the project weighed in Peake's favor. The Committee is pleased to make this recommendation, and its members would be happy to continue in some fashion if there is work that can be done to help see this project to fruition.

Ed Zumwalt said Peake wants to be a member of the community and not hand the development off to someone else to operate it. The 19,000 square feet of retail is very ambitious, and he feels it is needed on Main Street. It also seemed the financing was stronger. He thanked Knox and the other consultants for their excellent guidance.

Davis thought there were some fatal flaws in the Northwest Housing/McCarl proposal while the Peake proposal offered flexibility.

Koonce said the process was fascinating, and he felt the Committee came to the right decision. There is more work to be done in terms of incentive programs and looking at ways to further redevelop downtown Milwaukie. These might be considered as part of the budget process.

If Peake Development is selected, drawings will be posted on the City website and ad display set up at City Hall.

King agreed there was excellent guidance from Doug Obletz and Kim Knox, Shiels Obletz Johnsen, Betty Domingues, Oregon Housing and Community Development, and Mike Silver, Deloitte & Touche.

Knox complimented the Selection Committee and the members' ability to grasp the concepts of a sophisticated project. She discussed the negotiation process and next steps in the schedule. The first step is a memorandum of understanding, and then the City and developer would enter into a disposition and development agreement that outlines both parties' expectations. Concurrent with that, the developer will refine the project and get additional community input. During this time, the developer will work on its financing and the business offer to the City will become more detailed. If things go well, some dirt could be turned on this site spring 2004, and it will probably take a year to build the project. Knox reiterated her appreciation for the Committee.

Councilor Loomis commented that diversity of opinion is an important way to come up with a good plan.

Councilor Stone referred to staff report page 9 and asked for clarification of the total number of units.

King said the total number of units in the Peake proposal is 56.

Councilor Stone asked what income range was being targeted for the affordable units.

King said at this point that is still subject to discussion. Essentially it is the 60% range for the median income for the metropolitan area. In going through the process, there has been some change to how that may be determined in terms of market rate. That may change in terms of subsidy and whether tax credits will be in this project at all. It is not known at this point how many units will be pure market rate or how many will have tax credit financing.

Councilor Stone understands there will be a percentage of low-income housing. She has an issue about that because of the amount of low income housing already in Milwaukie. She is concerned about adding more to the City.

Trotter said that was 1 of the questions the Committee raised – how is work force housing measured or defined? One way is to show receipts, and another is determining the work force rate. One of the appealing things about Peake was that it was looking at the work force definition. Written material identifies an annual income of $30,900 with 1-bedroom apartments renting for up to $590. In that case, receipts would not be required, and income would not have to be verified.

Rossman, Peake Development, said a 2-bedroom unit would be approximately $850 per month.

Trotter commented she knows of 2 individuals already interested in condo ownership.

Councilor Stone asked the cost of the condos.

Rossman said in the proposal there are 2 sizes; one for $99,000 and $109,000

King said there has been subsequent discussion depending on the mix of financing, so those costs may be higher.

Koonce said diversity is important and there is flexibility in the units available.

Councilor Stone asked for an example of an existing project with a similar mix of actual property ownership versus low income, Section 8 housing. How well do they sell, and how well do they coexist? Is there a site in Portland that the Council could visit?

Knox is not aware of that mix in 1 building. She believes the intention is to explore the best ways to get it on the site. One of the Committee's comments on the proposal is that the building is oriented to Main Street and leaves a large surface parking lot on the

rest of the site. Is that the urban character desired in downtown Milwaukie? The Committee recommends being mindful of the potential for intensifying the site over time. Peake has mixed the ownership product and rental product in its design. There are certain legal aspect that can be overcome, and there will be further exploration of the functional aspects.

Councilor Stone would be interested to see how well that concept works

Councilor Barnes asked for information on the marketing plan.

King said that question did come up during the process considering the amount of retail space and ownership units. That is a point that needs to be negotiated further, but he assured her there would be a marketing plan.

Knox added the Peake team has marketing embedded in it operations, and that ability is critical in the early development of this kind of project.

Trotter said Peake has been very successful in initial and ongoing occupancy of its other projects.

Councilor Barnes thought the amount of commercial space was a great idea, but according to Peake's background that is quite a leap.

Rossman said the project is still in the initial phases including what can be absorbed in the downtown area. Peake does have some good contacts for potential tenants and will likely use some of the same formula it did in Gresham since there are similarities in the communities. It is really too early in the process to answer Barnes's question specifically.

Knox recommended considering the project as not just filling a space but building it appropriately so it can accommodate other things. The proposal is compelling in that the ground floor can be morphed as the design is refined.

Mayor Bernard said the City is not looking for mattress or auto parts stores and hoped there would be some discussion of what the City visualizes for the development.

It was moved by Councilor Barnes and seconded by Councilor Loomis to select Peake Development's proposal for exclusive negotiations and authorize staff to commence negotiations. Motion passed unanimously among the members present.

Other Items of Discussion

Councilor Loomis said recent newspaper articles indicate a lot of money is out there for investment and wanted to get Councilor input on asking the City Manager to send a letter to Grand Ronde inviting them for a tour of Milwaukie.

The group discussed the feasibility and desirability of Loomis's proposal and polling the citizens on how they felt about a casino in Milwaukie before sending a letter.

Adjournment

It was moved by Councilor Barnes and seconded by Councilor Stone to adjourn the meeting. Motion passed unanimously among the members present.

Mayor Bernard adjourned the meeting at 9:30 p.m.

Pat DuVal

Pat DuVal, Recorder

CITY OF MILWAUKIE CENTENNIAL 1903~2003

TO: Mayor and City Council
FROM: Mike Swanson, City Manager
DATE: March 22, 2003
RE: FYI Memo for the Weeks of March 24, 2003 through April 4, 2003

During the above weeks we begin our budget process in earnest with our first two FY 2003-04 Budget Committee meetings. Those two meetings are March 31, 2003 and April 2, 2003. The meetings begin at 6:00 P.M. The Budget Committee will hear presentations from each department about their budget requests. The agenda for each evening is attached. As a reminder, my recommended budget presentation is scheduled for April 7, 2003 at 6:00 P.M. The annual Capital Improvement Plan will also be presented that evening. We will schedule a series of public hearings to receive testimony on the budget that evening. All of the above meetings are scheduled to take place at City Hall.

APRIL 1, 2003 REGULAR COUNCIL MEETING:

In the midst of it all life does go on. Therefore, we do have a regular business meeting of the Council on April 1, 3003 at 6:00 P.M. at City Hall. In order to ensure that this meeting provides enough interest to compete with budget issues for attention, we have included the following issues on the agenda:

1. **Abatement Lien Resolution:** This is a resolution to declare the costs of a nuisance abatement on property located at 4471 SE White Lake Road a lien and to enforce collection of those costs accordingly.

2. **Downtown Design Guidelines Project:** This is a public hearing on the Downtown Design Guidelines project that includes the following action:
   - approval of a resolution adopting Downtown Design Guidelines;
   - approval of an ordinance adopting amendments to Milwaukie Municipal Code Section 19.312, Downtown Zones, establishing a design review process (Note: This is an adoption of an ordinance, and, therefore, prior to enactment of the ordinance it will require a motion and a second TWICE to read it by title only. Once that is done the ordinance may be adopted.); and

- approval of an ordinance adopting amendments to Mllwaukie Municipal Code, Title 14, Signs, amending sign standards for downtown zones (Note: This is an adoption of an ordinance, and, therefore, prior to enactment of the ordinance it will require a motion and a second TWICE to read it by title only. Once that is done the ordinance may be adopted.).

3. **South Corridor LPA:** The South Corridor Policy Committee recommended a locally preferred alternative (LPA) that envisions a two phase project. The first phase is the I-205 light rail project, which includes removal of the transit center from downtown Milwaukie and its relocation to the Southgate area. The second phase is a Milwaukie light rail segment from downtown Portland, assuming a successful general obligation vote on 2004 or 2006. The Milwaukie Planning Commission recommended approval of the LPA with a number of design recommendations, which Council is being asked to forward to Metro Council.

4. **Amend Municipal Code Section 2.04.300(A) to Comply With Charter:** At the March 18 Council meeting three members of Council were present, which presented an issue with respect to the number of Councilors needed to adopt a measure. The Charter clearly required a majority of the whole Council, while the Code required a majority of those present. The Charter controls. This ordinance brings the Code in line with the Charter provision. (Note: This is an adoption of an ordinance, and, therefore, prior to enactment of the ordinance it will require a motion and a second TWICE to read by title only. Once that is done the ordinance may be adopted.)

5. **North Main Developer Recommendation:** In November 2002 Council created the North Main Developer Selection Committee. The City received project proposals from two development teams. The Committee has completed its work and will bring its findings and recommendations to Council. Council will also be asked to make a final selection of a development proposal in order to begin exclusive negotiations for the development of the North Main "Safeway" site.

ADDITIONAL ISSUES OF INTEREST

1. In February Council decided the appeal of the Planning Commission's decision on Mr. Phillip Reich's partition application. Mr. Reich submitted a revised application, but it was deemed incomplete by staff. He has 15 days in which to appeal to the Planning Commission.

2. The analysis phase of the North Industrial Land Use Study has been completed. Project consultants and staff are now working on zoning code revisions. Staff will soon take a draft proposal to stakeholders, then on to the

Planning Commission and City Council for direction. Adoption hearings are scheduled for May and June.

3. When Council adopted the new transportation regulations staff was asked to report back on how the Code was performing. It has been over a year since adoption, and staff will report to Council on April 15. Preliminary findings suggest that the Code has been very successful.

4. Staff has been working on developing standards guidelines for street tree planting and hopes to have a brochure ready within a couple of weeks to help property owners with tree selection and planting while avoiding common problems with utilities and street issues.

5. On Wednesday, March 26 a sign will go up on the Riverfront at the northwest corner of McLoughlin Blvd. and Jefferson Street showing the concept plan for the Phase 1 park development. The sign also encourages people to get involved and to donate to the cause. An "unveiling" event will be scheduled.

6. On April 10 from 4:00 P.M. to 8:00 P.M. Portland Parks and Rec staff will have an open house at City Hall to get public input on the theme for bridge design included in the Three Bridges Project. The project will extend the Springwater Trail over the Railroad, McLoughlin Blvd., and Johnson Creek. Displays will be located in the City Hall Lobby and in the Conference Room.

7. State Representative Carolyn Tomei will be holding a Town Hall in the Milwaukie City Hall Council Chambers on Saturday, April 5, 2003 from 10:30 A.M. until noon.

8. Draft sets of updated Personnel and Administrative procedures have been distributed to department heads and unions for review.

9. The transfer of the dispatch function to Lake Oswego is going smoothly. They will officially become Lake Oswego employees on March 31, 2003.

A G E N D A

BUDGET COMMITTEE MEETING
APRIL 2, 2003

6:00 p.m.

Milwaukie City Hall
Council Chambers
10722 SE Main Street

1) Call to Order – Chair Dave Aschenbrenner

2) Introductions and Roll Call—Chair Dave Aschenbrenner

3) FY 2003 – 2004 Departmental Budget Presentations:

600	Community Development Administration	Alice Rouyer
300	Public Works Structural Safety	Tom Larsen
320	State Gas Tax/Street	Mike Clark
325	Transportation SDC	
330	Bike Path	
510	Water	Jay Saatkamp
515	Water SDC	
520	Water Reserve Future Capital	
540	Sewer	Alice Rouyer Paul Shirey
545	Sewer SDC	
550	Sewer Reserve Future Capital	
570	Storm Sewer	
575	Storm Sewer SDC	
580	Storm Sewer Reserve Future Capital	
650	Engineering	Paul Shirey
710	Fleet	Kelly Somers
715	Fleet Reserve Future Capital	
720	Facilities Management	Kelly Somers
621	Facilities Maintenance	
622	Public Parking Facilities	
870	Knudson Pioneer Cemetery	Mike Swanson
890	Forfeiture Trust	Larry Kanzler

4) Public Comment

5) Additional Budget Committee Comments

6) Next Meeting: April 7, 2003

7) Adjourn

A G E N D A

BUDGET COMMITTEE MEETING
MARCH 31, 2003

6:00 p.m.

Milwaukie City Hall
Council Chambers
10722 SE Main Street

1) Call to Order – Chair Dave Aschenbrenner

2) Introductions and Roll Call—Chair Dave Aschenbrenner

3) Consider Budget Committee Minutes of January 28 & February 11, 2003

4) Revenue Review – Budget Officer Mike Swanson

5) FY 2003 – 2004 Departmental Budget Presentations:

110 -- General Fund

214	Neighborhood Services	Michelle Gregory
215	Code Compliance	Steve Campbell
235	Program Services	JoAnn Herrigel
237	Public Access Studio	
311	Police Administration	Larry Kanzler
312	Police Field Services	
313	Police Support Services	
411	Fire Operations	Randy Bruegman
511	Planning	John Gessner
721	Municipal Court	Pat DuVal
799	Intergovernmental/Interfund	Mike Swanson

150 – Administrative Services

111	City Council	Mike Swanson
211	City Manager	
221	City Attorney	
231	Human Resources	Mary Rowe
712	General Government	Mike Swanson
731	Finance	Steve Smith
812	Records & Information Management	Pat DuVal

150 – Administrative Services (continued)

813	Information & Technology	Esther Gartner
851	Photocopier	Pat DuVal
852	Telephone	Esther Gartner

180 – Library Services — Cynthia Sturgis, Joe Sandfort

211 – Neighborhood Grants — Michelle Gregory

240 – Public Safety Debt Service — Mike Swanson

270 – Parks Land Purchase — Mike Swanson

6) Public Comment

7) Additional Budget Committee Comments

8) Next Meeting: April 2, 2003

9) Adjourn

CITY OF MILWAUKIE
CENTENNIAL
1903~2003

TO: Mayor and City Council
FROM: Mike Swanson, City Manager
DATE: March 22, 2003
RE: Passage of Ordinances—FYI Only

As I wrote the new FYI memo I thought it might be good to review the provisions for the passage of ordinances given the number of new Council members. In the past ordinances frequently caught Council members off guard, and there was often a bit of confusion about the process surrounding their passage. Thus, there always seemed to be a bit of disarray when we reached an ordinance in an agenda packet.

Ordinances are governed by Chapter VIII, Milwaukie Charter of 1975 (attached). The rules governing their passage are a bit different from everything else.

Section 31a, Milwaukie Charter of 1975 provides the general rules regarding the passage of ordinances. That is that they are "read fully and directly in open council meeting on two different days." There is an exception to that rule contained in Section 31b, Milwaukie Charter of 1975, where we find that an ordinance may be enacted at a single meeting if, upon a unanimous vote of Council, it is "read first in full and then by title."

Thankfully (for me) there is one further exception to the rule. That is found at Section 31c, Milwaukie Charter of 1975. If a copy of the proposed ordinance is provided to each member of Council and three copies are provided for public inspection not less than one week before the meeting, and if notice of the availability of the copies is provided, then upon the unanimous consent of Council members present, the ordinance may be read twice by title only at one meeting. Therefore, prior to adopting an ordinance, you will need to make a motion and a second to read the ordinance by title only and vote on that motion. That will need to be done twice. Then it may be adopted.

Two other items of interest. If a provision is changed substantially from the original, that provision must be read in its entirety. Finally, you will be polled on the final vote on an ordinance. That is required by Section 31d, Milwaukie Charter of 1975.

CHARTER

Charter.

MILWAUKIE CHARTER

CHAPTER I

NAMES AND BOUNDARIES

Section 1. TITLE OF ENACTMENT. This charter may be referred to as the Milwaukie Charter of 1975.

Section 2. NAME OF CITY. The municipality of Milwaukie, Clackamas County, Oregon, continues under this charter to be a municipal corporation with the name "City of Milwaukie."

Section 3. BOUNDARIES. The city includes all territory encompassed by its boundaries as they now exist or hereafter are modified pursuant to state law. The custodian of the city's records shall keep an accurate, current description of the boundaries and make a copy of it available for public inspection in the city during regular city office hours.

CHAPTER II

POWERS

Section 4. POWERS OF THE CITY. The city has all powers which the constitutions, statutes, and the common law of the United States and of this state now or hereafter expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

Section 5. CONSTRUCTION OF POWERS. In this charter, no mention of a particular power is construed to be exclusive or to restrict the scope of the

powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state constitution. All powers are continuing unless a specific grant of power clearly indicates the contrary.

CHAPTER III

FORM OF GOVERNMENT

Section 6. DISTRIBUTION OF POWERS. All powers of the city are vested in the council except as otherwise specifically provided in this charter. In all instances deemed appropriate by the council, the council may cause an investigation of the administration of any department through a formal hearing or otherwise.

Section 7. COUNCIL. The council is composed of a mayor and four councilors. Each council position is numbered one (1) through four (4), and each candidate shall run either for the mayor position or a specific numbered council position. All councilors are elected from the city at large. Councilors shall hold office for a term of four years. No person shall serve more than two consecutive terms as councilor.

Section 8. MAYOR. The term of office of the mayor elected in November, 1990, shall be for four (4) years. Every four years thereafter, a mayor shall be elected at the general election for a term of four (4) years. No person shall serve more than two consecutive terms as mayor.

Section 9. QUALIFICATIONS OF ELECTIVE OFFICERS. No person is eligible for an elective office in the city unless at the time of the election, the person is a qualified elector of the state and has resided in the city during the six months immediately preceding the election. If during the term of office, the officer ceases to reside in the city, the office shall be deemed vacant.

Section 10. OTHER OFFICERS. Appointive officers of the city are the city manager, city attorney and municipal judge. Each such officer is appointed and removed by a majority vote of the entire council. In the case of the municipal judge, the council may designate a state court to perform the judicial functions

of the city.

Section 11. COMPENSATION. The council shall prescribe the compensation of city officers. The council may prescribe a plan for reimbursing city personnel for expenses that they incur in serving the city.

CHAPTER IV

ELECTIONS

Section 12. ELECTIONS. City elections are held in accordance with applicable state election laws. The city manager or manager's designee, pursuant to directions from the council, shall give at least ten days notice of each city election by posting notice thereof at a conspicuous place in the city hall and publishing notice at least once in a newspaper of general circulation in the area. The notice shall state the officers to be elected and the ballot title of each measure to be voted upon.

Section 13. ELECTION RETURNS. The results of all elections shall be made a matter of record in the record of the proceedings of the council, which shall contain a statement of the total number of votes cast at each election, the votes cast for each person or proposition, the name of each person elected to office, the office to which they have been elected and a reference to each measure enacted or approved. The city manager or manager's designee shall make, sign and deliver a certificate of election for each person elected.

Section 14. PROCEDURE WHEN TIE VOTE. When two or more candidates for the same office have an equal and the highest number of votes, the city manager or manager's designee shall have the candidates meet publicly to decide by lot who is elected.

Section 15. COMMENCEMENT OF TERMS OF OFFICE. The term of office of each person elected to office at a city election commences at the first council meeting of the first January following the election.

Section 16. OATH OF OFFICE. Each officer, before entering into the duties of the office, shall swear or affirm that they will support the constitution and laws of the United States, the State of Oregon and the City of Milwaukie and that they

will faithfully perform the duties of the office.

Section 17. NOMINATIONS. A qualified elector who has resided in the city during the six months immediately preceding the election may be nominated for an elective city position. Nominations shall be made by petition. Such petition shall be signed by not fewer than 20 electors. The form of the petition and the gathering of signatures shall be in manner described by state law. No elector shall sign more than one petition for each position to be filled. If an elector does so, the elector's signature is valid only on the first sufficient petition filed for the position. All nomination papers comprising a petition shall be assembled and filed with the city manager or manager's designee as one instrument not earlier than 100 nor later than 70 days before the election. If the petition is not signed by the required number of qualified electors, the city manager or manager's designee shall notify the candidate and the person who filed the petition within five days after the filing. If the petition is insufficient in any other particular, the city manager or manager's designee shall return it immediately to the person who filed it, certifying in writing wherein the petition is insufficient. Such deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed within the regular time for filing nomination petitions. The city manager or manager's designee shall notify an eligible person of their nomination, and such person shall file with the city manager or manager's designee a written acceptance of nomination and agreement to serve if elected within five days of notification of nomination. Upon receipt of the acceptance, the city manager or manager's designee shall cause the nominee's name to be printed on the ballots. The petition of nomination of a successful candidate at an election shall be preserved until the term of office for which the candidate was elected expires.

CHAPTER V

VACANCIES IN OFFICE

Section 18. WHAT CREATES A VACANCY. An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony or unlawful destruction of public records; resignation; recall from office; or ceasing to possess the qualifications for the office and, in the case of the mayor or a councilor, the qualifications set forth in Section 9; upon failure of the person elected or appointed to qualify therefor within ten days after the time for

that person's office to commence; or in the case of the mayor or a councilor, upon that person's absence from the city for 30 days without the consent of the council or upon that person's absence from meetings of the council for 60 days without like consent, and upon a declaration by the council of the vacancy.

Section 19. FILLING OF VACANCIES. A vacancy on the council shall be filled for the remainder of the unexpired term, if any, at the next election following not less than 60 days upon the occurrence of a vacancy, but the council by a majority vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office, notwithstanding the quorum requirement in Section 21. If the council fails to do so within 30 days following the occurrence of a vacancy, the city manager or manager's designee shall call an election on the date provided by state law.

CHAPTER VI

COUNCIL

Section 20. MEETINGS. The council shall hold a regular meeting at least twice each month in the city at a time and place which it designates. The mayor by motion may, or at the request of at least two members of the council shall, by giving notice thereof to all members of the council then in the city, call a special meeting of the council. Special meetings of the council may also be held at any time by the common consent of all members of the council. By general ordinance, the council shall prescribe rules governing its meetings and procedures.

Section 21. QUORUM. A majority of the members of the whole council authorized by law--three of the five authorized members--constitutes a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided for by ordinance.

Section 22. RECORD OF PROCEEDINGS. The council shall cause a record of its proceedings to be kept.

Section 23. MAYOR'S DUTIES AT COUNCIL MEETINGS. The mayor shall be chairman of the council, shall preside over its deliberations, and shall have

authority to preserve order, enforce the rules of the council and determine the order of business, subject to the rules of the council. The mayor is a voting member of the council.

Section 24. PRESIDENT OF THE COUNCIL. At the first meeting following the seating of any new duly elected members of the council, the council shall elect a president from its membership. In the mayor's absence from the council meeting, the president shall preside but shall have no more than one vote.

Section 25. VOTE REQUIRED. The concurrence of a majority of the whole council shall be required to determine any matter before the council. The council does not have the power to provide by rule that an extraordinary majority is required to determine any matter before the council.

CHAPTER VII

POWERS AND DUTIES OF CITY OFFICERS

Section 26. MAYOR. The mayor, with the consent of the council, shall appoint the various committees provided for under the rules of the council or otherwise and fill all vacancies in committees of the council from that body. The mayor shall sign all ordinances and written resolutions and orders approved by the council and shall have no veto power. The mayor shall sign all instruments and writings authorized by this charter, the laws of the state, or the council.

Section 27. MANAGER.

(a) QUALIFICATIONS. The city manager shall be the administrative head of the government of the city. The city manager shall be chosen by the council without regard to political considerations and solely with reference to executive and administrative qualifications. The city manager need not be a resident of the city or of the state at the time of appointment, but shall take up legal residency in the city of Milwaukie within six months of the date of hire, or within such time as is agreeable to the council. Before taking office, the city manager shall be bondable in such amount with such surety as may be approved by the council. The premiums on such bond shall be paid by the city.

(b) TERM. The manager shall be appointed for an indefinite term but may be removed at the pleasure of the council. Upon any vacancy or prospective vacancy occurring in the office of manager the council shall at its next meeting adopt a

resolution of its intention to appoint another manager. The council shall appoint a manager within reasonable time after the adoption of the resolution of intention to fill the vacancy.

(c) POWERS AND DUTIES. The city manager:

(1) shall devote the entire work time to the discharge of official duties and shall attend all meetings of the Council, unless excused therefrom by three councilors or by the mayor, and keep the council advised at all times of the affairs and needs of the city and shall make annual reports, or more frequent if requested by the council, of all the affairs and departments thereof;

(2) shall see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the city are fully observed;

(3) shall appoint all city officers and employees and remove them, except as otherwise provided by this charter, and have general supervision and control over them and their work with power to transfer an employee from one department to another and shall exercise supervision and control over the departments to the end of obtaining the utmost efficiency in each of said departments, provided that the city manager shall have no control over the council or the municipal judge regarding judicial functions, and shall be subject to and abide by all of the sections of this charter and the duly enacted ordinances and rules enacted thereunder;

(4) shall act as purchasing agent for all departments of the city, all purchases to be made by requisition signed by the manager;

(5) shall be responsible for the preparation and submission to the budget committee of the general budget estimate and such reports as may be required by that body;

(6) shall have control, subject to such ordinances as may from time to time be adopted, of all public utilities owned and operated by the city, and shall have general supervision over all city property; and

(7) shall perform such other duties as may be required by this charter or as the council may require of the city manager within the provisions of this charter.

(d) SEATS AT COUNCIL MEETINGS. The manager and such other officers as may be designated by vote of the council shall be entitled to seats with the council, but shall have no vote therein. The manager shall have the right to take part in the discussion of all matters coming before the council.

(e) MANAGER PRO TEM. During the absence of the manager from the city, during a temporary disability to act as manager, or during the interim when the council is seeking a manager, the council may appoint a manager pro tem who shall possess the powers and discharge the duties of the manager during such absence or disability only. A manager pro tem may be appointed initially for a term of up to six months; at the end of which period such pro tem manager may be reappointed for an additional period of up to three months, but may not be reappointed as pro tem after that time.

(f) INTERFERENCE IN ADMINISTRATION. No member of the council shall directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the manager in the making of any appointment or removal of any officer or employee or in the purchase of supplies; or attempt to extract any promise relative to any appointment from any candidate for manager; or discuss directly or indirectly with him the matter of specific appointments to any city office or employment. Nothing in this section shall be construed, however, as prohibiting the council from fully and freely discussing with or suggesting to the manager anything pertaining to city affairs or the best interests of the city.

(g) INELIGIBLE PERSONS. No person related to the manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the city, excepting an office or employment in the career service.

Section 28. MUNICIPAL JUDGE.

(a) The municipal judge shall be the judicial officer of the city. The municipal judge shall be appointed by and hold office during the pleasure of the council. The municipal judge shall be a member in good standing of the Oregon State Bar during the entire term of office. Disbarment shall be a basis for removal from office. The municipal court judge shall hold a court within the city which shall be known as the municipal court for the city of Milwaukie, Clackamas County, Oregon. The court shall be open for transaction of judicial business for such days and hours as the council may establish.

(b) Except as this charter or city ordinance prescribes to the contrary, procedures of the court shall conform to the general laws of this state governing justice of the peace and justice courts.

(c) All area within the city and, to the extent provided by state law, area outside the city is within the territorial jurisdiction of the court.

(d) The municipal court has original jurisdiction of all offenses defined and made punishable by ordinances of the city and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by any ordinance of the city. The municipal judge may:

(1) render judgments and, for enforcing them, impose sanctions on persons and property within the court's territorial jurisdiction;

(2) order the arrest of anyone accused of an offense against the city;

(3) commit to jail or admit to bail anyone accused of such an offense;

(4) issue and compel obedience to subpoenas;

(5) compel witnesses to appear and testify and jurors to serve in the trial of matters before the court;

(6) penalize contempt of court;

(7) issue process necessary to effectuate judgments and orders of the court;

(8) issue search warrants; and

(9) perform other judicial and quasi-judicial functions prescribed by ordinance.

(e) A municipal judge may appoint municipal judges pro-tem which judges shall serve at the pleasure of the council.

(f) Notwithstanding this section, the council may transfer some or all of the functions of the municipal court to an appropriate state court.

Section 29. OTHER OFFICERS. The council shall fix the powers and duties of all appointive officers other than those provided for in this chapter.

CHAPTER VIII

ORDINANCES

Section 30. ENACTING CLAUSE. The enacting clause of an ordinance hereafter passed shall be "The city of Milwaukie does ordain as follows."

Section 31. MODE OF ENACTMENT.

(a) Except as the second and third subsections of this section provide to the contrary, every ordinance of the council shall before being put upon its final passage, be read fully and distinctly in open council meeting on two different days.

(b) Except as the third subsection of this section provides to the contrary, an ordinance may be enacted at a single meeting of the council by unanimous vote of all council members present, upon being read first in full and then by title.

(c) Any of the readings may be by title only if no council member present at the meeting requests to have the ordinance read in full or if a copy of the ordinance is provided for each council member and three copies are provided for public inspection in the office of the city manager or manager's designee not later than one week before the first reading of the ordinance and if notice of their availability is given forthwith upon the filing by written notice posted at the city hall and two other public places in the city or by advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open council meeting as finally amended prior to being approved by the council.

(d) Upon the final vote on an ordinance, the council shall be polled and the members' votes shall be taken and entered in the record of proceedings.

(e) Upon the enactment of an ordinance the recorder shall sign it with the date of its passage and his or her name and title of office, and the mayor shall sign it with the date of his or her signature, his or her name and the title of the office.

Section 32. WHEN ORDINANCES TAKE EFFECT AND PUBLICATION THEREOF. Each ordinance passed by the council shall take effect 30 days after its passage. When, however, the council deems it expedient, an ordinance may provide a different time when it shall take effect. In case of an emergency, an ordinance may take effect immediately. All ordinances, immediately after being passed, shall be posted for 10 days in conspicuous places in the city hall and the city library.

CHAPTER IX

PUBLIC IMPROVEMENTS

Section 33. SPECIAL ASSESSMENT. The procedure for levying, collecting, and enforcing special assessments to be charged against real property for public improvements or other services shall be governed by ordinance.

Section 34. IMPROVEMENTS. The procedure for making, altering, vacating, or abandoning a public improvement shall be governed by general ordinance, or, to the extent not so governed, by the applicable general laws of the state. Action on any proposed public improvement, except a sidewalk or except an improvement unanimously declared by the council to be needed at once because of an emergency, shall be suspended for six months upon a remonstrance thereto by the owners of two-thirds of the property to be specially assessed therefor. For the purpose of this section "owner" shall mean the record holder of legal title to the land, as shown on the current county assessment roll, except that if there is a purchaser of the land according to a recorded land sale contract or according to a verified writing by the record holder of legal title to the land filed with the city manager or manager's designee, the said purchaser shall be deemed the "owner."

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 35. EXISTING ORDINANCES CONTINUED. All ordinances and regulations passed by the city and in force when this charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect, and until they

are amended or repealed.

Section 36. LIMITATIONS ON INDEBTEDNESS. The city's indebtedness may not exceed debt limits imposed by state law. A city officer or employee who creates or officially approves indebtedness in excess of this limitation is jointly and severally liable for the excess. A charter amendment is not required to authorize city indebtedness.

Section 37. INITIATIVE, REFERENDUM, AND RECALL. There is hereby reserved to the electors the power of initiative and referendum, and of recall of elective officers. The provisions of the Constitution of Oregon and the general laws of the State of Oregon, as the same now exist or hereinafter may be amended, governing initiative and referendum, and recall of elective officers, shall apply in the City of Milwaukie.

CHAPTER XI.

Section 38. TIME OF EFFECT OF CHARTER. This charter shall take effect as of June 23, 1975.

CITY OF MILWAUKIE
CITY COUNCIL AGENDA
APRIL 1, 2003

MILWAUKIE CITY HALL **1907TH MEETING**
10722 SE Main Street

REGULAR SESSION - 6:00 p.m.

I. CALL TO ORDER
Pledge of Allegiance

II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

III. CONSENT AGENDA *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*

- **A. City Council Minutes of March 18, 2003**
- **B. Abatement Lien – Resolution**
- **C. OLCC Application Recommendation to Deny – Kimmy's Market & Teriyaki, 3141 SE Harrison Street**

IV. AUDIENCE PARTICIPATION *(The Mayor will call for statements from citizens regarding issues relating to the City. It is the intention that this portion of the agenda shall be limited to items of City business which are properly the object of Council consideration. Persons wishing to speak shall be allowed to do so only after registering on the comment card provided. The Council may limit the time allowed for presentation.)*

V. PUBLIC HEARING *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*

- **A. Downtown Design Guidelines Project -- Zoning Amendments ZA-01-03 and ZA-02-01 – Resolution & Ordinance (Kent)**
- **B. South Corridor Transit Options Locally Preferred Alternative – Resolution (Swanson)**

VI. OTHER BUSINESS *(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*

- **A. Amend Municipal Code Section 2.04.300(A) to Comply with Charter – Ordinance (Firestone)**
- **B. North Main Developer Recommendation (King)**

VII. INFORMATION

Center/Community Advisory Board Minutes, January 10 & February 14, 2003

VIII. ADJOURNMENT

EXECUTIVE SESSION -- *At the end of the regular meeting, the Council may hold an Executive Session under the authority of Oregon Revised Statutes 192.660 as needed.*

For assistance/service per the Americans with Disabilities Act (ADA), dial TDD 786-7555.

The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

CITY OF MILWAUKIE
CITY COUNCIL MEETING
MARCH 18, 2003

CALL TO ORDER

The 1906th meeting of the Milwaukie City Council was called to order by Council President Lancaster at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Deborah Barnes

Susan Stone

Staff present:

Tim Ramis, City Attorney

Alice Rouyer, Community Development/ Public Works Director

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION

Art Ball, 4960 SE Harvey St., Milwaukie, Lewelling Neighborhood District Association (NDA) Chair, updated the City Council on the neighborhood community park located at the corner of Stanley Avenue and Willow Street. He provided information on grant funding, contributions, and expenditures to give the Council an idea of how neighborhood grant funds are being spent. To date the Lewelling NDA has received a total of $17,353.76 in grants and $10,917 in contributions and spent $22,712.

Funds have gone toward park design, surveying, and half street designs all of which have been very expensive. The perimeter fencing costs were negligible by comparison. Progress is being made with the park, and residents continue to be enthusiastic about working toward the goal of having a well-developed neighborhood park.

Councilor Stone noted a $5,000 contribution by the City.

Ball said this was a Council-approved contribution and was money well spent. He announced the 3rd Annual Lewelling Neighborhood Rummage Sale on May 17 – 18 with its location to be announced. The proceeds from the sale go toward park development. He explained the park site was formerly a meth house. The City purchased the property and demolished the house, and the NDA took on the task of developing the site for park and recreation use. The park now has a split rail fence on 3 sides and a chain link fence on the north side. There are about 2 or 3 large trees on the site, and the neighborhood is considering planting a Centennial dogwood.

Council President Lancaster commented this is a good example of what the neighborhood grant program has done for our community. He understood some of the park design time was donated.

Ball said a preliminary drawing was done on donated time to give residents an idea of what could be done with the property. This service would have cost the NDA about $7,000 and was noted as a match on the NDA's grant report.

OTHER BUSINESS

Authorize Staff to Solicit Bids for Safeway Building Demolition

Rouyer provided the staff report in which the City Council was requested to authorize the facilities department to solicit bids for phase 1 demolition of the Safeway building in anticipation of the North Main Redevelopment Project. Phase 1 will take the building down to the slab and basement with a steel plate and a fence installed to address safety issues. There are sufficient funds in the current year's budget to complete phase 1. Phase 2 will be done after the City determines what the development teams might want to propose in the future. Phase 1 will be done by the end of this fiscal year and will take about 30 – 45 days to complete. Drivers will probably experience a temporary disruption of the permit parking lot during the demolition; however, staff will work to minimize the impacts.

Councilor Stone understands some Budget Committee members are concerned about the aesthetic appearance of a chain link fence but realizes there are liability issues. Some have suggested a banner to keep people informed about the project so the City does not get nuisance complaints.

Council President Lancaster doubted an attractive sign could be incorporated into tonight's action but suggested looking for a way to fund one.

Rouyer said the development team selected might pick up that cost.

Councilor Stone thought a site drawing would be nice to display.

It was moved by Councilor Barnes and seconded by Councilor Stone to authorize the facilities department to solicit bids for the demolition of the Safeway building and authorize the city manager to execute a contract not to exceed $35,000. Motion passed unanimously among the members present.

PERS Appeal -- Resolution

Ramis discussed potential conflict of interest issues related to Council's voting on this agenda item. The first question is Council participation. Two members have, either as individuals or through family members, a connection to the PERS system. Oregon Government Standards and Practices requires that potential or actual conflicts of

interest be disclosed. The second question has to do with actually voting on the matter. In this case, there are at least 2 applicable exceptions to the usual prohibitions that would apply. First is that the class of people potentially affected by the outcome of this litigation is very large. The law recognizes that if the public official is part of a large class, he or she is allowed to vote. The second requirement is particular to Milwaukie. The Charter requires that before taking action on any item that a majority of the entire Council must act on it. With 3 Council members at tonight's meeting, all must participate to reach a decision.

Councilor Barnes said, in her opinion, she has a conflict of interest in that she has been employed by the North Clackamas School District for 9 years and is a member of the PERS system.

Council President Lancaster declared a conflict of interest in that he previously worked for the SAIF Corporation for 7 years and has a vested interest in PERS.

Ramis said the substantive issue has to do with whether or not the City should adopt a resolution and participate in litigation challenging the amount of the rate Milwaukie is being charged. There is a circuit court decision made by Marion County Judge Lipscomb that essentially rules that the rates were calculated based on the wrong mortality table and changes the premium amount entities would pay. PERS is charging a rate that does not reflect a change in the mortality table. The League of Oregon Cities (LOC) has organized a lawsuit challenging that PERS Board decision and raising it to the appellate court for review. Because of the way the case is organized with a number of cities participating, Milwaukie can participate for $150. The city attorney's recommendation is to adopt the resolution and to authorize the agreement with outside counsel.

It was moved by Councilor Stone and seconded by Council President Lancaster to adopt the resolution authorizing the League of Oregon Cities to appeal the PERS rate increase on behalf of the City through outside counsel.

Councilor Barnes said for the record she is voting as an elected official representing the City of Milwaukie and its citizens.

Motion passed unanimously among the members present.

RESOLUTION NO. 8-2003:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE LEAGUE OF OREGON CITIES TO COORDINATE FILING AN APPEAL ON THE CITY'S BEHALF, THROUGH OUTSIDE COUNSEL, FROM THE RATE INCREASE RECEIVED FROM PUBLIC EMPLOYEE RETIREMENT SYSTEM.

Other Items

Councilor Barnes recently attended several neighborhood association meetings, and residents have told her they would like to know more about the City's emergency plan in light of the potential conflict in Iraq. She has talked to several staff members about communicating, in layman's terms, how the City would protect the public in the event of an emergency. *The Pilot* would be the easiest way to convey the message. This could be an undertaking of the full Council, or, with the other members' permission, she would like to work on it. In addition, she suggested producing a program for the cable channel.

Council President Lancaster felt it was a good idea to communicate the City's emergency plan to the public. He supported Barnes if she wished to take the lead on a cable project.

Councilor Barnes met with the Milwaukie High School Principal Aeylin Summers last week to reopen lines of communication with the City, and Summers is excited about working with the City and involving students in Centennial activities. The principal has invited a Milwaukie representative to sit on the site council, which Barnes believes would be a good way to get the citizens from Milwaukie High School involved. She suggested Council members might rotate attending site council meetings.

Councilor Barnes has put neighborhood association meeting attendance on her agenda. She attended the March Lake Road NDA meeting and appreciated hearing directly from residents in the informal settings these meetings offer. She encouraged other Council members to do the same in order to get a cleaner perspective of what is going on in the community by talking one-on-one with citizens.

Authorize City Manager to Excuse the City Attorney from a Council Meeting -- Resolution

Ramis provided the staff report in which the City Council was requested to adopt a resolution that would authorize the city manager to excuse the city attorney from meetings at which no legal advice was necessary. The city attorney's office concurs with this proposal, and it would save the City money. If a legal issue does come up during a meeting, his office will arrange a way to contact one of the attorneys.

Council President Lancaster said generally speaking many issues that come up are not that urgent, and Council can always get back to the person who has a question or concern.

It was moved by Councilor Stone and seconded by Councilor Barnes to adopt the resolution authorizing the city manager to excuse the city attorney from attending meetings if no legal advice is needed. Motion passed unanimously among the members present.

RESOLUTION NO. 9-2003:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXCUSE THE CITY ATTORNEY FROM REGULAR AND SPECIAL MEETINGS OF THE CITY COUNCIL PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 2.04.120.

Moment of Silence for Those Serving in the Armed Forces, Our Country, State and City

At Councilor Barnes's suggestion, Council, staff, and meeting attendees observed a moment of silence.

Councilor Resignation and Interim Appointment

Council President Lancaster said there is only 1 name on the May 20 ballot for Council position #3, so it is a fore drawn conclusion that community activist Joe Loomis will be the next Councilor. In the process of helping the City move forward, he received a phone call and written declaration yesterday from Interim Councilor Jeff Marshall submitting his resignation effective March 18, 2003. Joe Loomis has agreed to step forward early if the City Council wishes. Lancaster believes this is an important thing to do so the new Council can begin working together.

It was moved by Councilor Stone and seconded by Council President Lancaster to appoint Joe Loomis as Interim City Councilor until the May 2003 election results are certified.

Ramis explained the Council has specific authority in the Charter to take this action. The resignation creates a vacancy under Charter Section 18; Section 19 says the remaining Council members shall fill the vacancy by a majority vote.

Motion passed unanimously by members present.

Adjournment

It was moved by Councilor Barnes and seconded by Councilor Stone to adjourn the meeting. Motion passed unanimously among the members present.

Council President Lancaster adjourned the meeting at 6:40 p.m.

Pat DuVal, Recorder

CITY OF MILWAUKIE CENTENNIAL 1903-2003

TO: Mayor and City Council

THROUGH: Mike Swanson, City Manager
Michelle Gregory, Neighborhood Services Manager

FROM: Steve Campbell, Code Compliance Coordinator

SUIBJECT: Abatement Lien

DATE: March 20, 2003

Action Requested

That the City Council, by resolution, enter the costs of the abatement of the nuisance of the property located at 4471 SE White Lake Road in the amount of $700.00 in the docket of city liens.

Background

On February 21, 2003 the City hired a contractor to abate a nuisance at property located at 4471 SE White Lake Road. The cost of the abatement, including the clean up, administrative services, and legal fees, is $700.00. Notice of the costs was sent to the property owners. Pursuant to Milwaukie Municipal Code Section 8.04.200, they are given ten days within which to file a notice of objection to the assessment with the City Recorder and thirty days in which to pay the assessment.

Upon expiration of the thirty days, and without notice of objection having been filed, Milwaukie Municipal Code Section 8.04.200 provides as follows:

> ""If the costs of the abatement are not paid within thirty days from the date of the notice, an assessment of the costs as stated or as determined by the council shall be made by resolution and shall thereupon be entered in the docket of city liens, and upon such entry being made shall constitute a lien upon the property from which the nuisance was removed or abated."

This becomes a lien upon the property, which clouds title if any sale is proposed. Eventually, satisfaction of the lien becomes advisable. Pursuant to Milwaukie Municipal Code Section 8.04.200, the lien bears interest at the rate of six (6) percent per annum.

Concurrence

The City Manager and City Attorney concur in recommending this action be taken.

Fiscal Impact

The County Recorder requires a $16.00 fee for filing legal documents. This action ensures eventual satisfaction of the debt.

Alternatives

The City could continue to seek payment by demand letters, which do not have the same force as the lien.

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON ASSESSING THE COSTS OF ABATEMENT OF THE NUISANCE LOCATED AT 4471 SE WHITE LAKE ROAD AND ENTERING THE SAME ON THE DOCKET OF CITY LIENS PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 8.04.200(D)

WHEREAS, notice of a nuisance was issued and posted on property located at 4471 SE White Lake Road, Milwaukie, Oregon on February 3, 2003; and

WHEREAS, the property owner or person in charge of the property did not abate the property or file a protest to the notice of a nuisance within ten days of the posting; and

WHEREAS, the City abated the nuisance after first obtaining a warrant to enter the property to do so; and

WHEREAS, the City has maintained an accurate accounting of the costs of the abatement, including administrative overhead: and

WHEREAS, on February 25, 2003 the City forwarded to the owner or person in charge a notice of the abatement costs in compliance with Milwaukie Municipal Code Section 8.04.200(A) *et seq*; and

WHEREAS, there has been no objection filed to the abatement costs within ten (10) days after the date of the notice nor have the costs of the abatement been paid within thirty (30) days from the date of the notice.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL, CITY OF MILWAUKIE, STATE OF OREGON, that, pursuant to Milwaukie Municipal Code Section 8.04.200(C):

Section 1. The assessment of costs for the abatement of the said nuisance, including administrative overhead, is in the amount of $700.00.

Section 2. The above assessment of costs shall be entered in the docket of city liens.

Section 3. This resolution is effective immediately upon adoption.

Introduced and adopted by the City Council on _____.

_____
James Bernard, Mayor

ATTEST:

_____
Pat DuVal, City Recorder

APPROVED AS TO FORM:

_____
Ramis, Crew, Corrigan & Bachrach, LLP

CITY OF
MILWAUKIE
CENTENNIAL
1903~2003

Milwaukie Police Department

III. C. 1

To: Mayor Bernard and Milwaukie City Council

Through: Mike Swanson, City Manager

From: Larry R. Kanzler, Chief of Police

Date: March 10, 2003

Subject: **O.L.C.C. Application – Kimmy's Market & Teriyaki – 3141 S.E. Harrison Street**

Action Requested:

Staff requests the Council deny the O.L.C.C. Application To Obtain A Liquor License for Kimmy's Market and Teriyaki – 3141 S.E. Harrison Street.

Background:

Staff reviewed the Min's application for a liquor license and recommends the City Council deny the application on the basis of Mr. Min's previous violations of service procedures. Mr. Min was arrested in May of 2001 for serving a visibly intoxicated person and giving liquor to a minor. Based on this previous arrest I do not recommend the City Council approve the application for a liquor license.

However, as an option, I would support a performance agreement between Mr. & Mrs. Min, the City of Milwaukie, and the Oregon Liquor Commission that specifies any violations for liquor service related issues would result in the permanent suspension of their liquor license and service privileges. The agreement would be worded in such a way as to serve notice on Mr. And Mrs. Min that should the licensee violate any Oregon Liquor Control Commission rules, City of Milwaukie ordinances, or Oregon state statutes that involve the business of Kimmy's Market and Teriyaki that as a result of those violations their liquor service privileges and liquor license will be revoked.

By taking this action the Council will demonstrate to Mr. and Mrs. Min that they will be risking their liquor service privileges should they elect not to do "due diligence" to following proper procedures and the law. Additionally, the Council will be demonstrating their concern for the welfare of our youth who might want to try and pursue the illegal purchase of alcohol at Mr. and Mrs. Min's market.

V. A. 1

CITY OF MILWAUKIE CENTENNIAL 1903-2003

TO: **Mayor and City Council**

THROUGH: **Mike Swanson, City Manager**
Alice Rouyer, Director of Community Development and Public Works
John Gessner, Planning Director

FROM: **Kenneth Kent, Associate Planner**

SUBJECT: **Downtown Design Guidelines Project**
Zoning Amendments ZA-01-03 and ZA-02-01

DATE: **April 1, 2003**

Action Requested

1. Approval of a resolution adopting the Downtown Design Guidelines.

2. Adoption of an ordinance approving amendments to Milwaukie Municipal Code, Chapter 19.312, Downtown Zones, establishing a design review process.

3. Adoption of an ordinance approving amendments to Milwaukie Municipal Code, Title 14, Signs, amending sign standards for the Downtown Zones.

Background

On February 25, 2003 the Planning Commission and Design and Landmark Commission held a joint public hearing on the proposed Downtown Design Guidelines Project. The Planning Commission and Design and Landmarks Commission voted unanimously to recommend that the City Council approve the proposed code changes and adopt the Downtown Design Guidelines.

The City Council adopted the Downtown and Riverfront Land Use Framework Plan and downtown zoning standards in September, 2000. Design guidelines and a design review process were identified as elements to be developed in the future to fully implement the plan and assure that development will be consistent with the downtown plan.

The City Council directed staff to proceed with the project in early 2001. The Design and Landmarks Commission (DLC) conducted several meetings to develop the scope of the project and held a public workshop/kickoff meeting on May 10, 2001. A second public workshop was conducted on September 27, 2001 to receive input from downtown property owners and business owners. The DLC conducted numerous meetings on the project. The Planning Commission held two work sessions on the project. Additional public outreach efforts have included the following:

- Presentation to the Milwaukie Downtown Development Association.
- Presentation to the Library Board.
- Articles published in the city newsletter, the Pilot.
- Distribution of notices and information to property and business owners.

Summary of Amendments

The Downtown Design Guidelines Project consists of three elements:

- Design Guidelines
- Design Review Process
- Sign Code Amendment for the Downtown Zones

Downtown Design Guidelines

The design guidelines will be used by the Design and Landmarks Commission and staff to assess how well a proposed development fits within the context of downtown. The guidelines provide design descriptions and visual benchmarks that will help property owners and designers understand the quality and character of development the city desires in the downtown. The guidelines are not intended to be rigid requirements. They are intended to provide flexibility, allowing a number of design options to meet a particular guideline.

As proposed, all new development, additions, remodels and renovations within the Downtown Zones will be reviewed against the design guidelines. Minor changes to existing buildings would be reviewed by staff, with new construction and significant remodels and additions reviewed by the DLC.

A development proposal would not need to comply with each and every guideline, but would need to demonstrate substantial consistency with the guidelines. Substantial consistency means that on the whole, a project falls within most of the applicable guidelines. The intent is

not to set a specific percentage, but to allow an applicant to demonstrate their project meets the overall intent of the guidelines. The DLC will determine how well a project meets the guidelines, considering the overall design of the project and how it relates to surrounding buildings and the downtown. Where projects do not meet a design guideline(s), the DLC would have the following options:

- Require changes to be made to meet the guideline,
- Deny the application, or
- Find that other project elements or site factors warrant approval of the project without meeting the guideline(s) in question.

The guidelines address five design elements:

1. Milwaukie Character Guidelines: Milwaukie's unique "sense of place" as an All-American riverfront town that is hospitable and family oriented;

2. Pedestrian Emphasis Guidelines: Addresses the ways in which buildings and spaces may be designed to create convenient, comfortable, human-scaled environment that people will want to be in, where the pedestrian is the priority;

3. Architecture Guidelines: Promotes quality development while reinforcing the individuality and spirit of Milwaukie. Architectural criteria address such features as doors, walls, windows, silhouette and roofline;

4. Lighting Guidelines: Lighting that encourages nighttime patronage of businesses and restaurants, and creates and atmosphere of festivity and activity; and

5. Sign Guidelines: Signs that make it easy to locate and identify businesses, but not overwhelm either buildings or landscape. Signs that are of a highly graphic format that is complementary to downtown with a strong pedestrian orientation are encouraged.

In addition to the proposed design guidelines, projects in downtown are subject to the existing Development Standards and Design Standards of the Downtown Zones. Development Standards are zoning standards, such as building height, floor area ratio and street setbacks. Design Standards are zoning standards that require specific minimum dimensions and materials for walls, widows and roofs. The design guidelines are intended to work in conjunction with the Development Standards and Design Standards and will address design character, quality and consistency.

Design Review Process

Design review is the process through which projects in the downtown are reviewed for consistency with the Downtown Design Guidelines. The proposed amendment to the Zoning Ordinance establishes levels of review based on the extent of change to a building. Major

projects, such as new buildings or large-scale remodels and additions will be considered at a public hearing before the DLC. Smaller changes that do not effect the architecture of a building and create an inconsistency with the design guidelines will be reviewed by staff.

The following are the key elements of the proposed design review process.

- New construction and significant changes to buildings are reviewed at a public hearing by the Design and Landmarks Commission against design guidelines.

- Minor work/projects that will not significantly alter the architectural character of a building are subject to staff review (Type I)[1]. Staff has the option to "kick up" the process to a Type II review, if the project has the potential for more significant change.

- DLC may grant modifications to design standards with findings, rather than through a variance. Design standards are closely tied to the architecture of a building. This provision is included to allow flexibility when an acceptable design solution meets the intent of the particular design standard as well as the design guidelines.

- DLC reviews variances to development standards. Development standards include building height, floor area ratio and street setbacks. These elements can have bearing on design and the overall context of the downtown and therefore staff believes any variation is appropriate for consideration by the DLC.

- "Stand alone" residential[2] development is exempt from design review. This exemption is necessary to meet state requirements that development involving "needed housing"[3] have the option to only be subject to clear and objective standards. The subjective nature of design guidelines and a design review process does not meet this requirement.

- Mixed-use buildings require design review for non-residential portion. Residential portion of the building only subject the design standards or may elect full design review.

Downtown Sign Code

The draft downtown design guidelines include specific guidelines for signs. The Sign Ordinance is being modified to eliminate the need for design review process for signs, which add time and expense for sign approval. Only those signs that have potential to affect the design character of downtown require design review by the DLC.

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[1] Type I Administrative Review is a staff level decision within 10 days of receipt, without public notification.
[2] "Stand alone" residential is a development that is entirely residential with no mixed use.
[3] Needed housing under Oregon's Statewide Planning Goals and Guidelines means types determined to meet the need shown for housing within an Urban Growth Boundary. Until housing target numbers are met for in the Metro region, all new housing is considered "needed."

The following are the key elements of proposed sign code amendments to be consistent with design guidelines.

- Reduces the height and area of freestanding signs.
- Limit awning signs to first floor of building and/or no higher than 15 feet.[4]
- Discourage internally illuminated cabinet signs, requiring design review by DLC.[5]
- All other internally illuminated signs require design review by DLC.
- Backlit, individually lettered signs permitted.[6]

Membership in the DLC

The Milwaukie Municipal Code does not currently provide for a Planning Commission member to sit on DLC and restricts appointed memberships to only one board or commission. A proposed amendment to Section 19.323.4 of the Zoning Ordinance would allow one member of the Planning Commission to simultaneously serve on the Design and Landmarks Commission.

Concurrence

The City Council discussed the Downtown Design Guideline Project and provided direction on November 6, 2001 and July 16, 2001. The Design and Landmarks Commission has conducted a number of meetings and provided their input on the project. The Planning Commission reviewed the overall concept on September 25, 2001. The proposed design guidelines, design review code, and sign code changes have been reviewed by staff and the city attorney. Subsequent to the Planning Commission public hearing, the City Attorney has advised that the Design Review Code include a provision identifying City Council adoption of Design Guidelines. Section 19.312.7.C has been added to address this issue (See Attachment 3, Exhibit A).

The City Attorney has reviewed the proposed amendments and has found them legally sufficient.

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[4] Awning is a structural extension of a building with a minimum clearance of 8 feet, an extension of at least 3 feet and is intended for the purpose of pedestrian cover.

[5] Cabinet Sign is a sign in which the display face is mounted on or attached to the front of a self contained "box like" structure, which usually houses a light source that shines through the face of the sign illuminating the entire sign face.

[6] A Backlit sign is a sign where the letters or logo are not internally illuminated and the light source shines from behind the sign onto the wall on which the sign is mounted.

Fiscal Impacts

Cost recovery for review of design review applications will be covered by application fees that will be proposed under a separate fee ordinance. The actual impact cannot be estimated since applications are driven by private sector development activity.

Work Load Impacts

Additional staff time will be involved with processing design review applications for consideration by the Design and Landmarks Commission.

Alternatives

The Council has the following decision making options:

1. Adopt the proposal.
2. Adopt the proposal with modifications.
3. Reject the proposal.
4. Take no action.

Attachments

1. Adopting Resolution
   - Exhibit A - Downtown Design Guidelines
2. Adopting Ordinance
   - Exhibit A - Design Review Code, Amending Title 19
   - Exhibit B - Downtown Sign Standards, Amending Title 14
   - Exhibit C - Compliance with Approval Criteria

V. A. 7

Attachment 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE DOWNTOWN DESIGN GUIDELINES.

(Milwaukie Planning Department File ZA-01-03)

WHEREAS, the City adopted the Downtown and Riverfront Land Use Framework Plan, the Downtown Zones land use designations and Design and Development Standards, and the Public Area Requirements in November, 2000, and these establish policies and standards to help guide revitalization of downtown Milwaukie; and

WHEREAS, The proposed downtown design guidelines are consistent with and serve to implement the Downtown and Riverfront Land Use Framework Plan; and

WHEREAS, The proposed downtown design guidelines provide design descriptions and visual benchmarks that will help property owners and designers understand the quality and character of development the city desires in the downtown, and will guide city staff and the Design and Landmarks Commission review of development proposals; and

WHEREAS, The downtown design guidelines are consistent with policies and objectives of the Comprehensive Plan Chapter 4, Land Use, Economic Base and Industrial / Commercial Land Use Element, Objective 12 - Town Center; and

WHEREAS, Stakeholder outreach and public information efforts have included individual notice to property and business owners, public workshops and articles in the city newsletter, The Pilot; and

WHEREAS, on February 25, 2003, the Planning Commission and Design and Landmarks Commission held a joint public hearing and adopted motions recommending the City Council approve the downtown design guidelines; and

WHEREAS, the City Council held a duly advertised Public Hearing on April 1, 2003 and otherwise complied with applicable procedural requirements;

NOW, THEREFORE, BE IT RESOLVED that the City of Milwaukie adopts downtown design guidelines as shown in Exhibit 1, and incorporated herein by reference.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on April 1, 2003.

V. A. 8

James Bernard, Mayor

ATTEST:

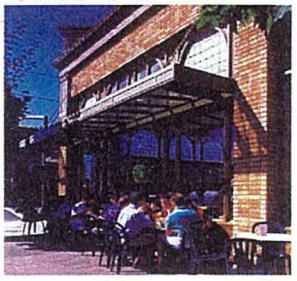
Pat DuVal, City Recorder

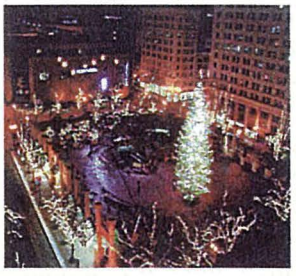
APPROVED AS TO FORM:
Ramis, Crew, Corrigan & Bachrach, LLP

City Attorney

EXHIBIT 1

V. A. 9





DRAFT

Milwaukie Downtown Design Guidelines

Milwaukie, Oregon

November 6, 2001

V. A. 10

Credits

Design and Landmarks Commission

City Council

Planning Department Staff

Consultants

V. A. 11

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V. A. 12

Why Do We Need Design Guidelines?

The Design Guidelines provide a framework within which to review projects in downtown, aiding designers and developers in understanding the city's urban design expectations. The guidelines ensure a degree of order, harmony and quality within the built environment; they allow the development of buildings and projects that are attractive individually yet contribute to a downtown that is unified and distinctive as a whole.

Milwaukie's Design Guidelines support and complement the adopted Milwaukie Downtown and Riverfront Plan.

The guidelines help carry out the Plan's guiding principles, fundamental concepts and land use districts.

1. Guiding Principles

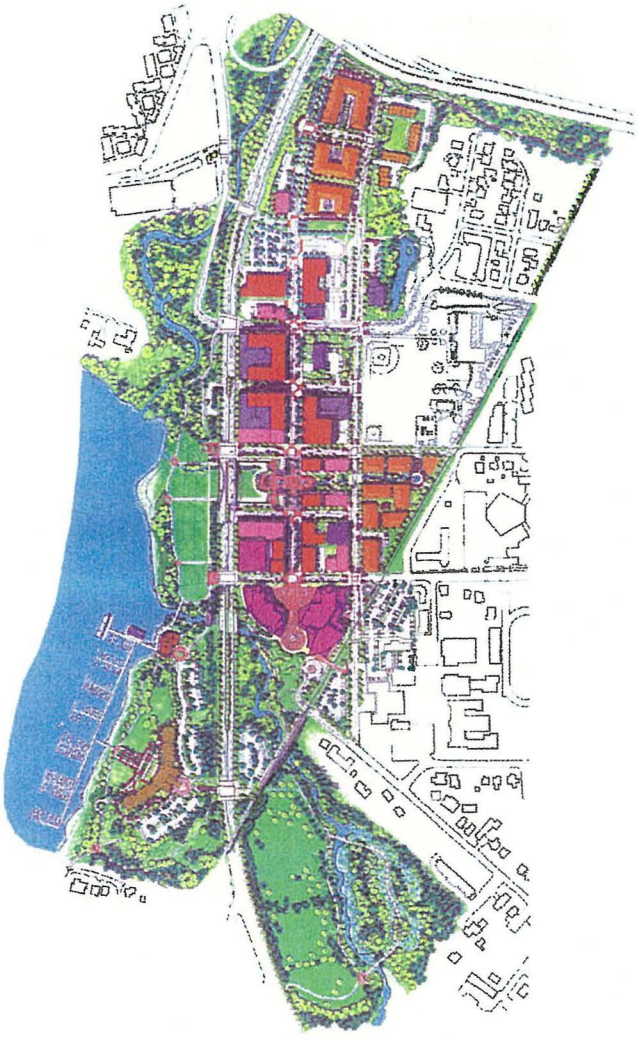
The two guiding principles of Milwaukie's Downtown and Riverfront Plan are the touchstone for the entire plan; as such they are the essence of what is to be supported by the Design Guidelines. Guiding Principles are as follows:

Creating a livable community.

- Provide for residents, workers and visitors alike.
- Provide for people of all ages, cultures, ethnic groups and incomes.
- Provide cultural arts and entertainment facilities.
- Provide significant open spaces and connections to the riverfront.
- Provide for specific "programmatic" requirements, such as parking or visibility from major roadways.

Ensuring economic success.

- Efficiently maximize current investment in infrastructure.
- Spur further private investment.
- Recognize and respond to the current marketplace.
- Establish a strategy for capturing unrealized market niches.
- Complement, protect and promote the continued growth and vitality of current businesses.



Milwaukie Downtown and Riverfront Plan

2. Fundamental Concepts

The guiding principles are carried out in the form of three Fundamental Concepts:

Anchors and Attractors.
The keystone to building a successful downtown is to build upon existing resources - the quality stores and offices that Milwaukie already has - and supplement these with anchors and attractors - places used by hundreds of people on a daily basis. A grocery store, for example, will generate considerable foot traffic, which will in turn provide additional customers for downtown businesses.

The framework includes key elements which will be necessary to achieve these goals. New "anchor" uses include:

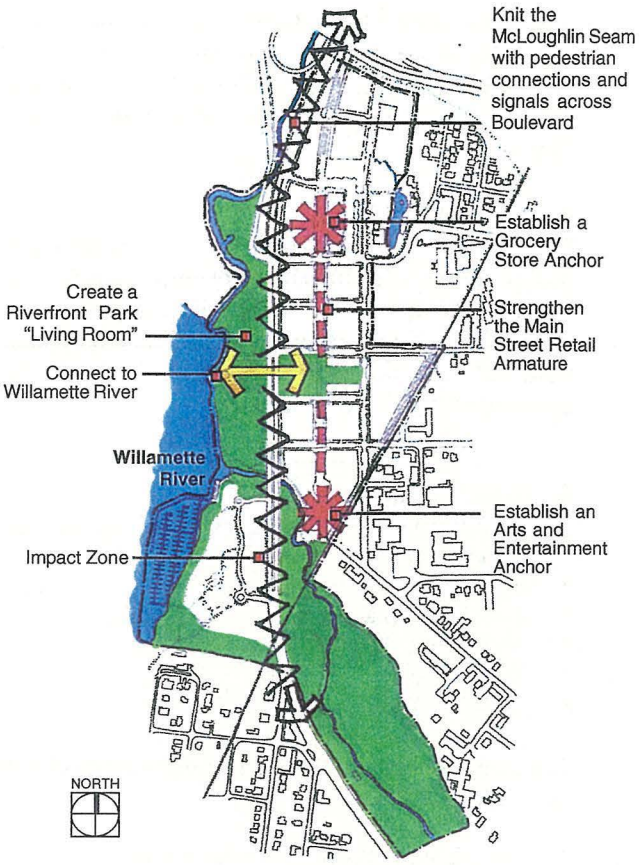
- Grocery store at the northern end of Main Street.
- Arts, entertainment and office "campus" of buildings at the southern end of Main Street, including a graphics-oriented higher education facility.

The Main Street "Retail Armature."
Reactivation of Main Street is a major focus by re-establishing and strengthening a lively storefront retail character with a pedestrian emphasis and 24-hour use.

The framework establishes an environment in which people can shop, work, live and socialize along Main Street. It addresses and repairs the fundamental problems that have drained downtown of its vitality. The framework suggests adding to or filling in blocks with new uses and in some instances tearing down buildings and starting over again.

In the four blocks between the two anchors, the fabric of ground-floor retail establishments will create a lively flow of pedestrian activity. The Main Street retail armature ensures that a healthy retail street includes:

- Retail on both sides of the street.
- Continuous retail facades with no interruptions.
- On-street parking in front of retail.
- Anchor retail at both ends of Main Street.
- A pedestrian loop.
- Safe, signalized pedestrian crossings.
- Pedestrian-friendly amenities - wide sidewalks, landscaping, benches.



Fundamental Concepts Diagram

This north-south flow of activity will be further enlivened where it intersects with the new Main Street Plaza - in the block between Monroe and Jefferson Streets and leading directly to the Willamette River and the new Riverfront Park.

Connecting to the River.
The new Riverfront Park will be the location for special events such as "Festival Daze," holiday celebrations and community assemblies. The northern end will feature riparian habitat where Johnson Creek joins the Willamette. At its southern end will be a new hotel, adjacent to the new public marina and rowing facility.

3. Land Use Districts

The Land Use Framework consists of six land use districts:

- Commercial
- Housing
- Storefront Main Street
- Arts/Entertainment/Office
- Public Park
- Hotel

The Land Use Framework additionally consists of four Land Use Features:

A. *Revitalizing Main Street and downtown*
- Main Street improvements - shops, services, and family-wage jobs
- Save Landmarks - to preserve history and heritage
- New Grocery Store - to anchor Main Street
- New Tri-Met Bus Transit Center
- New Arts and Entertainment Campus

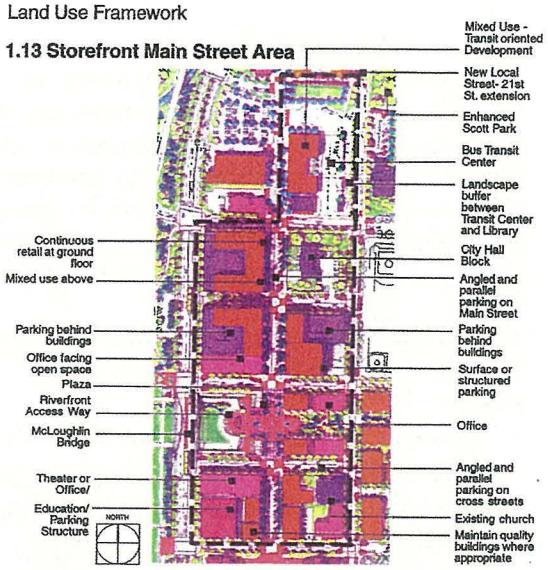
B. *Reconnecting to the River*
- New McLoughlin Bridge - to knit the seam between the downtown and the river
- New Riverfront Park - the City's living room
- New Public Marina and restaurant
- New Riverfront hotel - to replace the water treatment plant

C. *Restoring Natural Areas and Parks*
- Downtown stream - divert a portion of Spring Creek into downtown park
- Restore Spring Creek
- Restore Johnson Creek
- Restore Kellogg Creek

D. *Providing Quality Housing*
- To the North, townhomes and apartments engaging

Land Use Framework

1.13 Storefront Main Street Area

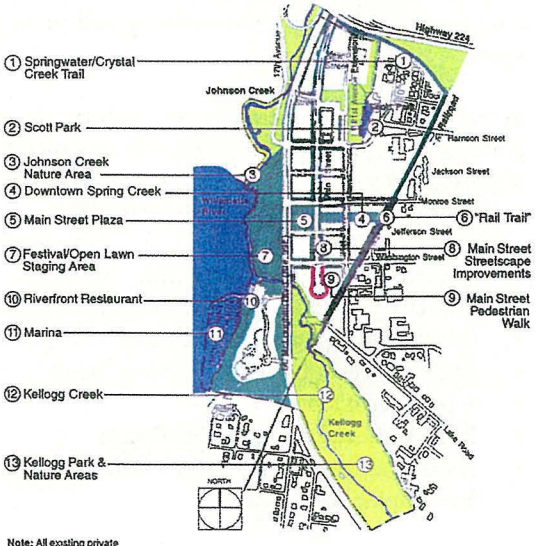


Character:
One block deep along Main Street, and including parking areas behind buildings. Retail uses at ground floor and second floor, and mixed uses of office and residential above. Maintains pedestrian orientation throughout.

Approximate Area: 8.5 acres
Proposed Use:
retail: 115,000 SF (target)
office: 75,000 SF (target)
residential: 150 units (target)
theater: 25,000 SF

Land Use Framework

1.18 Amenities and Open Space Framework Map



Note: All existing private ownership and use may continue, and no use of private property for public purposes is required.

Development must be consistent with the adopted Land Use Framework.

new parks, near Spring Creek and trail to Springwater Corridor
- To the South, townhomes and apartments along landscaped creek and Rail Trail.

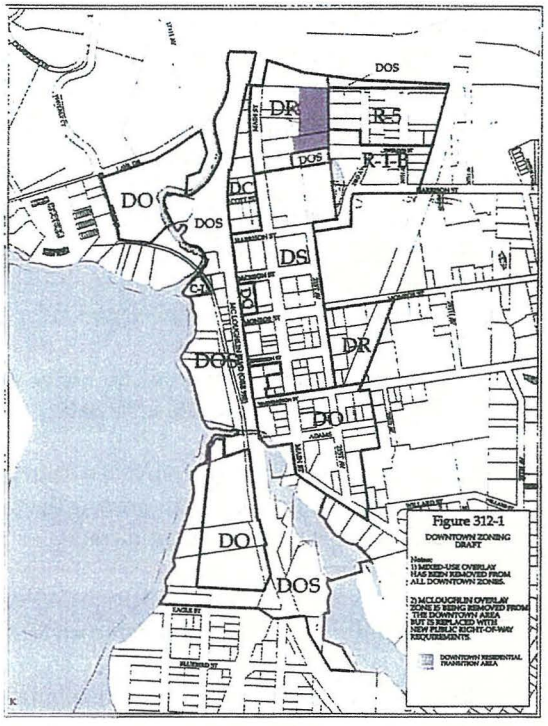
Design Guidelines support, supplement and should be used in conjunction with the following Downtown and Riverfront regulatory documents:

Zoning Ordinance. Section 312 of the Milwaukie Zoning Ordinance (Zoning Ordinance Revisions September 19, 2000), provides the primary regulatory framework for implementing the Downtown and Riverfront Land Use Framework Plan. The ordinance includes 1) specific development standards, 2) public area requirements, and 3) design standards adopted for the Downtown Zones to assure an active, attractive, and accessible environment for shoppers, employees, and residents.

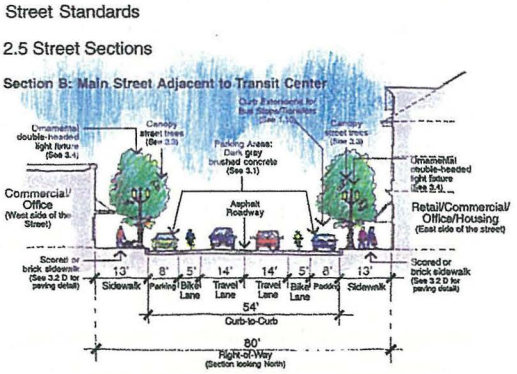
Downtown Zones. The Downtown Zones described in Section 312 establish complementary yet distinctive subareas of downtown Milwaukie. The Land Use Framework Plan includes five Downtown Zones:
- Downtown Storefront (DS)
- Downtown Commercial (DC)
- Downtown Office (DO)
- Downtown Residential (DR)
- Downtown Open Space (DOS)

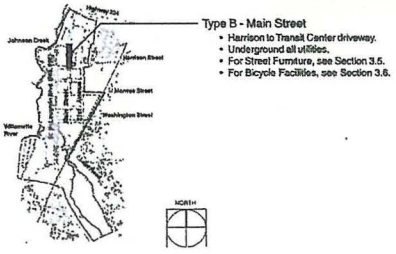
Development Standards. Development Standards are intended to establish and maintain the appropriate building character for the Downtown Zones. They address minimum and maximum:
- Floor-area ratios
- Building heights
- Residential densities
- Street setbacks
- Ground-floor uses

Design Standards. Design standards are intended to encourage building design and construction with durable, high-quality materials. Together with the public area requirements, the design standards will support the development of a cohesive, attractive and safe downtown area. The design standards do not prescribe a particular building or architectural style. The standards are intended to be clear and objective, and compliance with the standards is checked as part of building plan review.



Specific Downtown Zoning Ordinance provides the regulatory framework.





Adopted Public Area Requirements ensure design consistency throughout downtown.

V. A. 16

Public Area Requirements. Public Area Requirements prescribe specific details and design criteria for improvements within the public right-of-way, and establish a common urban design thread to link the different land uses and architectural styles of the Downtown Zones.

4. Role of Design Guidelines

The design guidelines coordinate and enhance the diverse activities taking place in downtown Milwaukie. There will always be many ways of meeting a particular guideline.

The guidelines do not prescribe specific design solutions, nor are they rigid requirements without flexibility.

Rather, the design guidelines provide a descriptive template for maintaining and improving the urban character of downtown, without dictating or prescribing a specific *style or theme.*

The guidelines also recognize Downtown Milwaukie to be a *"town center"* (designated in the City Comprehensive Plan) where buildings in most cases are built edge-to-edge and engage the streets; this town center image of Milwaukie is maintained and strengthened by the guidelines.

Moreover, the Design Guidelines ensure that new development does not treat existing older buildings as urban leftovers, lost and unattached fragments of the past. Rather, new construction and rehabilitation should respect the few remaining unique qualities of Milwaukie's existing historic downtown.

It is important to emphasize that design guidelines should be viewed as an opportunity for applicants to propose new and innovative designs.

The mission of the guidelines is to be a tool for designers to understand the City's design concerns for downtown development.

Quality affordable housing will be accessible to transit and downtown amenities.

Design Review Process

All new development, additions, remodels and renovations within the Downtown Zones are subject to design review for determination of consistency with these design guidelines.[1]

The process for design review is based on the extent of work proposed and whether it falls under one of three categories as follows:[2]

1. Exterior Maintenance and Repair (Type I Administrative for all work requiring a building permit);
2. Minor Exterior Modifications (Type I Administrative, with option for Type II and Minor Quasi-Judicial); and
3. Major Exterior Modifications (Minor Quasi-Judicial Review before the Design and Landmarks Commission).

Projects will be evaluated for consistency with the Downtown and Riverfront Framework Plan, the Milwaukie Zoning Ordinance and these design guidelines. The design guidelines are the approval criteria for design review applications. City staff will review development proposals in the Downtown Zones and determine the appropriate review procedures. Decisions will be made by staff or the Design and Landmarks Commission, approving, approving with conditions or denying a proposal. Development projects are reviewed to determine consistency with development and design standards of the Downtown Zones and substantial consistency with the design guidelines. Where a project is not found consistent with the design guidelines, staff or the Design and Landmarks Commission may impose conditions of approval requiring the project to be modified to be consistent, or if it can be established that design details or other site factors warrant finding for approval of the project without meeting the particular design guidelines. For those applications that are substantially inconsistent with the guidelines, staff or the Design and Landmarks Commission also have the option to deny the development request.

[1] Zoning Ordinance Section 19.312.7 for Design Review Procedures
[2] Exterior Maintenance and Repair and Minor and Major Exterior Alterations are defined in Section 19.312.6 of the Zoning Ordinance. See also Section 19.1000 for procedures for Type I, II and Minor Quasi-Judicial Review.

How to Use This Document

This document guides the design review process for any new project that occurs in the Downtown Milwaukie plan area. It is divided into five sections or "Guideline Elements," each of which addresses a particular set of design concerns that affect the downtown environment. These guideline elements are as follows:

- Milwaukie Character
- Pedestrian Emphasis
- Architecture
- Lighting
- Signs

For each of these guideline elements, there is an introductory page describing the *intent* of that section of guidelines, followed by the specific guidelines. Each specific guideline contains a descriptive statement of the guideline itself as well as examples of recommended and not recommended applications, both listed in text form and illustrated in photo examples.

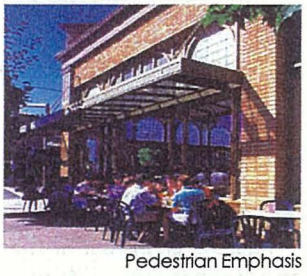
Visual Examples

Visual examples are included in each guideline element, as models for design and review purposes only. They are intended to provide designers, developers and the Design Commission a means to effectively judge a building relative to appropriate and inappropriate design criteria.

Regulatory Reference

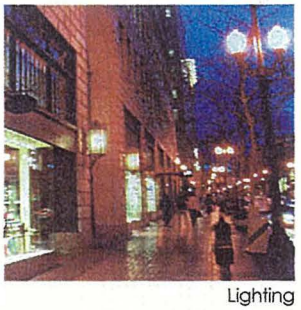
The guidelines are intended to supplement regulatory ordinances. For clarification, ordinance reference is provided for guidelines where key development and design standards or sign ordinances should be reviewed.

Milwaukie Character

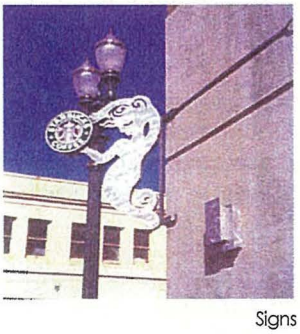


Pedestrian Emphasis

Architecture



Lighting



Signs

Guideline Elements

Where applicable, development must respond to the following categories of guidelines:

1. Milwaukie Character Guidelines

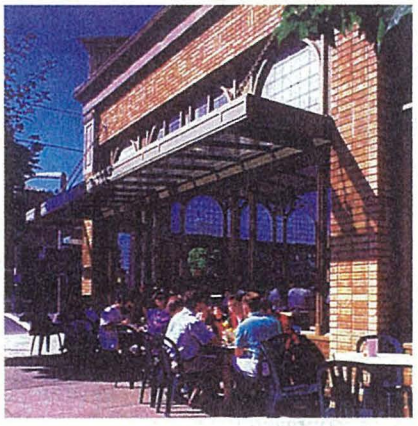
These guidelines address Milwaukie's unique "sense of place," its special quality and personality. People's image of Milwaukie is that of an All-American riverfront town which is hospitable and family oriented. The guidelines address what gives Milwaukie this feeling, this "character" as a unique collection of spaces and buildings, not simply a group of individual projects that could be anywhere.

The Milwaukie Character Guidelines consist of the following sections:

- Reinforce Milwaukie's Sense of Place
- Integrate the Environment
- Promote Linkages to Horticultural Heritage
- Establish or Strengthen Gateways
- Consider View Opportunities
- Promote Compatibility
- Preserve Historic Buildings
- Use Architectural Contrast Wisely
- Integrate Art

2. Pedestrian Emphasis Guidelines

In Downtown Milwaukie, the pedestrian is the priority. These guidelines address the ways in which buildings and spaces may be designed to create a convenient, comfortable, human-scaled environment that people will want to be in.



The Pedestrian Emphasis Guidelines include the following:

- Reinforce and Enhance the Pedestrian System
- Define the Pedestrian Environment
- Protect the Pedestrian from the Elements
- Provide Places for Stopping and Viewing
- Create Successful Outdoor Spaces
- Integrate Barrier-Free Design

V. A. 20

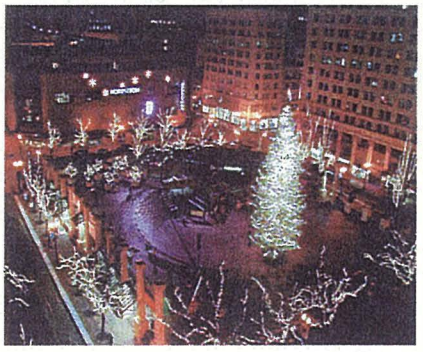
3. Architecture Guidelines

The Architecture Guidelines promote quality development while reinforcing the individuality and spirit of Milwaukie. The guidelines promote architectural types indigenous to Milwaukie and/or the Northwest. Buildings in Milwaukie should seem to be "at home" there, reflecting its character and heritage, suiting its climate, landscape and downtown street grid.

Within each downtown planning area, building proposals must consider and respond to selected requirements from the following architectural criteria:

- Doors
- Walls
- Windows
- Silhouette and Roofline
- Green Architecture
- Building Security
- Parking Structures

4. Lighting Guidelines

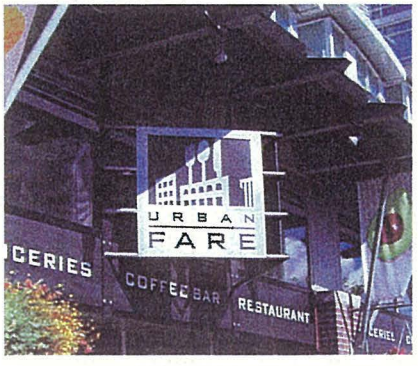


Lighting should not only provide nighttime security, but also encourage nighttime patronage of businesses and restaurants. Lighting should create an atmosphere of festivity and activity - especially where special elements or places are concerned. Utilitarian application of glaring, offensively colored lights is not appropriate for downtown. Each development proposal must consider and respond to selected requirements from the following lighting criteria:

- Exterior Building Lighting
- Parking Lot Lighting
- Landscape Lighting
- Sign Lighting

5. Sign Guidelines

Signs should make it easy to locate and identify businesses as well as providing other information relevant to getting around and doing business in downtown; however, signs should never overwhelm either buildings or landscape. Moreover, signs should provide information in a highly graphic format that is complementary to downtown architecture. Tasteful logos, symbols and graphics are encouraged. A strong pedestrian orientation should be encouraged for all signs.



Development proposals must consider and respond to selected requirements from the following sign criteria:

- Wall Signs
- Hanging or Projecting Signs
- Window Signs
- Awning Signs
- Information and Guide Signs
- Kiosks and Monument Signs
- Temporary Signs

Milwaukie Character Guidelines

The Milwaukie Personality is divided into the following elements:

- Reinforce Milwaukie's Sense of Place
- Integrate the Environment
- Promote Linkages to Horticultural Heritage
- Establish or Strengthen Gateways
- Consider View Opportunities
- Promote Compatibility
- Preserve Historic Buildings
- Use Architectural Contrast Wisely
- Integrate Art

Visual examples are included as models for design and review purposes. They are intended to provide designers and Design and Landmarks Commissioners a means to identify recommended and not recommended character elements. They are not intended to be specific examples that should be replicated.

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Intent

These guidelines address Milwaukie's unique "sense of place" - that is, the qualities that make it special and give it personality. They consider what makes Milwaukie a unique collection of spaces and buildings, not simply a group of individual projects.

Milwaukie's waterfront in the 19th century

Main Street parade in the 1950s

Reinforce Milwaukie's Sense of Place

Guideline
Strengthen the qualities and characteristics that make Milwaukie a unique place.

Description
From the beginning, downtown has been the heart of Milwaukie. Its historic Main Street and riverfront should be a place for celebrations and festivities, for the community to gather, and continue to be an important destination for all who live in Milwaukie.

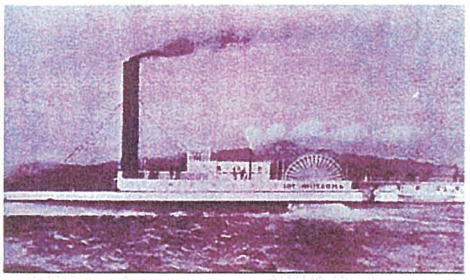
Milwaukie was a leader in the mid-19th century in the shipping and fruit industries, and this rich heritage should inspire the character of redevelopment in downtown; the Design Guidelines encourage development that authentically reflects Milwaukie's unique history and thus genuinely reinforces its sense of place.

For instance, the adopted Milwaukie Downtown and Riverfront Plan strengthens the town's sense of place by reconnecting downtown to the River, recognizing that Milwaukie life has always been oriented to the Willamette. Originally, Clackamas Indians lived in villages along the banks of the River; Milwaukie was officially founded in 1847 by Lot Whitcomb, and its downtown grew along the river in the mid-19th Century.

During that period, Milwaukians created its vibrant shipping, shipbuilding, timber, flour milling, and horticulture industries. Lot Whitcomb built one of the earliest steamer ships in Oregon, a sidewheel steamer which he named after himself. The ship began its Milwaukie to Astoria run along the Willamette and Columbia Rivers in 1850.

At the same time Milwaukie's rich heritage of horticulture was born. Settlers from the Midwest, including the Luelling family, moved out to Oregon with an ox-drawn "travelling nursery," carrying 700 fruit trees of all sorts and settling in Milwaukie. They and others continued to create new varieties of fruit, including the Bing cherry. The efforts of these early Milwaukie residents led to the great nursery and orchard business that still thrives in Oregon today.

Milwaukie's waterfront in the 19th century.



Lot Whitcomb on the Willamette River in Milwaukie, 1850.

Recommended
- Emphasize special relationships at pedestrian level first and foremost.
- Riverfront or marine design references.
- Small-town urban character.
- Colorful flowering trees and shrubs.

Not Recommended
- Downtown development that has a "themed historic" appearance.
- Overscaled, monotonous and non-descript development projects.
- Security or privatization measures that physically segregate community members through high-security gates and fences or window bars.
- Avoid development that is universal or generic, which could apply anywhere, whether in downtown Milwaukie, an airport terminal or shopping mall.

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Integrate the Environment

Guideline

Building design should build upon environmental assets.

Description

All new development should capitalize upon its proximity to the Willamette River, Scott Lake, Kellogg and Spring Creek, and other natural assets that make downtown Milwaukie unique. Building designs should feature these environmental assets. Adjacent development should provide graceful transitions and use compatible materials, forms and colors that are harmonious and complementary with these assets.

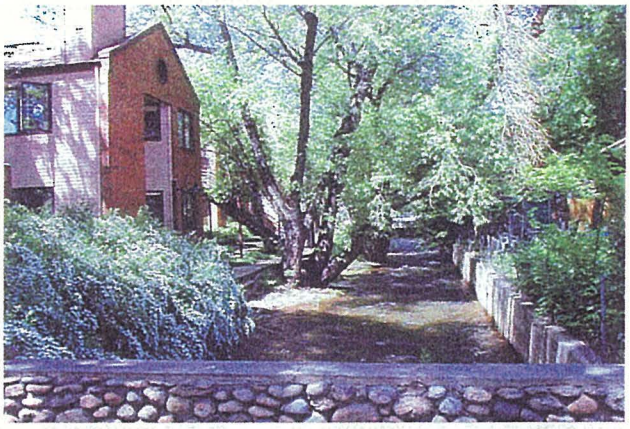
Recommended

- Active and passive gathering areas and walkways oriented toward water elements.
- Public access.
- Natural and/or man-made elements engaging water edges.
- Places where people can directly see, touch and hear the water.

Not Recommended

- Elements that may adversely affect water quality, wildlife habitat or visual quality of natural waterways or vegetation.
- Parking, loading or service areas adjacent to water elements or open space.
- Brightly-colored buildings that clash with the natural colors of the environment that surrounds them.

Recommended: Public gathering areas engaging streams and ponds *(Denver, CO)*



Recommended: Development facing waterways *(Boulder, CO)*

Recommended: Public access oriented to natural features *(Boulder, CO)*

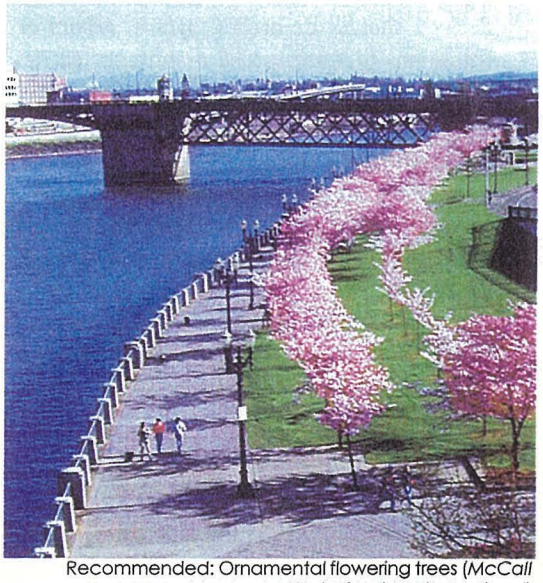
Promote Linkages to Horticultural Heritage

Guideline
Celebrate Milwaukie's heritage of beautiful green spaces.

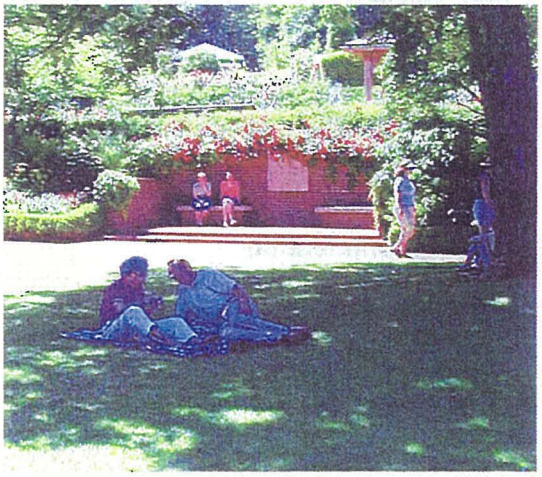
Description
Milwaukie, the "Dogwood City," has a celebrated history of horticultural innovation and beauty. Development that includes courts, plazas, or other open spaces should include gardens, planting areas, and specimen plantings that promote the City's horticultural heritage.

Recommended
- Use of dogwoods, cherry, and other flowering, ornamental trees.
- Formally planted, manicured courtyards and squares.

Not Recommended
- Large expanses of paved plazas, parking lots or other paved areas.
- Expansive monocultural plantings of turf, groundcover, bark dust or other mulching material.



Recommended: Ornamental flowering trees (*McCall Waterfront Park, Portland*)



Recommended: Manicured, landscaped gardens and courtyards (*Washington Park, Portland*)

Establish or Strengthen Gateways

Guideline

Projects should use arches, pylons, arbors or other transitions to mark special or primary entries and/or borders between public and private spaces.

Description

Gateways may be used to celebrate access points into private development parcels while clearly indicating the transition between the public and private realm. Gateways should be neither fortress-like nor intimidating. They may occur at entries to courtyards, along walkways, stairs, or pedestrian pathways. Safety should also be a concern.

Recommended

- Gated internal courtyards on high-density residential projects.
- Gateways used to separate and indicate transitions from public to private spaces.
- Gateways used to indicate change or separation of transportation modes (i.e., auto areas from pedestrian areas).
- Gateways used to indicate change in land use (i.e., retail mixed use from residential area).
- Ornamental or decorative elements combined with lighting or signs.

Not Recommended

- Gated private residential development compounds (including buildings, open space and parking).
- Utilitarian gateway materials (i.e., chain link gate/fence combinations).

Recommended: Gateways into courtyards, squares or entries to pedestrian walkways (*Boston, MA and Boulder, CO*)

Recommended: Residential or open space gateways (*East Burnside, Portland and Dallas, TX*)

Recommended: Private compounds (*NW Westover, Portland*)

Consider View Opportunities

Guideline

Building designs should maximize views of natural features or public spaces.

Description

Create new viewing opportunities by situating windows, entrances, and adjacent exterior spaces so they relate to surrounding points of interest and activity.

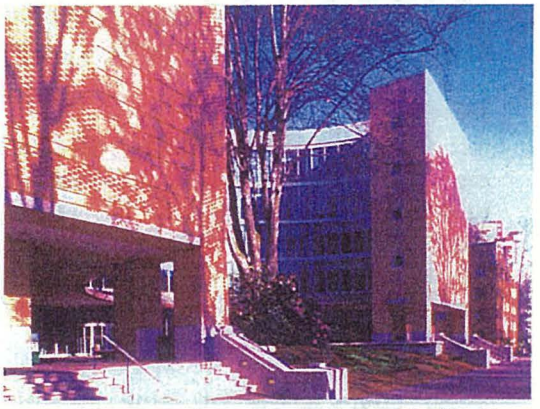
Buildings should be designed with glass areas that face important and appealing visual features both nearby and in the distance. For example, views from buildings in downtown Milwaukie might highlight the Main Street Plaza, Willamette Riverfront Park, Scott Park, Spring Creek - all of which can be taken advantage of and incorporated into a building's design, in a sense, by being visible from within the building.

Recommnended

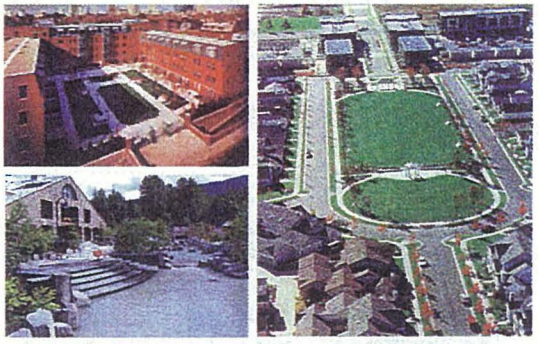
- Views of streets and interior courtyards.
- Views of parks.
- Views of natural features such as streams, lakes, ponds or specimen landscape plantings.

Not Recommended

- Views of large expanses of parking.
- Views of service bays, loading docks, storage areas.
- Views of adjacent residential interiors.



Recommended: Building featuring a significant tree (*Portland State University Campus*)



Recommended: Views oriented toward natural features, parks and courtyards (*Boston, MA, Whistler, Canada, and Orenco Station, Hillsboro*)

Not Recommended: Views featuring parking lots and loading or service areas (*Beaverton Creek Station Area*)

V. A. 28

Consider Context

Guideline

A building should strengthen and enhance the characteristics of its setting, or at least maintain key unifying patterns.

Description

A common downtown Milwaukie architectural vocabulary can be established by addressing and responding to the basic features of existing or future high quality buildings. Proportions of windows, placement of entries, decorative elements, style, materials and silhouette are examples of features that may be used to establish a sense of unity in Downtown Milwaukie.

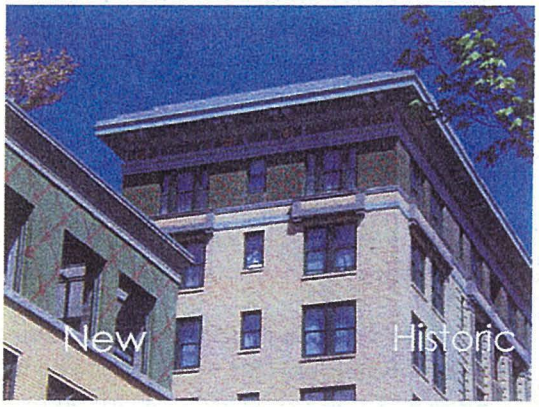
Design features such as wall texture, materials, color, medallions, columns, pilasters, window proportions and facade articulation may all still be used to acknowledge the characteristics of surrounding buildings - and ought to be considered.

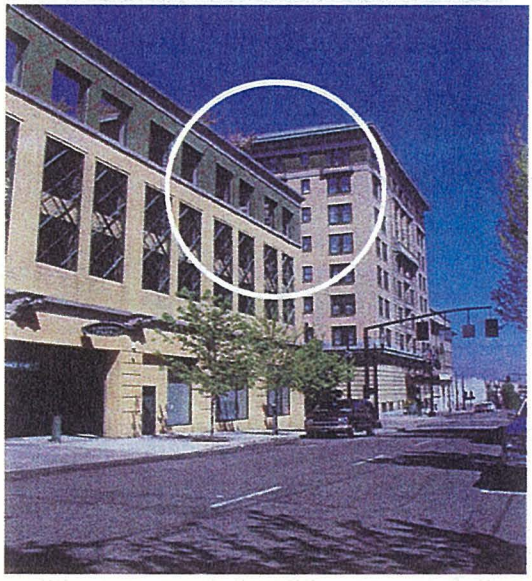
Recommended

- Building elements similar to adjacent historic or significant high quality buildings.

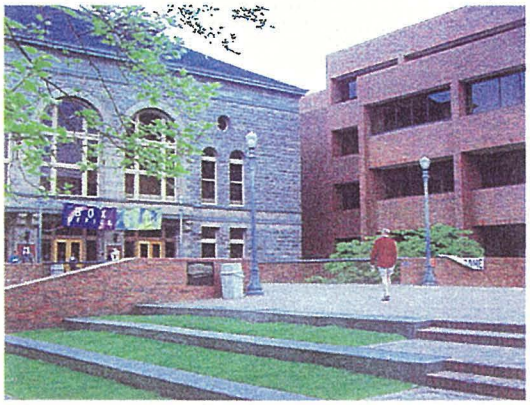
Not Recommended

- Building elements that do not respect the scale, materials, or proportions of adjacent historic or significant high-quality buildings.





Recommended: Basic proportions, silhouette and distinctive elements of the historic hotel were repeated in new adjacent parking structure (*SW 16th and Yamhill, Portland*)



Not Recommended: New building makes no acknowledgement of the historic building's facade configuration or materials (*Seattle, WA*)

Promote Architectural Compatibility

Guideline

Buildings should be "good neighbors." They should be compatible with surrounding buildings by avoiding disruptive excesses. New buildings should not attempt to be the center of attention.

Description

Compatibility can be viewed in terms of a fit or misfit between the design "vocabulary" of the project and that of its surrounding architecture. A design that "fits" - i.e. relates to the nearby buildings by using architectural elements such as scale, color, rhythm and proportion in a way similar to that of the earlier buildings - will contribute to and enhance the area's character. A design that ignores its neighbors may damage the special qualities and identity of downtown.

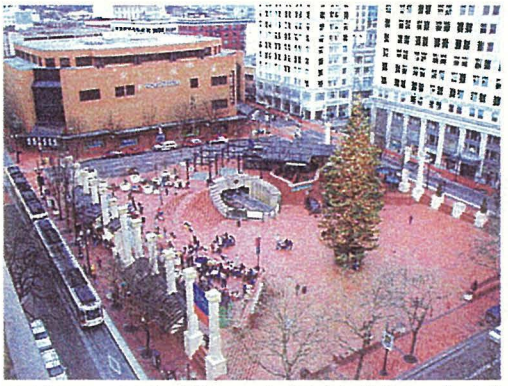
Recommended

- Buildings that repeat and strengthen established district colors, forms and massing and height.

Not Recommended

- Literal interpretations of existing buildings are discouraged. Poorly executed recreations of historic architectural elements and materials often result in a "stage-set" appearance and as a result weaken the importance of original buildings.

Recommended: The new building is visually linked to the adjacent historic building through the use of a similar design vocabulary (*Pioneer Place, Portland*)



Not Recommended: The smaller brick building on the left is not a "good neighbor." Neither its architectural vocabulary nor its color, massing, rythmn or height relate to the adjacent historic buildings (*Pioneer Square, Portland*)

Preserve Historic Buildings

Guideline
Historic building renovation, restoration, or additions should respect the original structure.

Description
Total preservation of existing buildings may not always be a financially viable option, especially where buildings are not "landmarks." Compromised rehabilitation solutions may be necessary to maintain the health and economic viability of Downtown Milwaukie.

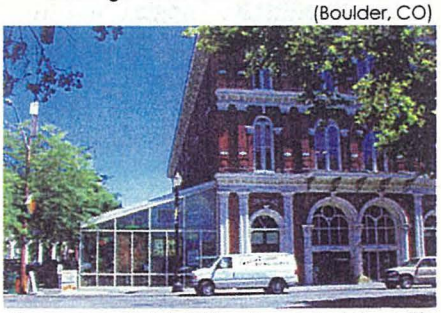
Recommended
- Buildings should retain significant original characteristics of scale, massing, and building material along street facades.
- Additions to buildings should not deform or adversely affect the composition of the facade or be out of scale with the building.
- Distinctive stylistic features or examples of skilled craftsmanship should be treated with sensitivity. All buildings should be respected and recognized as products of their time.

Not Recommended
- Incompatible additions or building alterations using contemporary materials, forms or colors on building facades.

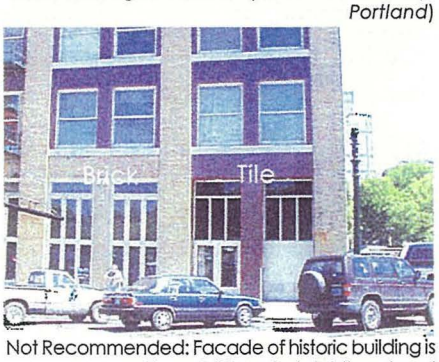
Note: In the case of buildings listed on the local historic inventory, before being renovated or demolished they must go through a separate review process with the Milwaukie Design and Landmarks Commission.

Recommended: Contemporary additions on rooftops can be compatible with the historic building if the historic facades are left intact (*NW 8th and Everett, Portland*)

Recommended: Addition of second story building is set back from the historic facade (Boulder, CO)



Recommended: Addition does not relate well in form, massing or materials (*SW 2nd and Ankeny, Portland*)



Not Recommended: Facade of historic building is marred by addition of a brightly colored contemporary tile cladding (*SW Salmon and 11th, Portland*)

Use Architectural Contrast Wisely

Guideline

Contrast is essential to creating an interesting urban environment. Used wisely, contrast can provide focus and drama, announce a socially significant use, help define an area and clarify how the downtown is organized.

Description

The use of contrast should not create a building which is at war with its surroundings. Instead it should be a comfortable part of its setting.

A downtown with buildings that contrast greatly can cause visual chaos if widespread. Contrast employed at large scale should be reserved exclusively for civic buildings. However, a limited amount of contrast in small-scale projects can create delight and interest in the overall building composition and used as an integral part of a building's design.

Buildings that contrast with their neighbors are most successful if they are offset themselves using green spaces, plazas or other elements that provide a visual separation.

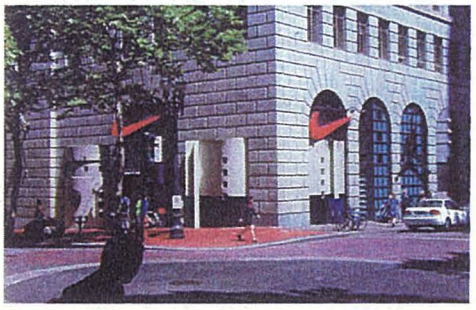
Recommended

- Building contrast created by a unique site.
- Civic building contrast on a large scale.
- Selective, highlighted elements that create interest in the downtown.

Not Recommended

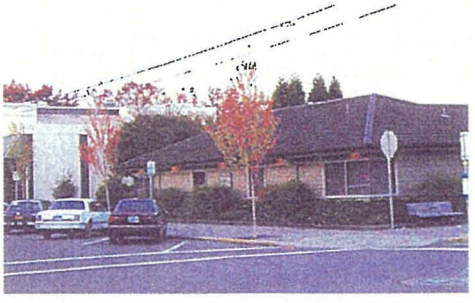
- Building projects that differ radically in material use, form, color, or massing than their neighbors.

Recommended: Building contrast architecturally as a result visual separation and building form due to unique site conditions (*Vancouver, Canada*)



Recommended: Selective contrast can be achieved using unique design elements (*SW 6th and Salmon, Portland*)

Not Recommended: Contemporary addition on top of historic building contrasts too greatly in form, color and materials with the existing building below. (*NW 8th and Flanders, Portland*)



Not Recommended: Main Street commercial building that differs radically from its neighbors in form and mass (*Downtown Milwaukie*)

Integrate Art

Guideline

Public art should be used sparingly. It should not overwhelm outdoor spaces or render building mere backdrops. When used, public art should be integrated into the design of the building or public open space.

Description

Public art pieces can both be large scale and bring focus to an outdoor space or can be of a small scale and bring detail and delight to the ground floor of a building or low wall. Three dimensional sculpture, murals or other art forms are appropriate only when well-designed.

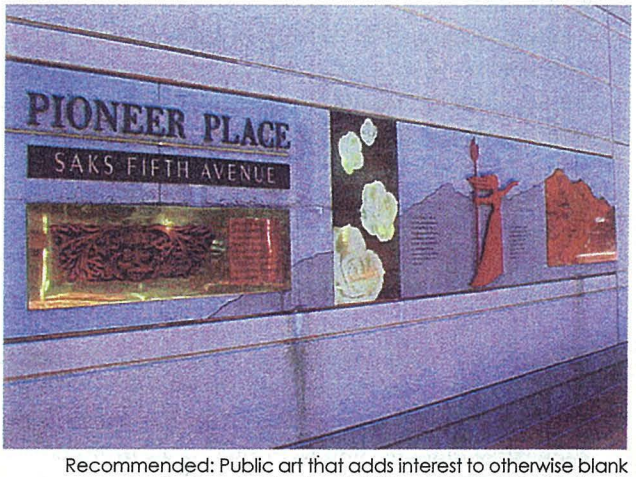
Surface art work painted or attached to a wall, if executed well, can add interest, whimsy and spice to large blank walls. Sometimes murals created as community art projects to promote a special use or activity can be executed poorly, are not durable, and can compete with buildings and the streetscape. Art work, to be deemed appropriate, should be permanent and designed to age well.

Recommended

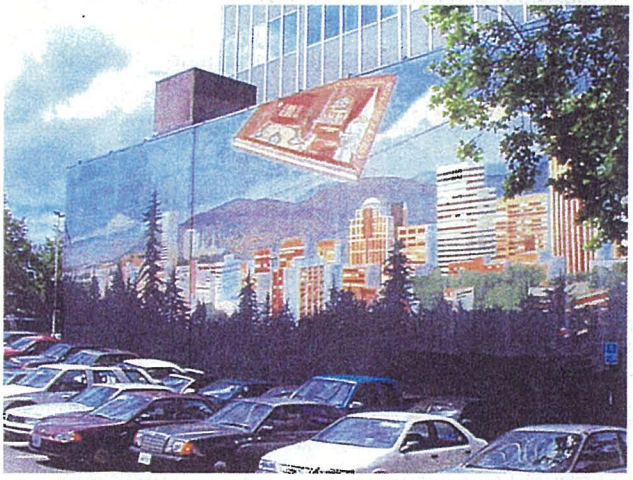
- Artwork designed specifically for and integrated into the building or site.
- Professionally designed.
- Durable, low maintenance materials that are vandal-resistant.

Not Recommended

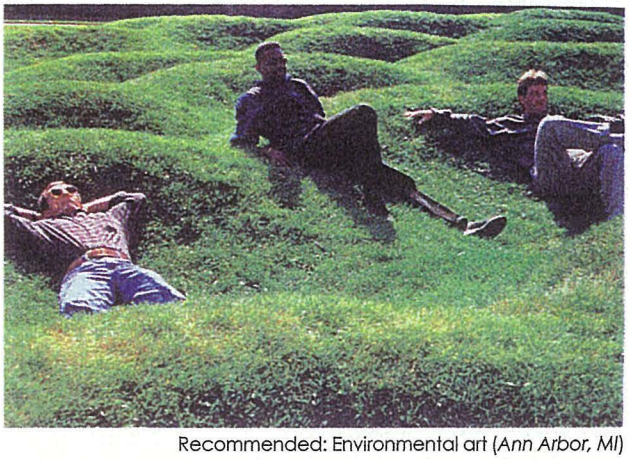
- Amateur art projects.
- Artwork used as advertising.
- Subjects and themes that may offend, incite, or embarrass the community or individuals of Milwaukie.



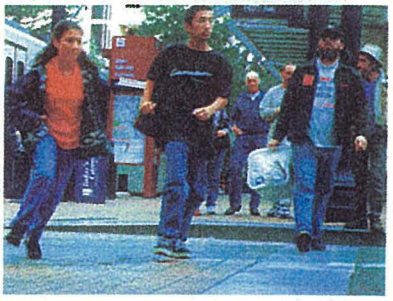
Recommended: Public art that adds interest to otherwise blank walls at pedestrian level (*SW Yamhill and 5th, Portland*)



Recommended: Murals that enhance blank walls (*SW Alder and 10th, Portland*)



Recommended: Environmental art (*Ann Arbor, MI*)



Pedestrian Emphasis Guidelines

The Pedestrian Emphasis section is divided into the following elements:

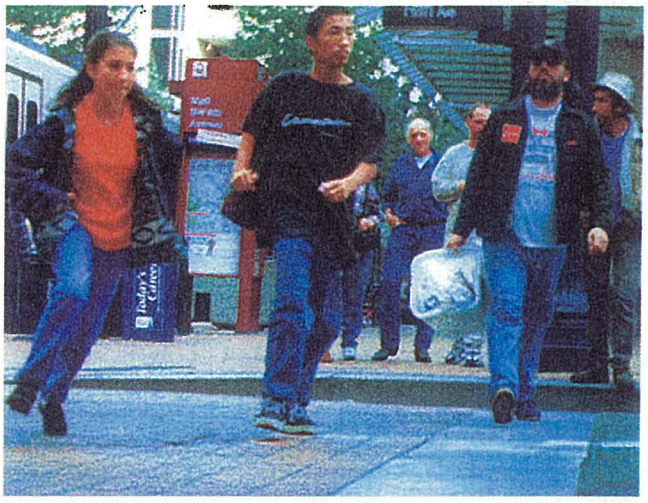
- Reinforce and Enhance the Pedestrian System
- Define the Pedestrian Environment
- Protect the Pedestrian from the Elements
- Provide Places for Stopping and Viewing
- Create Successful Outdoor Spaces
- Integrate Barrier-Free Design

Visual examples are included as models for design and review purposes. They are intended to provide designers and Design and Landmarks Commissioners a means to identify recommended and not recommended pedestrian-emphasis elements. They are not intended to be specific examples that should be replicated.

Intent

The intent of the pedestrian emphasis guidelines is to provide an environment where the pedestrian is the priority. Simply stated, downtown must maintain a clear and comfortable separation between pedestrian and vehicle areas.

Where unavoidable intersections occur, pedestrian comfort, safety and interest must not be compromised. The pedestrian should be safe and comfortable in all seasons and hours of the day, in all parts of downtown.



Reinforce and Enhance the Pedestrian System

Guideline

Barriers to pedestrian movement and visual and other nuisances should be avoided or eliminated, so that the pedestrian is the priority in all development projects.

Description

Develop pedestrian routes that are attractive and convenient. Sidewalks should be continuous. Interruptions such as vehicle curb cuts or change of grade are strongly discouraged. Walkways should be direct and free of barriers such as utility poles or other obstructions.

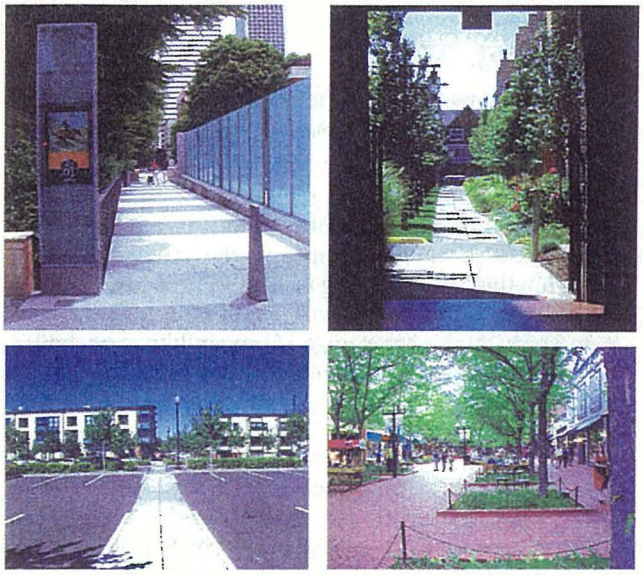
Separating and protecting pedestrians from other nuisances such as noise and odors is also important. Mitigation of these nuisances by screening or enclosing loading docks, mechanical equipment, garbage dumpsters and other unsightly items is encouraged. These components should be located away from where pedestrians may congregate and instead kept to service areas or alleys whenever possible.

Recommended

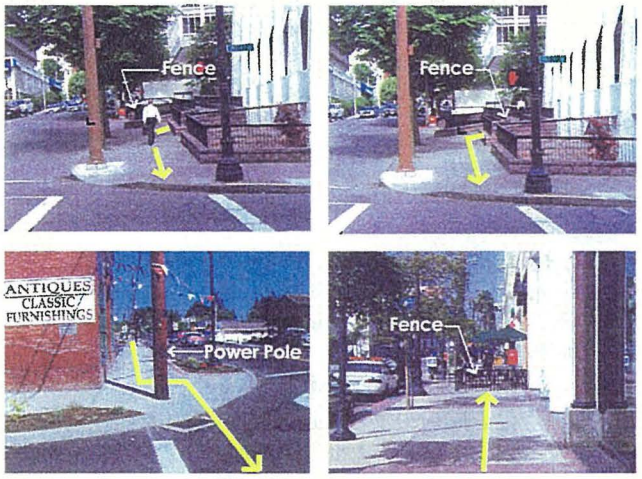
- Mid-block landscaped pedestrian walkways.
- Parking lot walkways.
- Trash dumpster enclosures.
- Utility/substation enclosures.

Not Recommended

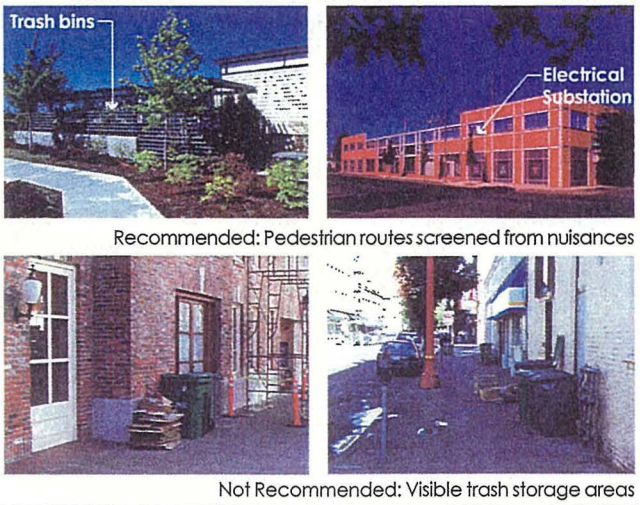
- Indirect or circuitous pedestrian routes.
- Permanent pedestrian route obstructions.



Recommended: Direct pedestrian routes free of obstructions



Not Recommended: Indirect pedestrian routes with obstructions



Recommended: Pedestrian routes screened from nuisances

Not Recommended: Visible trash storage areas

Pedestrian Emphasis

Milwaukie Downtown Design Guidelines

Define the Pedestrian Environment

Guideline

Provide human scale to the pedestrian environment, with variety and visual richness that enhance the public realm.

Description

The most important part of a building is its lowest 15' where the pedestrian experiences the building the most. Within this zone, building facades should contribute positively to the street environment by creating an enclosed and comfortable street edge. Along public areas, building transparency should foster interaction between the public and private realm.

Recommended

- Windows - transparent or displays at street level.
- Walls that create visual interest by providing a variety of forms, colors, varied, but compatible cladding materials.
- Walls that have a comfortable rhythm of bays, columns, pilasters or other articulation.

Not Recommended

- Nondescript, flat, blank walls at street level.

Code Requirement:

This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5 and 19.313-2*
- *Ground-floor retail/restaurants Section 19.312.4(B)(7)*
- *Ground-floor windows/doors Section 19.312.4(B)(8)*
- *Design standards for walls Section 19.312.6(C)(2)*
- *Design standards for windows Section 19.312.6 (C)(3)*

Recommended: Transparency of facade fosters interaction between the public and private realm (*NE Broadway and 15th, Portland*)

Recommended: Comfortable street edge is created by providing interesting elements along the base of the building (*Santa Cruz, CA*)

Not Recommended: "Dead edge" created by providing no window openings or building articulation along the lower 15' of the building (*N Denver and Schofield, Portland*)

Protect the Pedestrian from the Elements

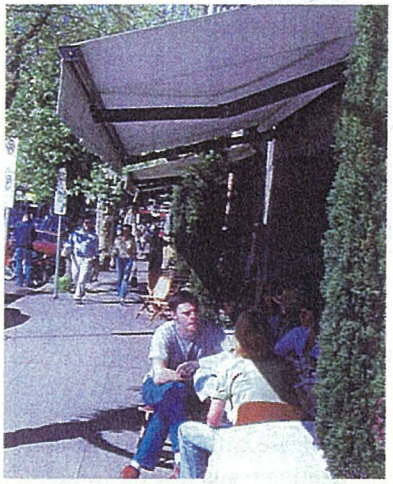
Guideline
Protect pedestrians from wind, sun and rain.

Description
Awnings and canopies are encouraged along the ground floor of buildings to protect pedestrians from rain during inclement weather and provide shade in the summer. Overhead protection encourages window shopping and lingering.

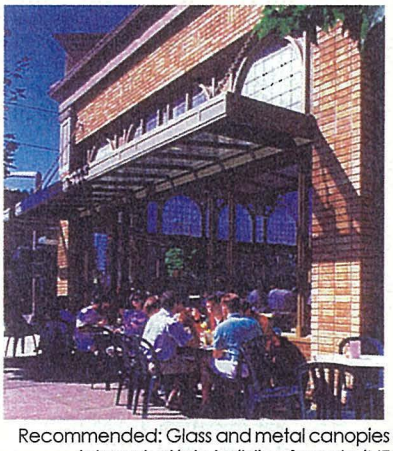
Awnings and canopies can provide interest and detail to a facade. They also create outdoor sidewalk cafe areas for restaurants and cafes. The design of awnings and canopies should be an integral component of the building facade. Awnings should be well proportioned with the building and sidewalks. Awnings should not be so large as to impact street trees, light fixtures or other street furniture.

Recommended
- Canvas fixed or retractable awnings.
- Horizontal metal canopies, especially if transom or clerestory windows are above storefront glazing.

Not Recommended
- Vinyl or other synthetic fabrics.
- Backlit awnings.
- Oversized advertising or tenant signs on awnings.
- Oddly-shaped forms.



Recommended: Retractable fabric awnings create a shady outdoor seating area (*NW 21st and Glisan, Portland*)



Recommended: Glass and metal canopies integrated into building facade (*NE Broadway and 15th, Portland*)

Not Recommended: Vinyl awnings (*SW 6th and Alder, Portland*)

Provide Places for Stopping and Viewing

Guideline

Provide safe, comfortable places where people can stop to sit and rest, meet and visit with each other, and otherwise enjoy the downtown surroundings.

Description

Seating can bring humanity to the urban environment only if pedestrians can pause or stop in a safe and comfortable environment. People like to sit and watch other people and most prefer to sit where others are sitting, rather than in a secluded spot.

People-watching, socializing and eating are restful and pleasurable activities for the pedestrian. Stopping places increase both a sense of security as well as actual security. Seating tends to be used more frequently at major destination points where people can rest before going on to their next destination. Seating is also desirable outside food and drink establishments and near food vendors. While benches provide the simplest way to provide seating, wide steps, the edges of landscaped planters, low walls, and widened window sills can also be appropriate.

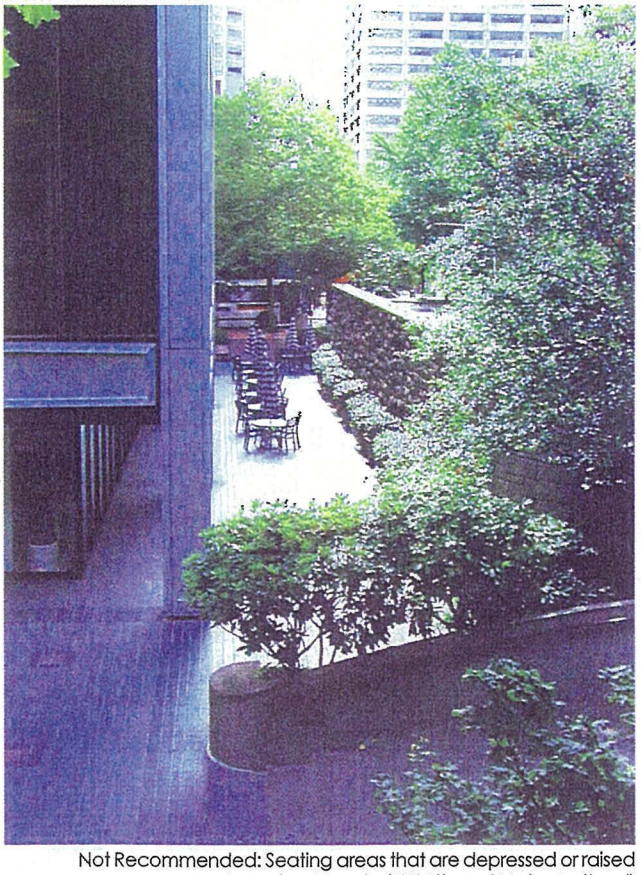
Recommended

- Formal or informal seating areas near active retail establishments.
- Adjacent to parks and plazas.

Not Recommended

- Seating areas raised more than three feet above or below street grade.
- Seating areas adjacent to loading, service bays or storage areas.
- Seating areas that are hidden, secluded, dark or unsecured spaces behind or to the side of buildings.

Recommended: Provide opportunities for stopping, resting and watching.



Not Recommended: Seating areas that are depressed or raised from street grade (*SW 6th and Main, Portland*)

Create Successful Outdoor Spaces

Guideline

Spaces should be designed for a variety of activities during all hours and seasons.

Description

Outdoor spaces should be inviting and maximize opportunities for use. These spaces should be well defined, friendly, accommodating and secure. All areas should work well for pedestrians and be able in some cases to accommodate special events.

- Areas intended for public gathering should avoid separation from the street by visual barriers or change of grade.
- Outdoor spaces should be human-scaled, easy to maintain, and "alive" - whether they are intimate and quiet spaces or more active and boisterous.
- Trees, shrubs, and plants should help define walkways, create appropriate transitions from the park to the street and provide visual interest.
- Structures, pavilions and sitting areas should be easily accessible. They should also be secure and feel safe during both day and evening hours.
- Buildings surrounding green spaces should provide visual definition to the space and should surround it with active ground-floor uses.
- Rooftops should be considered for garden terraces.

Recommended

- Courtyards, squares, forecourts, and plazas with active adjacent ground-floor uses.
- Greenways or pedestrian walkways in residential area. If used, front doors should engage these spaces.

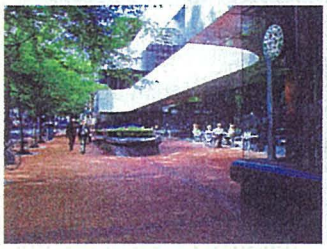
Not Recommended

- Pocket parks without active enclosing uses.
- Forecourt plazas without active ground floor uses.

Code Requirement:

This guideline supplements the Downtown Zoning Ordinance and Development Standards for required ground-floor use areas.

- *See Figures 19.312-5 and 19.313-2*
- *Ground-floor retail/restaurants Section 19.312.4(B)(7)*
- *Ground-floor windows/doors Section 19.312.4(B)(8)*
- *Design standards for Residential Courtyards Section 19.312.6(C)(1c)*



Recommended: Provide comfortable and attractive outdoor spaces that are enclosed, are surrounded by active ground floor uses and are easily accessible (*Portland Art Museum, SW 5th and Main, and NW Irving Pedestrian Mall, Portland*)

Not Recommended: Parks and plaza that are neither enclosed nor active (*MLK and NE Alberta, SW 3rd and Jefferson, Portland, and Orenco Station*)

Integrate Barrier-free Design

Guideline

Accommodate handicap access in a manner that is integral to the building and public right-of-way and not designed merely to meet minimum building code standards.

Description

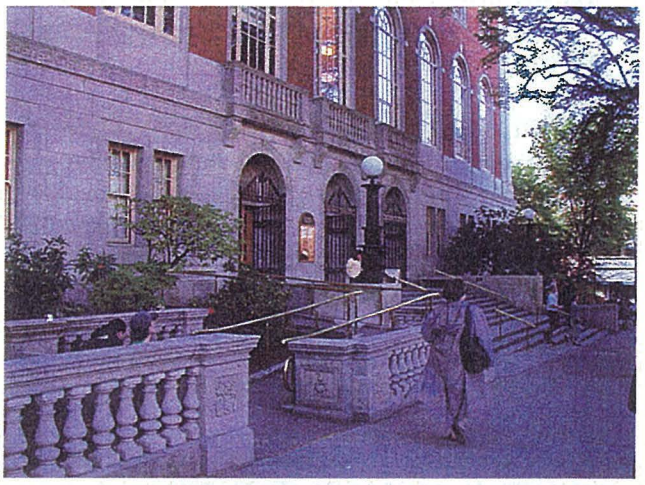
Ramps, lifts and elevators should be integrated gracefully into the design of projects, rather than just meeting the requirements in an awkward and/or minimal manner.

Recommended

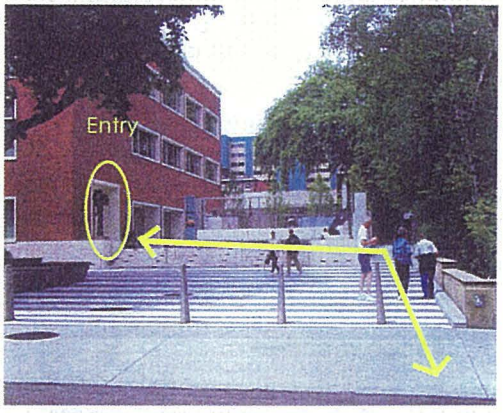
- Ramps that provide direct access but are screened and/or integrated into the stairway design.
- Ramps constructed of similar or compatible materials as the building, stairs and walkways.

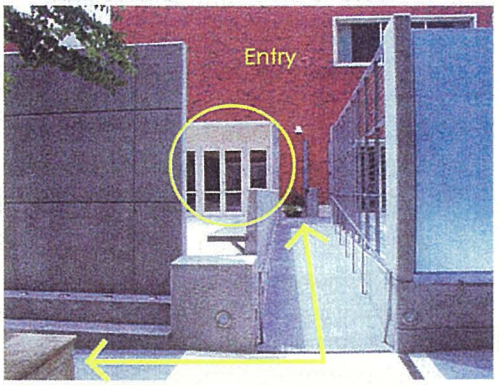
Not Recommended

- Ramps that obstruct or limit pedestrian access from stairs or walkways.
- Ramps that do not provide safe and convenient access to building entries.



Recommended: Ramp design integrated into the design of the entrance and the character of the building (*SW 10th and Taylor, Portland*)





Recommended: Ramp design providing easy access to building entrance without negatively impacting the character of the building (*Portland Art Museum*)

Architecture Guidelines

Specific architectural elements of a building are grouped together as the "Architecture Guidelines" portion of the Milwaukie Downtown Design Guidelines. The specific building elements are:

- Doors
- Walls
- Windows
- Silhouette and Roofline
- Green Architecture
- Building Security
- Parking Structures

Visual examples are included as models for design and review purposes. They are intended to provide designers and Design and Landmarks Commissioners a means to identify recommended and not recommended building elements. They are not intended to be specific examples that should be replicated.

Intent

The Architecture Guidelines promote architectural elements that unify downtown and reinforce the individuality and spirit of Milwaukie. The guidelines promote architectural types that reinforce the City's heritage by being indigenous to Milwaukie and/or the Northwest. New buildings which are appropriate in Milwaukie will be those that seem "at home" there, reflecting its character and heritage, suiting its climate and landscape.

Corner Doors

Guideline
Locate entry doors on corners of commercial and retail buildings wherever possible.

Description
Corner entries reinforce intersections as important places for pedestrian interaction and activity. Transparent doors and windows are strongly encouraged. Entries at 45 degree angles, free of visual obstructions, are also encouraged.

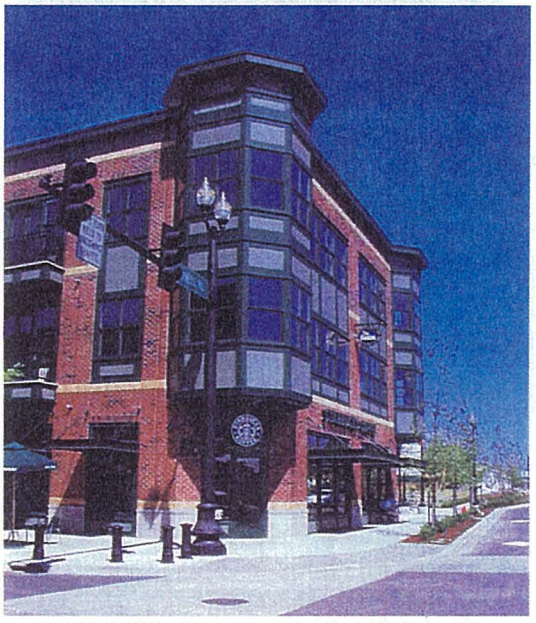
Recommended
- Doors with large glass areas.
- Primary building entrance should be at corners.
- Combined doors with roof or facade architectural elements such as bays or towers.
- Building wall lighting highlighting entrance.

Not Recommended
- Blank walls at corners of public streets.
- Visual and physical obstructions such as large columns.
- Primary entry doors made of unpainted aluminum, wood or metal, or in a residential style.
- Primary entry doors that are solid and windowless
- Utility boxes, meters or mechanical units near the entrance door.
- Glass areas with simulated divisions (internal or applied synthetic materials).
- Reflective, opaque or tinted glazing in the door.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Street Setbacks Section 19.312.4(B)(5)(c)(ii)*
- *Ground-floor Windows and Doors Section 19.312.4(B)(8)(a)(ii)*

Recommended: Corner entry (*Boulder, CO*)



Recommended: Corner entry (*Orenco Station, Hillsboro*)

Not Recommended: Unwelcoming blank walls at building corner (*Salem, Oregon*)

Retail and Commercial Doors

Guideline
Doors should create an open and inviting atmosphere.

Description
Primary business entry doors for retail and commercial establishments should be transparent so that passersby may see the activity within the building - allowing the building to add life and vitality to the street. Doors with extra-large openings blending the activity of the street and the interior are appropriate for restaurants and cafes.

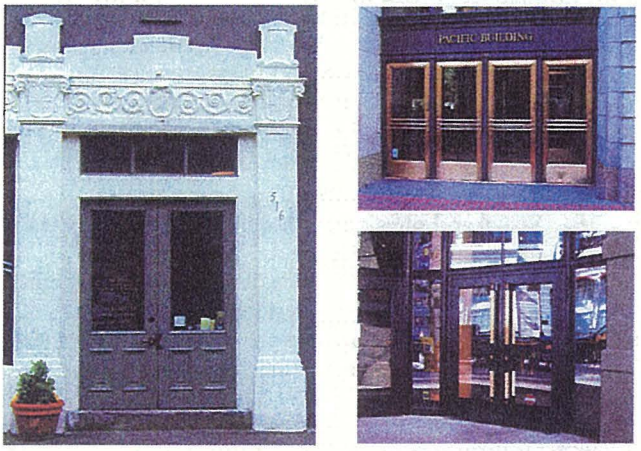
Recommended
- Large cafe or restaurant doors that open street to interior by pivoting, sliding, or rolling up overhead.
- Doors comprised of a minimum 50% window area.
- Building lighting emphasizing entrances.
- Transom, side lites or other window combinations.
- Doors combined with special architectural detailing.
- Double or multiple door entries.
- Well-detailed or ornate door hardware.

Not Recommended
- Solid metal or wood doors with small or no windows.
- Primary entry doors raised more than three feet above sidewalk level.
- Doors flush with building facade.
- Clear anodized aluminum frames.
- Glazing with simulated divisions.
- Reflective, opaque or tinted glazing.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Street Setbacks Section 19.312.4(B)(5)(c)(ii)*
- *Ground-floor Windows/doors Section 19.312.4(B)(8)(a)(ii)*

Recommended: Public access doors should be inviting (*SW Ankeny and 4th and SW 5th and Alder, Portland*)



Recommended: Public access doors should be inviting (*NW Hoyt and 12th and SW Broadway and Taylor, Portland*)

Not Recommended: Unpainted aluminum door frame (*SW 3rd and Stark, Portland*)

Residential Doors

Guideline

Residential front doors should define a friendly transition between the public and private realm.

Description

Doors should be substantial enough to suggest privacy yet still express a welcoming sense of friendly contact for those who approach and enter. The design of a door should respond to its context - to the amount of street activity that surrounds it, for example. Where a door faces a very active street, it is appropriate to separate the door from the street by a comfortable change of grade, perhaps two or three feet above street level. For less active areas, transition areas may include porches.

Recommended

- Multi-panel painted doors.
- Doors combined with transom windows or side lites.
- Durable, high quality metal door hardware.
- Wood solid core doors.
- Doors accessed from porches, terraces, stoops or canopy-covered entries.

Not Recommended

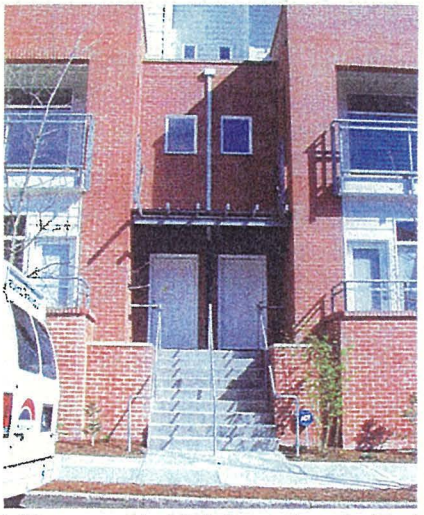
- Sliding glass doors.
- Unarticulated, flush doors.
- Doors raised more than three feet above sidewalk level for townhome/rowhouse type housing.
- Door not directly accessed from the street or court-yard.
- Doors accessed directly from parking lots.
- Door glazing with simulated divided lites.

Code Requirement:

This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *Residential Entries and Porches Section 19.312.6(C)(1)(a)*
- *Garages and Parking Areas Section 19.312.6(C)(1)(b)*

Recommended: Recessed entry and high quality door and trim materials, set comfortably above the sidewalk (*NW 11th and Hoyt and NW Lovejoy and 20th, Portland*)



Not Recommended: Colorless and unarticulated entry doors do not convey a welcoming appearance (*NW Northrup and 23rd, Portland*)

Not Recommended: Entry doors too high above street level (*East Burnside and 104th, Portland*)

Wall Materials

Guideline
Use materials that create a sense of permanence.

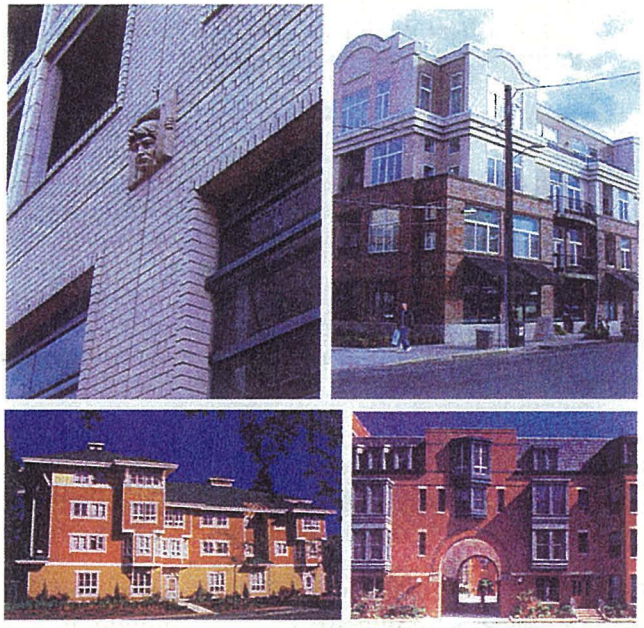
Description
Quality wall materials can provide a sense of permanence in a building, and bring life and warmth to downtown. Articulation of wall materials should be bold, with materials used in a way that shows their depth. It should be apparent that the materials have substance and mass, and are not artificial, thin, "stage sets" applied only to the building surface.

Recommended
- Boldly articulated window and storefront trim.
- Natural or subdued building colors.
- Limited use of bright accent trim colors.
- Varied yet compatible cladding materials.
- Belt courses and medallions.

Not Recommended
- Bright or primary wall colors for the entire wall surface.
- Flagstone, simulated river rock or other similar veneer cladding.
- Painted brick.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *Design Standards for walls Section 19.312.6(C)(2)*



Recommended: Boldly articulated facades benefit from the inclusion of medallions, belt courses, varied cladding materials or other surface articulation (*SW Yamhill and 4th, NW Hoyt and 12th, Oakland, CA, Boston, MA*)

Not Recommended: Walls appear "thin," lack sense of permanence or have a stage set appearance due to awkward proportions, lack of articulation, use of non-durable materials and bright wall colors (*SW Alder and 15th, NW 18th and Lovejoy, NE Skidmore and MLK Blvd., and NW Pettygrove and 23rd, Portland*)

Wall Structure

Guideline
Use scale-defining devices to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure by establishing an uninterrupted street edge.

Description
Building walls should provide a sense of continuity and enclosure to the street, creating a "street wall." They should also include vertical and horizontal divisions to provide a human scale to the space of the street. Such vertical and horizontal architectural elements should create a coherent pattern and visual interest, and will tend to make large buildings appear inviting.

Recommended
- Tripartite facade division - base, middle, top for taller buildings (Over three stories).
- Vertical articulation of windows, columns and bays.

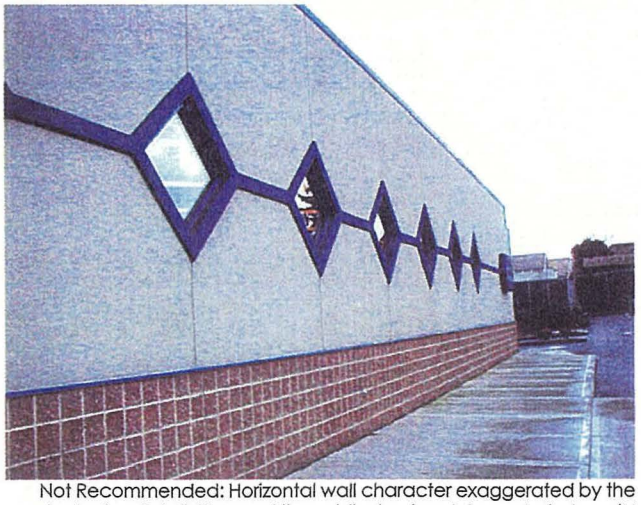
Not Recommended
- Smooth, undifferentiated facade.
- Suburban-styled horizontal orientation of building elements - walls, doors and windows.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *Design Standards for Walls Section 19.312.6(C)(3)(b)*

Recommended: This building creates a comfortable sense of enclosure by providing an uninterrupted street wall (*Orenco Station, Hillsboro*)

Recommended: Tripartite facade - clearly marked base, middle and top (*NW 13th and Johnson, Portland*)



Not Recommended: Horizontal wall character exaggerated by the lack of wall definition and the oddly sized and shaped windows (*N Lombard and N Denver, Portland*)

Retail Windows

Guideline
Use windows that create an open and inviting atmosphere.

Description
Retail and commercial uses should provide windows that add activity and variety at the street level, inviting pedestrians in and providing views both in and out.

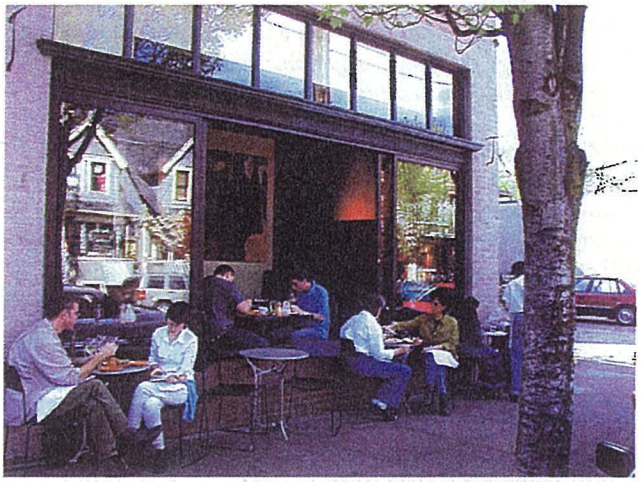
Transparency beckons people inside - whether it be into a shop, gallery, restaurant or office. Restaurants and cafes can benefit from having windows that actually open to let passersby see, hear and smell the activity of the place. Views into stores should not be blocked.

Recommended
- Windows that open by pivoting, sliding, or shuttering
- Painted wood panels or tile clad panels below windows.

Not Recommended
- Residential-styled window bays, multi-paned divided lites, half-round or other similar forms.
- Clear anodized aluminum windows.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Design standards for windows Section 19.312.6(C)(3)*
- *Design standards for ground-floor windows/doors Section 19.312.4(B)(8)*



Recommended: Cafe windows that open, blending the activity of the interior with that of the street *(NW 23rd and Kearney, Portland)*

Recommended: Active display windows *(SW Yamhill and 5th, Portland)*

Not Recommended: Storefront windows without panels below*(Teufel Village, Wilsonvillle)*

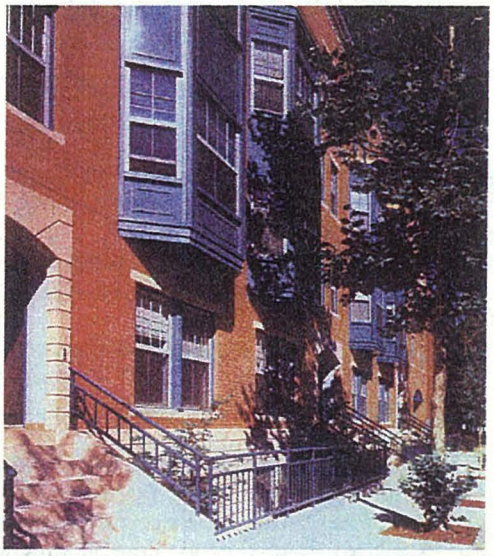
Residential Bay Windows

Guideline
Provide bays to add variety and visual interest to facade and interesting views and outdoor spaces from the interiors.

Description
Bays provide variation and relief to a facade; their sculptural form can add interest to building walls. Contrasting color and materials are encouraged. Exuberant visual ornamentation may be added as further accent to window lintels or panels.

Recommended
- Bays on second story or higher floor levels.
- Contrasting but compatible wall cladding materials and colors.

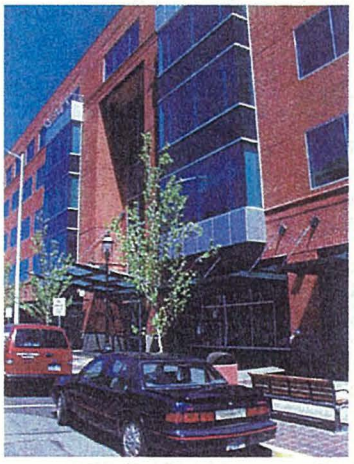
Not recommended
- Cladding materials such as corrugated metal panels or spandrel glass;
- Poorly detailed panels or those without detailing.
- Projecting wall-mounted mechanical units.



Recommended: Bays on upper stories and provide relief
(Boston, MA)

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Design Standards for Walls Section 19.312.6(C)(2)*
- *Design Standards for Windows Section 19.312.6(C)(3)*



Not Recommended: Bays that are poorly detailed, clad with corrugated metal, or include projecting mechanical units
(NE Weidler and 15th, Union Station Housing, Salem Transit Center, Union Station Housing)

V. A. 50

Silhouette and Roofline

Guideline
Create interest and detail in silhouette and roofline.

Description
Building roof lines should enliven the pedestrian experience and be of visual interest, with detail that will create a skyline composed of interesting forms and shadows. Building silhouette should be compatible with those of other buildings along the existing streetscape.

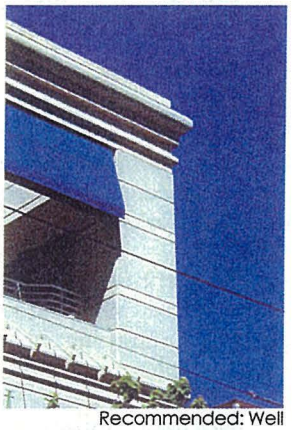
In some cases, it may be appropriate to mark an entryway with a distinct form - a tower for example- to emphasize the significance of the building entry.

For residential buildings, roof massing should be simple yet not dull or unarticulated. For example, flat roofs may be appropriate if they have a cornice, designed with depth and detail expressing the top of the building wall. Dormers set into sloped roofs may be appropriate. These forms provide visual interest, and bring additional living space, light and ventilation to upper floor and attic spaces.

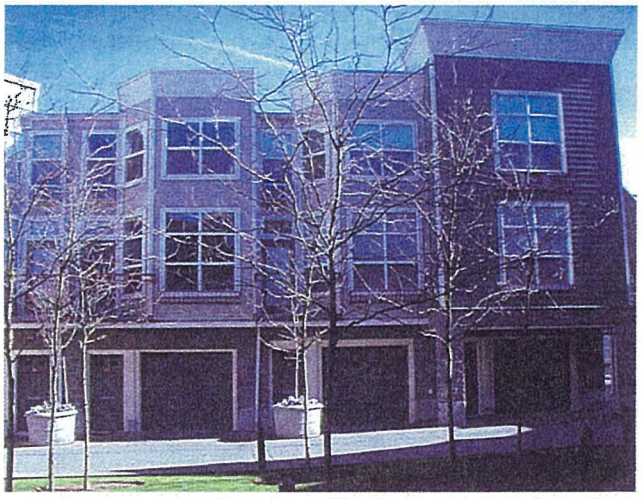
Recommended
- Dormer windows.
- Towers or similar vertical architectural expressions of important building functions such as entries.
- Varied roofline heights.
- If cornices are used they should be well-detailed. They should have significant proportions (height and depth) that create visual interest and shadow lines.

Not Recommended
- Unarticulated rooflines.
- Poorly detailed decorative roof forms.

Recommended: Simple tower elements at corners
(Boston, MA)

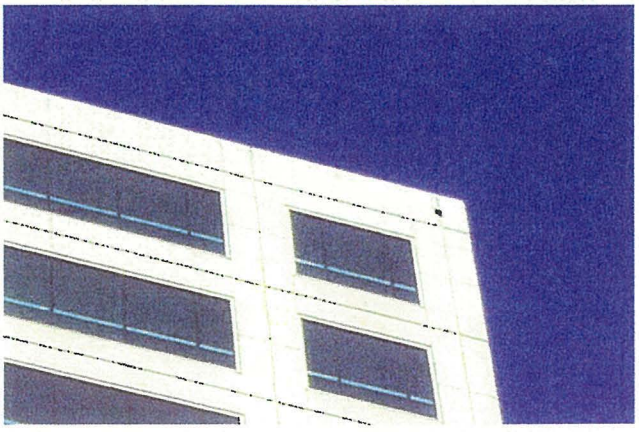


Recommended: Well articulated, deep cornices on flat-roofed buildings
(SW Yamhill and 3rd, Portland)



Recommended: Complex roof line that breaks down the scale of the residential development and provides visual interest
(Riverplace, Portland)

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address roofs.
- *Design Standards for Roofs Section 19.312.6(C)(4)*



Not recommended: Unarticulated roof line
(SW 3rd and Alder, Portland)

Rooftops

Guideline
Integrate rooftop elements into building design.

Description
Roof shape, surface materials, colors, mechanical equipment and other penthouse functions should all be integrated into the overall building design.

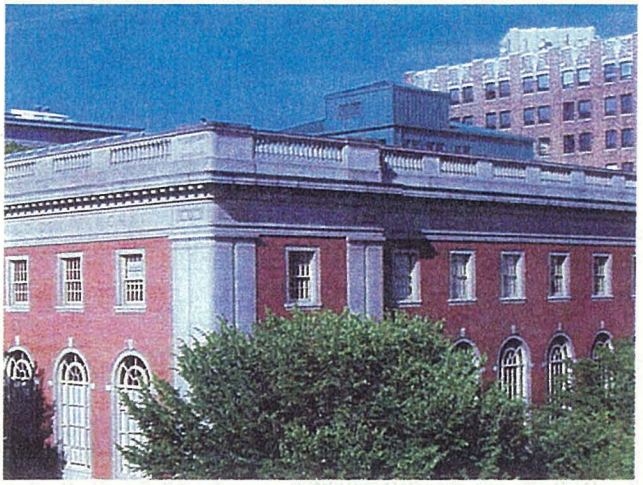
Roof mounted mechanical equipment should be hidden from view by parapets. If building parapets do not provide adequate screening, screening walls or enclosures installed as an integral part of the architectural design should be used.

Roof terraces and gardens are encouraged.

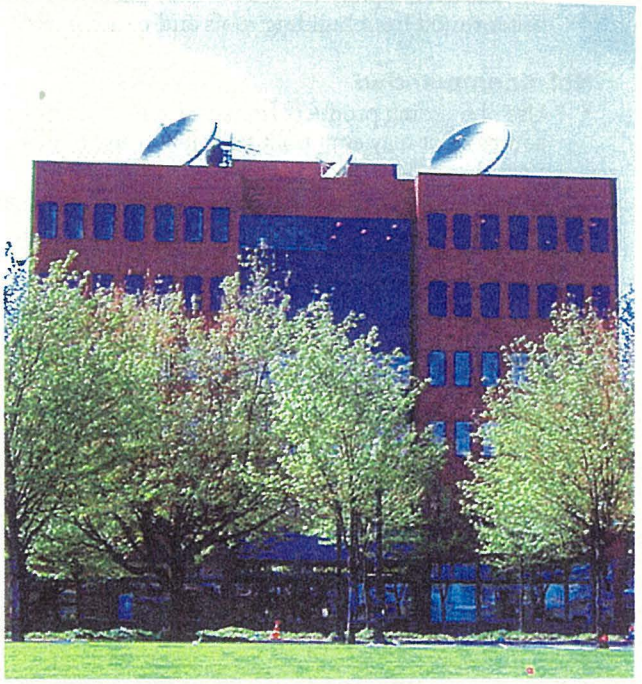
Recommended
- Screened mechanical units.
- Rooftop penthouse occupied residential or office spaces.
- Rooftop gardens.
- "Green" roofs that reduce stormwater runoff.

Not Recommended
- Exposed rooftop mechanical or electrical units.
- Exposed telecommunication equipment including satellite dishes, cell-phone towers or antennae.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address roofs.
- *Design Standards for Roofs Section 19.312.6(C)(4)*



Recommended: Roof parapet that screens penthouse office beyond (*SW Morrison and 10th, Portland*)



Not Recommended: Rooftop equipment visible and not integrated into building design (*SW 2nd and Stark, Portland*)

Green Architecture

Guideline
New construction or building renovation should include sustainable materials and design.

Description
Building in Downtown Milwaukie should use materials that are safe for the environment not only during their use in the building, but also during their manufacture or disposal. Buildings should be designed to increase energy efficiency through advanced design of the building envelope and mechanical systems.

Recommended
- Use salvaged materials or reuse existing products wherever possible.
- Use products made from recycled materials when appropriate.
- Maximize natural light.
- Include measures to maximize indoor air quality.
- Include landscaping strategies to minimize polluted water runoff from building roofs and parking lots.

Not recommended
- Use of building products from non-renewable resources that may emit pollutants or the use of imported and domestic forest products that are not certified as being produced using sustainable forestry methods.
- Construction techniques that do not minimize construction waste.

Recommended: Use of salvaged and recycled materials (*NW 10th and Irving, Portland*)

Recommended: Roof that includes landscaping to filter rainwater (*SW12th and Clay, Portland*)

Recommended: Polluted water runoff from parking lot is mitigated by a landscaped swale (*NW 10th and Irving, Portland*)

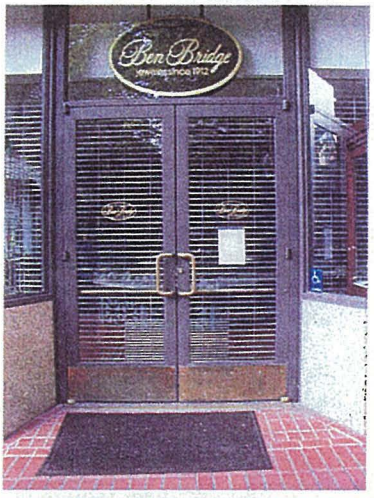
Building Security

Guideline
Buildings and site planning should consider and employ techniques that create a safe environment.

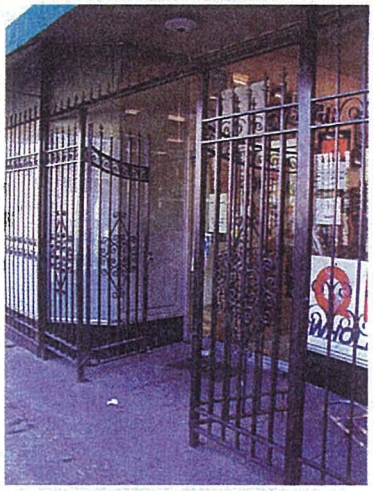
Description
Downtown should be a place in which people of all ages should feel safe day or night and during all seasons. However, downtown should not become a "secured fortress" in which all public and private areas are segregated. Instead, new development should create "eyes on the street" - active uses in which residents, employees and visitors can deter criminal activity, providing self-policing through observation. Where buildings employ security measures such as gates, screens or fencing, these measures should be designed as integral components of the building or site.

Recommended
- Interior or exterior roll-up or sliding security gates that are not visible from the public right-of-way.
- Secured loading bays or service areas.
- Gated private courtyards or plazas.
- Security cameras or surveillance devices screened from view or integrated into building design.

Not Recommended
- Fixed exterior security gates on building edges that are visible from the public right-of-way.
- Fixed exterior security screened windows along public streets or gathering areas.
- Gated residential development.



Recommended: Interior, roll-up security gates (*SW Yamhill and 5th, Portland*)



Not Recommended: Fixed security bars on windows and storefronts and security gates in front of the entrances (*N Denver and Kilpatrick and NW Couch and 4th, Portland*)

Parking Structures

Guideline

Parking structures should be designed so that they appear like most other buildings in the downtown.

Description

Parking garages play an important role in the success of any downtown. However, too often they are incompatible with nearby buildings because they look like vertically-stacked parking lots. This frequently occurs when the dominant architectural features of the garage are long dark horizontals created by the alternation of large openings and structure at each parking level.

Parking garages should instead be designed to appear more like other occupied buildings in the downtown. To achieve this, their horizontality must be broken down - for instance, adding more wall surface while reducing openings, providing adequate ventilation through a series of punched openings rather than the long horizontal gaps, and using detailing at cornices or on window trim. Active retail uses on the ground floor also help garages fit in with the rest of downtown.

Recommended

- Ground-floor retail or other active uses.
- Small openings that are glazed to function as windows.
- Stairways, elevators and parking entries and exits that occur at mid-block.

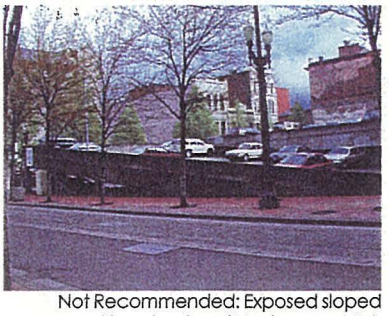
Not Recommended

- Parapets at each parking level forming long, dark horizontal ribbons and lacking wall surface.
- Parked cars on the ground-floor that are visible from adjacent sidewalks.
- Exposed sloped floors visible from the street.
- Stairways, elevators and parking entries and exits occurring at the building's corners, where retail is a more appropriate use.

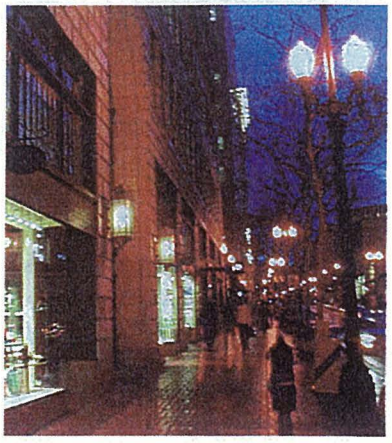
Recommended: Parking garage with ground-floor retail and window-scaled openings (*SW Yamhill and 4th, Portland*)

Recommended: Parking garage in scale with nearby buildings (*Dallas, TX*)

Not Recommended: Long dark horizontal openings dominate facade (*NW Hoyt and 9th, Portland*)



Not Recommended: Exposed sloped parking structure (Morrison *and 1st, Portland*)



Lighting Guidelines

Lighting guidelines include specific descriptive requirements for recommended and not recommended lighting. The guidelines are organized by lighting types. Lighting types include:

- Exterior Building Lighting
- Parking Lot lighting
- Landscape Lighting
- Sign Lighting

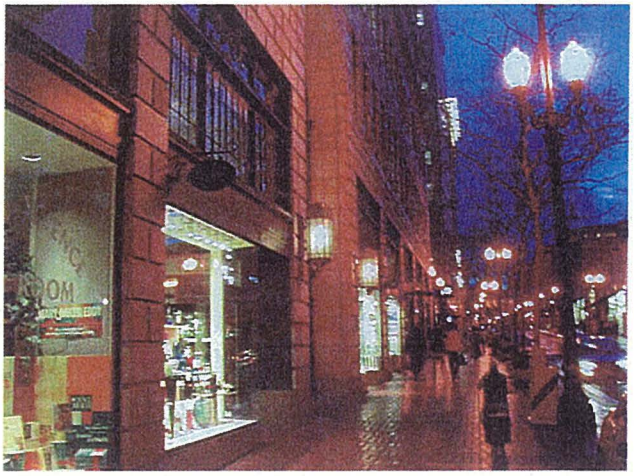
Visual examples are included as models for design and review purposes. They are intended to provide designers and the DLC a means with which to recognize recommended and not recommended lighting types.

V. A. 56

Intent

The lighting of buildings and open spaces should not only provide security at night but also contribute to the overall sense that downtown is an active and vital place, both day and night.

Lighting should be designed to be not simply utilitarian but also to encourage nighttime patronage of downtown businesses and restaurants. Effective and appropriate lighting should create a pleasant, festive atmosphere. Use of glaring, offensively colored lights should be discouraged.



Recommended: A variety of lighting treatments contribute to an atmosphere of festivity and activity (*SW Yamhill and 5th, Portland*)

Exterior Building Lighting

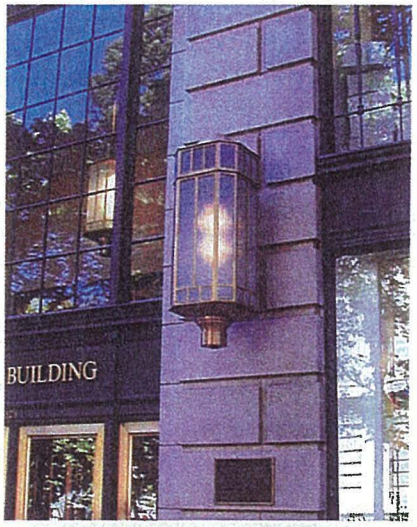
Guideline
Architectural lighting should be an integral component of the facade composition.

Description
Architectural lighting may be used to articulate the particular building design. Lighting of cornices, uplighting, and other effects may be used.

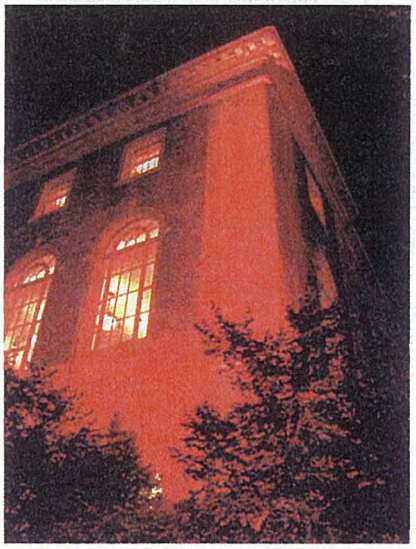
Lighting should not cast glare onto adjacent lots or streets in any way that decreases the safety of pedestrians and vehicles. Lights may, however, be used to create effects of shadow, relief and outline that add visual interest and highlight aspects of the building.

Recommended
- Metal halide lights.
- Wall-washing lighting fixtures.
- Decorative wall sconce and similar architectural lighting fixtures.
- Screened uplight fixtures on buildings or integrated with landscape.

Not Recommended
- Neon silhouette accent lighting.
- Bulb or flashing lighting.
- Fluorescent tube lighting.
- Security spotlight.



Recommended: Decorative wall sconce designed as part of overall building facade composition *(SW Yamhill and 5th, Portland)*



Recommended: Wall-washing light fixtures can add drama to buildings at night *(SW 10th and Yamhill, Portland)*

Parking Lot Lighting

Guideline
Ornamental street lights should be used to be compatible with downtown streetlight standards identified in the Public Area Requirements.

Description
Parking lot lighting should be provided for retail and office uses. Driveways, parking bays and parking lot pedestrian circulation routes should be lighted.

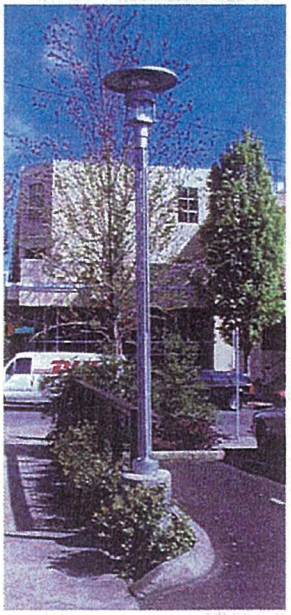
Recommended
- Historic street lights in a parking lot setting.
- Pole standards should be black or a very dark green in color.
- Standards may accommodate banners and hanging flower pots. Automatic drip irrigation for the pots should be considered.
- Light standards should be located in landscaped areas wherever possible to protect fixtures from automobile damage.

Not Recommended
- Concrete light fixture bases should be no taller than 8".
- Parking lot lighting should be designed to avoid unnecessary illumination of residential areas.
- Ornamental or contemporary light fixtures which are incompatible with downtown street light fixtures.
- Parking lot fixtures taller than 15'.

Code Required Public Area Requirements:
3.4 Street Lights

Recommended: Historic-style standards (*Salem Capitol Mall*)

Not Recommended: Overscaled, utilitarian lights in parking lots (*SW 2nd and Alder, Portland*)



Not Recommended: Contemporary-style standards (*NW 23rd and Flanders, Portland*)

Landscape Lighting

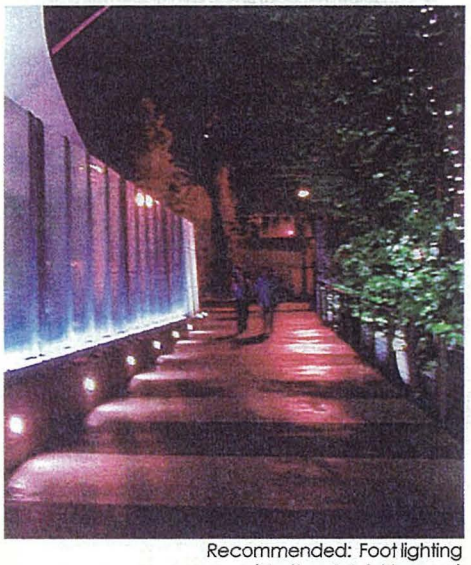
Guideline
Lighting should be used to highlight sidewalks, street trees and other landscape features. Landscape lighting is especially appropriate as a way to provide pedestrian safety during holiday periods.

Description
Lights may be used to highlight trees and similar features within public and private plazas, courtyards, walkways and other similar outdoor areas at night to create excitement and a festive ambiance.

Appropriate
- Seasonal string lights on buildings and trees.
- Footlighting that illuminates walkways and stairs. Fixtures concealed and integrated into the design of buildings or landscape walls and stairways.
- Bollard lighting that is directed downward toward surfaces people walk on.

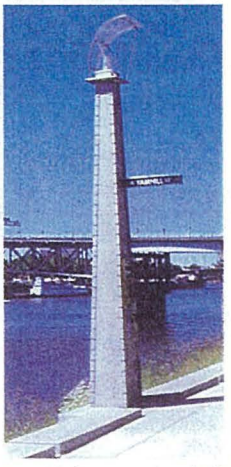
Inappropriate
- Flashing or colored lights.
- Exposed cords, outlets or other electrical devices that may provide safety hazards and are unsightly.
- Lights such as "icicle" style lights that affect the appearance of facades or landscaping during the daytime.
- Contemporary fixtures, or overscaled, utilitarian fixtures such as "cobra-head" lights.

Recommended: String lights create excitement and festive ambiance. *(NW Hoyt and 23rd, Portland)*



Recommended: Foot lighting *(Portland Art Museum)*

Recommended: Ornamental light fixture *(Eastbank Esplanade, Portland)*



Not Recommended: Contemporary-style standards *(Eastbank Esplanade, Portland)*

Sign Lighting

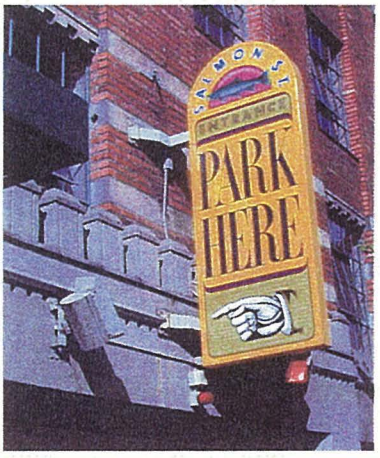
Guideline
Sign lighting should be designed as an integral component of the building and sign composition.

Description
Sign lighting may provide interest not only during nighttime but also daytime. Sign lighting should be oriented toward pedestrians along adjacent streets and open spaces.

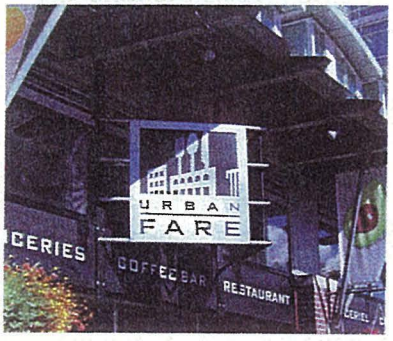
Recommended
- "Gooseneck" lighting that illuminates wall-applied signs.
- Sign silhouette backlighting.
- Incandescent or fluorescent bulb or low-voltage lighting.

Not Recommended
- Backlight vinyl awning sign lighting.
- Interior plastic sign lighting.
- Metal halide, neon or fluorescent tube sign lighting.
- Signs lit by lights containing exposed electrical conduit, junction boxes or other electrical infrastructure.

Recommended: Gooseneck lighting that illuminates a wall sign (*SW 5th and Alder, Portland*)



Not Recommended: Exposed utilitarian lighting (*SW Salmon and 9th, Portland*)



Sign Guidelines

Sign guidelines are organized by sign type. Sign guidelines include specific descriptive requirements of recommended and not recommended signs. Sign types include:

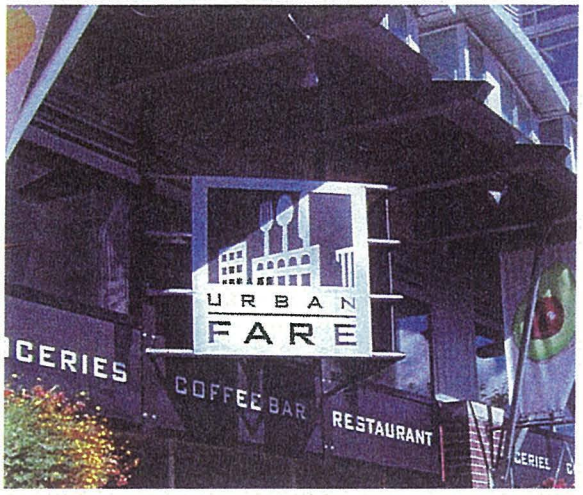
- Wall Signs
- Hanging or Projecting Signs
- Window Signs
- Awning Signs
- Information and Guide Signs
- Kiosks and Monument Signs
- Temporary Signs

Visual examples are included as models for design and review purposes. They are intended to provide designers and the Design and Landmarks Commission a means to recognize recommended and not recommended sign types.

Intent

Each development or building represents only a small portion of the downtown as a whole, but contributes significantly to the overall visual image of downtown. The uniform application of sign guidelines addressing type, location, size and quality will ensure a visually pleasing downtown environment.

Signs may provide an address, identify a place of business, locate tenants, or generally provide directions and information. Appropriately designed, signs can also reinforce the downtown's character and provide visual interest. Regardless of function, signs should be architecturally compatible and contribute to the character of the area. Signs should be good neighbors - they should not compete with each other or dominate the setting due to inconsistent height, size, shape, number, color, lighting or movement.



Recommended: Signs that are highly graphic and oriented toward the pedestrian. (*Vancouver, BC*)

Code Requirement:
The following guidelines do not supersede sign codes. They are instead intended to supplement the City's sign code. All required permits can be obtained through the Milwaukie Planning Department. Please refer to the City of Milwaukie's Sign Ordinance for complete requirements and approval procedures.

Wall Signs

Guideline
Signs should sized and placed so that they are compatible with the building's architectural design.

Description
Signs should not overwhelm the building or its special architectural features. Signs should not render the building a mere backdrop for advertising or building identification.

Recommended
- Wall signs should be located along the top, middle or at the pedestrian level of buildings.
- Signs should be incorporated into the building architecture as embossing, low relief casting, or application to wall surfaces.
- Signs may be painted or made with applied metal lettering and graphics.
- Signs should be durable and long lasting.
- Signs may incorporate lighting as part of their design.
- Signs should be located as panels above storefronts, on columns, or on walls flanking doorways.

Not Recommended
- The material use, size and shape of signs that overwhelm, contrast greatly or adversely impact the architectural quality of the building.

Recommended: Signs incorporated into architectural design *(NW 23rd and Everett, Portland)*

Not Recommended: Oversized sign *(NW 10th and Burnside, Portland)*

Not Recommended: Building facades designed primarily to serve as a sign *(NW 20th and Burnside, Portland)*

Hanging or Projecting Signs

Guideline

Hanging signs should be oriented to the pedestrian, and highly visible from the sidewalk.

Description

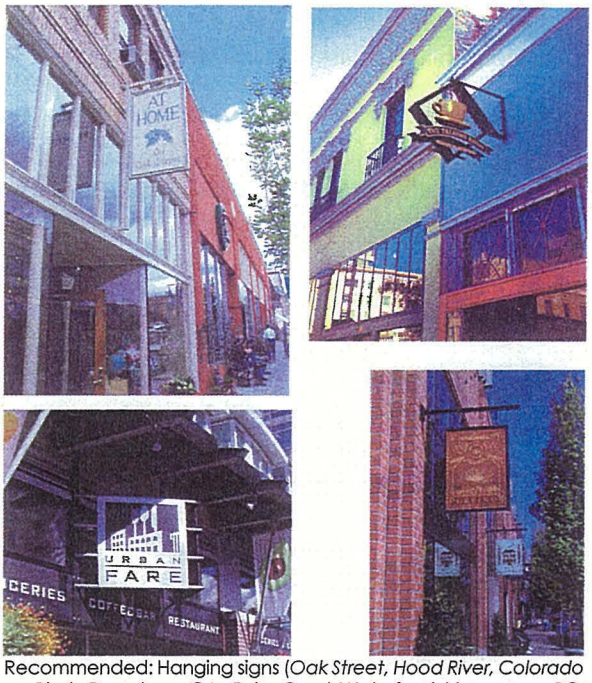
Signs should not overwhelm the streetscape, and should be compatible with and complementary to the building architecture and any awnings, canopies, lighting, and street furniture.

Recommended

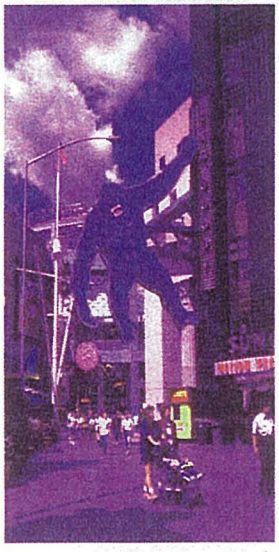
- Any required sign lighting should be integrated into the facade of the building. (See lighting guidelines.)
- Signs should be very graphic and constructed of high quality materials and finishes.
- Signs should be attached to the building with durability in mind.

Not Recommended

- Signs interfering with sight lines that may create a safety hazard, obstruct or block views



Recommended: Hanging signs (*Oak Street, Hood River, Colorado Blvd., Pasadena, CA, False Creek Waterfront, Vancouver, BC, NW 23rd and Glisan, Portland*)



Not Recommended: Overscaled Hanging signs that block, obstruct or dominated views (*City Walk, Los Angeles, CA*)

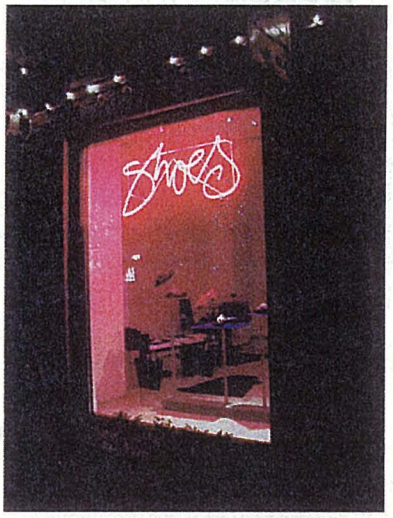
Window Signs

Guideline
Window signs should not obstruct views through windows.

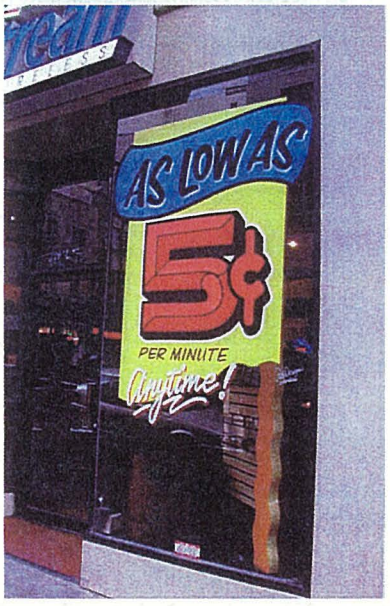
Description
Window signs should be oriented to pedestrians rather than motorists. They should be an integral component of the storefront design.

Recommended
- Neon or other illumination is only appropriate if installed as interior signs.
- Interior applied lettering or graphics.

Not Recommended
- Painted window signs.



Recommended: Interior neon sign indicates retail use only (*NW 23rd and Irving, Portland*)



Not Recommended: Window advertising sign (SW Broadway and Washington, Portland)

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Awning Signs

Guideline

Awning signs should be used as alternatives to building or wall signs. They should be designed as means to attract attention to a shop, office or residential entrance.

Description

Awning signs should not dominate or overwhelm the building; rather, the awning should serve as mere back-drop for building or tenant identification.

Recommended

- Awning signs generally should occur at only one location on a single building.
- Signs painted on fabric awning valances.
- Signs applied to, embossed on or attached to canopy edges.

Not Recommended

- Signs located on second or upper story awnings.
- Lighting of awning signs either externally or internally.

Recommended: Sign compatible with and integrated into architecture of building (*SW 10th and Alder, Portland*)

Not Recommended: Vinyl awning sign (*N Lombard and N Denver, Portland*)

Information and Guide Signs

Guideline

Directional signs should be small scale and of consistent dimensions, and located in a visually logical order. These signs also should provide on-site directional information.

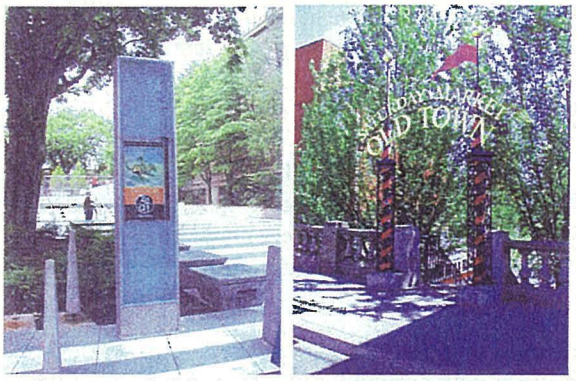
Description

Directional signs - those intended to identify and direct vehicular and pedestrian traffic to various on-site destinations - may be provided along roadways and within all multi-parcel developments, consistent with the City's Sign Code.

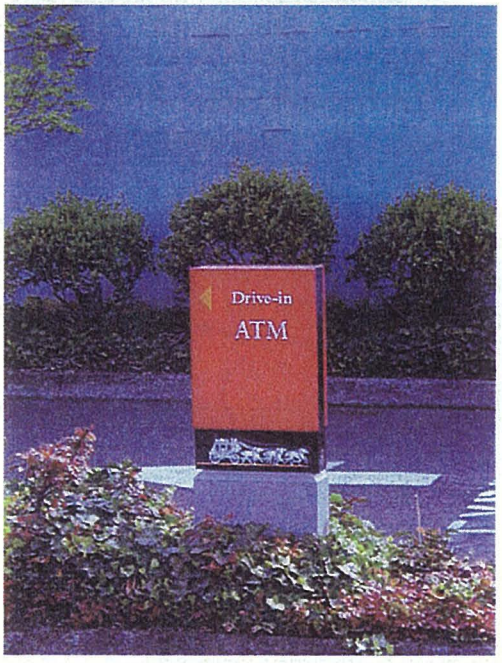
Directional signs should be designed consistently throughout a project. All signs shall be fabricated from the same materials, with a consistent color palette and common graphic theme. The use of materials compatible with adjacent architectural design is encouraged.

Recommended

- Location at entries to parking lots or service areas.
- Signs in internal courtyards, along walkways, or at plazas.



Recommended: Pedestrian scaled directional signs (*Portland Art Museum, Saturday Market, Portland*)



Recommended: Low scaled auto-oriented directional sign (*N Interstate and N Denver, Portland*)

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Kiosks and Monument Signs

Guideline

Directory monument information signs should illustrate the layout of a development, and list and locate uses or tenants within.

Description

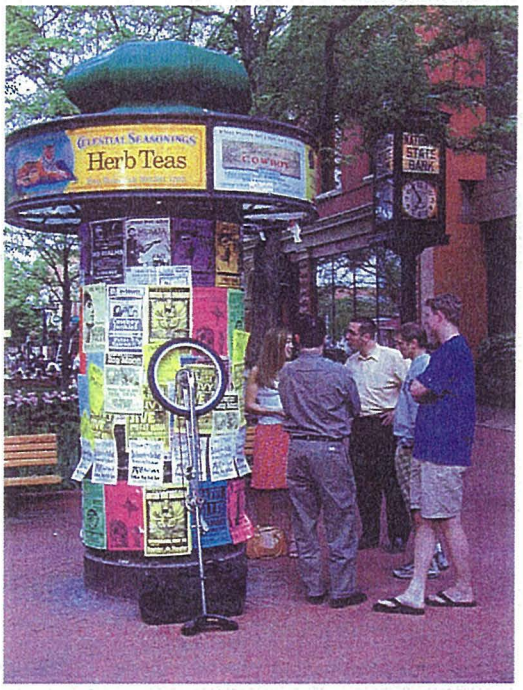
These signs should be highly graphic, constructed of durable materials and consistent with architectural and landscape themes. They should be scaled to and easily approached by pedestrians rather than passing motorists.

Recommended

- Kiosks that provide directional information and additional space for public announcements or flyers.
- Vandal-resistant painted or cast metal sign monuments.
- Compatibility with adjacent architecture and established downtown streetscape elements.

Not Recommended

- Freestanding monuments at primary building entries, forecourts or plazas.
- Wood construction, glass, plastic or other non-durable materials.
- Internally illuminated.
- Wildly contrasting colors or graphics that are highly distracting.



Recommended: Information kiosk oriented to pedestrians (*Pearl Street Mall, Boulder, CO*)

Not Recommended: "Suburban-styled" monument signs at building entries (*Second and Morrison, Portland*)

Temporary Signs

Guideline

Signs identifying short-term uses or activities should be allowed on a temporary basis if consistent with the design character of the surrounding area.

Description

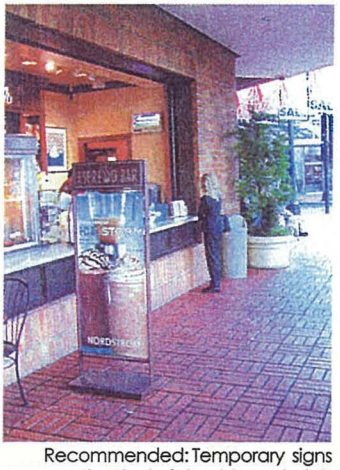
Temporary signs should not obstruct pedestrian access or disrupt the visual quality of downtown. Sandwich board signs should be located within close proximity of the use identified. Temporary signs should be used only during hours in which businesses are open.

Recommended

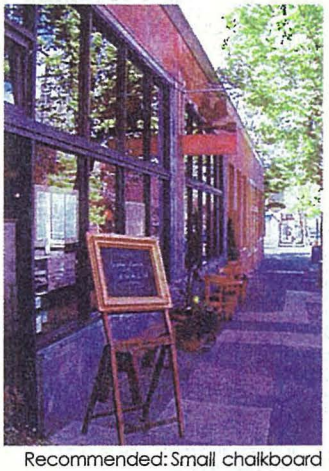
- Easels and chalkboards.
- High quality professionally-painted and -designed sandwich boards.

Not Recommended

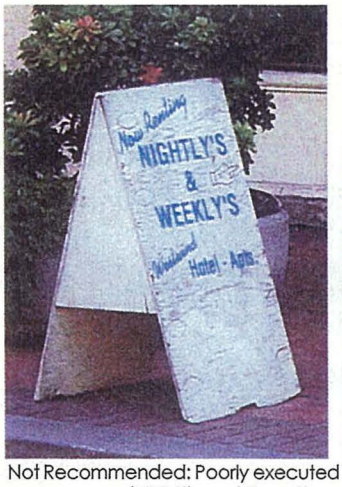
- Signs which impede or obstruct pedestrian access.
- Poor quality "homemade"-looking sign construction, painting, graphics or lettering.
- Attachments of balloons, banners or flags.
- Advertisements for products or services.



Recommended: Temporary signs constructed of durable materials
(Broadway and Morrison, Portland)



Recommended: Small chalkboard as temporary sign
(NW 21st and Johnson, Portland)



Not Recommended: Poorly executed and maintained temporary signs
(NW 6th and Everett, and SW 3rd and Ankeny, Portland)

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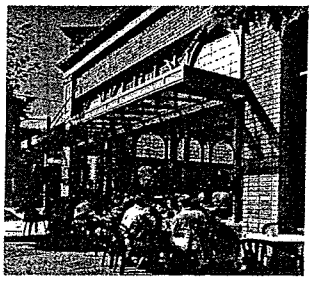

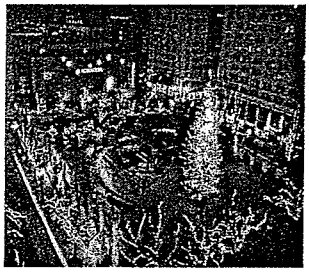

DRAFT

Milwaukie Downtown Design Guidelines

Milwaukie, Oregon

November 6, 2001

V. A. 10

Credits

Design and Landmarks Commission

City Council

Planning Department Staff

Consultants

V. A. II

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Why Do We Need Design Guidelines?

The Design Guidelines provide a framework within which to review projects in downtown, aiding designers and developers in understanding the city's urban design expectations. The guidelines ensure a degree of order, harmony and quality within the built environment; they allow the development of buildings and projects that are attractive individually yet contribute to a downtown that is unified and distinctive as a whole.

Milwaukie's Design Guidelines support and complement the adopted Milwaukie Downtown and Riverfront Plan.

The guidelines help carry out the Plan's guiding principles, fundamental concepts and land use districts.

1. Guiding Principles

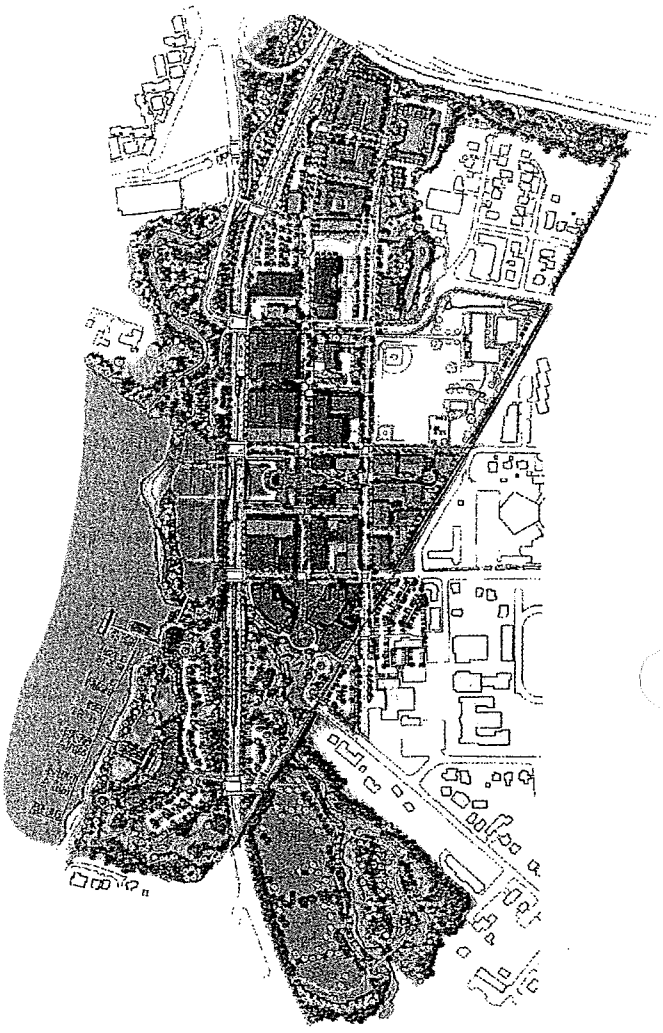
The two guiding principles of Milwaukie's Downtown and Riverfront Plan are the touchstone for the entire plan; as such they are the essence of what is to be supported by the Design Guidelines. Guiding Principles are as follows:

Creating a livable community.

- Provide for residents, workers and visitors alike.
- Provide for people of all ages, cultures, ethnic groups and incomes.
- Provide cultural arts and entertainment facilities.
- Provide significant open spaces and connections to the riverfront.
- Provide for specific "programmatic" requirements, such as parking or visibility from major roadways.

Ensuring economic success.

- Efficiently maximize current investment in infrastructure.
- Spur further private investment.
- Recognize and respond to the current marketplace.
- Establish a strategy for capturing unrealized market niches.
- Complement, protect and promote the continued growth and vitality of current businesses.



Milwaukie Downtown and Riverfront Plan

2. Fundamental Concepts

The guiding principles are carried out in the form of three Fundamental Concepts:

Anchors and Attractors.
The keystone to building a successful downtown is to build upon existing resources - the quality stores and offices that Milwaukie already has - and supplement these with anchors and attractors - places used by hundreds of people on a daily basis. A grocery store, for example, will generate considerable foot traffic, which will in turn provide additional customers for downtown businesses.

The framework includes key elements which will be necessary to achieve these goals. New "anchor" uses include:

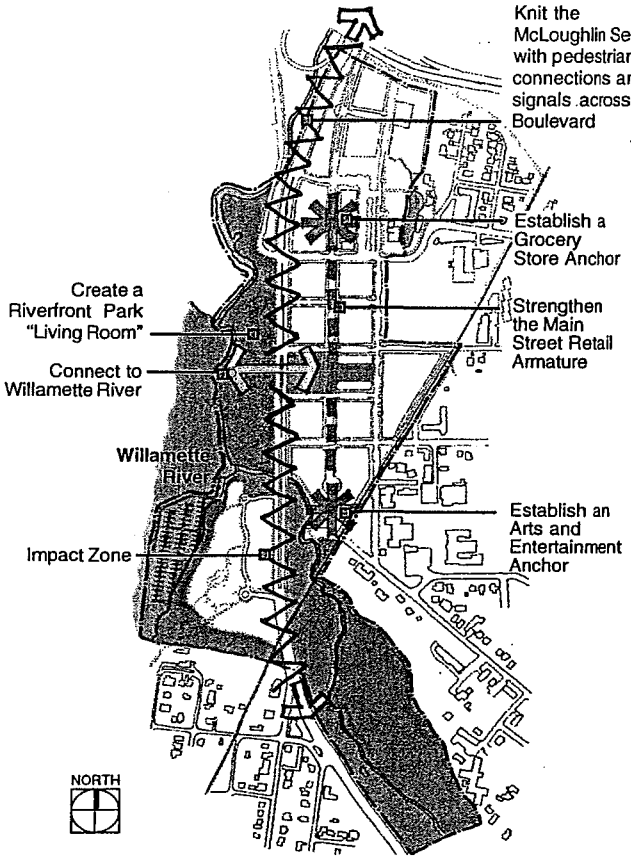
- Grocery store at the northern end of Main Street.
- Arts, entertainment and office "campus" of buildings at the southern end of Main Street, including a graphics-oriented higher education facility.

The Main Street "Retail Armature."
Reactivation of Main Street is a major focus by re-establishing and strengthening a lively storefront retail character with a pedestrian emphasis and 24-hour use.

The framework establishes an environment in which people can shop, work, live and socialize along Main Street. It addresses and repairs the fundamental problems that have drained downtown of its vitality. The framework suggests adding to or filling in blocks with new uses and in some instances tearing down buildings and starting over again.

In the four blocks between the two anchors, the fabric of ground-floor retail establishments will create a lively flow of pedestrian activity. The Main Street retail armature ensures that a healthy retail street includes:

- Retail on both sides of the street.
- Continuous retail facades with no interruptions.
- On-street parking in front of retail.
- Anchor retail at both ends of Main Street.
- A pedestrian loop.
- Safe, signalized pedestrian crossings.
- Pedestrian-friendly amenities - wide sidewalks, landscaping, benches.



Fundamental Concepts Diagram

This north-south flow of activity will be further enlivened where it intersects with the new Main Street Plaza - in the block between Monroe and Jefferson Streets and leading directly to the Willamette River and the new Riverfront Park.

Connecting to the River.
The new Riverfront Park will be the location for special events such as "Festival Daze," holiday celebrations and community assemblies. The northern end will feature riparian habitat where Johnson Creek joins the Willamette. At its southern end will be a new hotel, adjacent to the new public marina and rowing facility.

3. Land Use Districts

The Land Use Framework consists of six land use districts:

- Commercial
- Housing
- Storefront Main Street
- Arts/Entertainment/Office
- Public Park
- Hotel

The Land Use Framework additionally consists of four Land Use Features:

A. *Revitalizing Main Street and downtown*
- Main Street improvements - shops, services, and family-wage jobs
- Save Landmarks - to preserve history and heritage
- New Grocery Store - to anchor Main Street
- New Tri-Met Bus Transit Center
- New Arts and Entertainment Campus

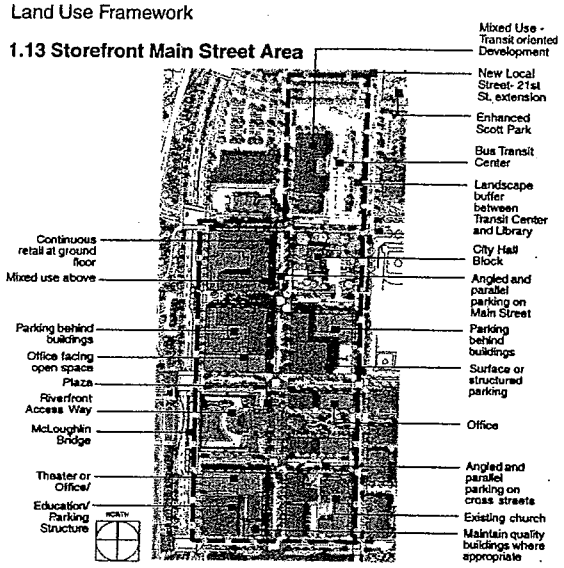
B. *Reconnecting to the River*
- New McLoughlin Bridge - to knit the seam between the downtown and the river
- New Riverfront Park - the City's living room
- New Public Marina and restaurant
- New Riverfront hotel - to replace the water treatment plant

C. *Restoring Natural Areas and Parks*
- Downtown stream - divert a portion of Spring Creek into downtown park
- Restore Spring Creek
- Restore Johnson Creek
- Restore Kellogg Creek

D. *Providing Quality Housing*
- To the North, townhomes and apartments engaging

Land Use Framework

1.13 Storefront Main Street Area

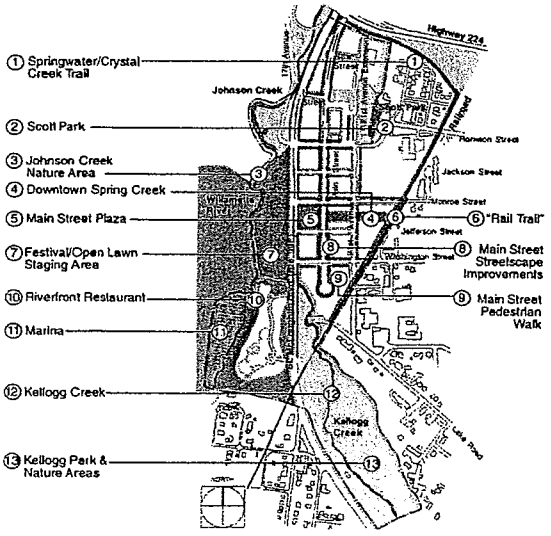


Character:
One block deep along Main Street, and including parking areas behind buildings. Retail uses at ground floor and second floor, and mixed uses of office and residential above. Maintains pedestrian orientation throughout.

Approximate Area: 8.5 acres
Proposed Use:
retail: 115,000 SF (target)
office: 75,000 SF (target)
residential: 150 units (target)
theater: 25,000 SF

Land Use Framework

1.18 Amenities and Open Space Framework Map



Note: All existing private ownership and use may continue, and no use of private property for public purposes is required.

Development must be consistent with the adopted Land Use Framework.

new parks, near Spring Creek and trail to Springwater Corridor
- To the South, townhomes and apartments along landscaped creek and Rail Trail.

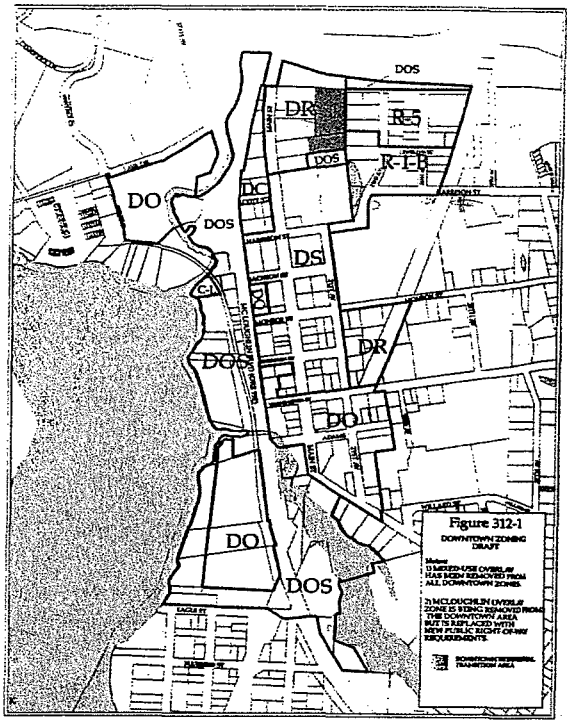
Design Guidelines support, supplement and should be used in conjunction with the following Downtown and Riverfront regulatory documents:

Zoning Ordinance. Section 312 of the Milwaukie Zoning Ordinance (Zoning Ordinance Revisions September 19, 2000), provides the primary regulatory framework for implementing the Downtown and Riverfront Land Use Framework Plan. The ordinance includes 1) specific development standards, 2) public area requirements, and 3) design standards adopted for the Downtown Zones to assure an active, attractive, and accessible environment for shoppers, employees, and residents.

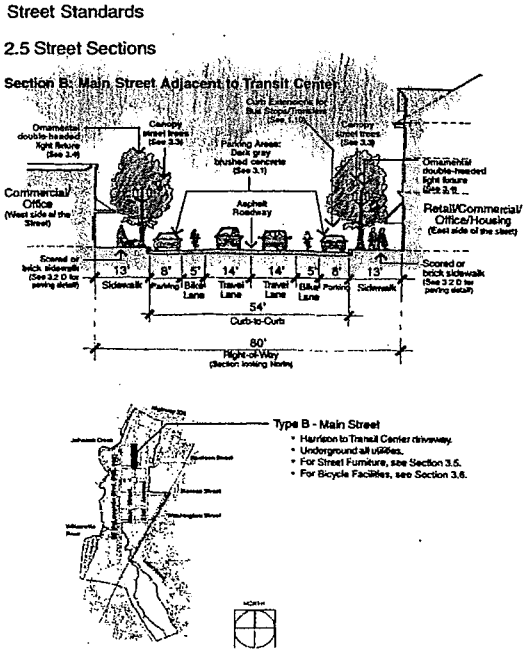
Downtown Zones. The Downtown Zones described in Section 312 establish complementary yet distinctive subareas of downtown Milwaukie. The Land Use Framework Plan includes five Downtown Zones:
- Downtown Storefront (DS)
- Downtown Commercial (DC)
- Downtown Office (DO)
- Downtown Residential (DR)
- Downtown Open Space (DOS)

Development Standards. Development Standards are intended to establish and maintain the appropriate building character for the Downtown Zones. They address minimum and maximum:
- Floor-area ratios
- Building heights
- Residential densities
- Street setbacks
- Ground-floor uses

Design Standards. Design standards are intended to encourage building design and construction with durable, high-quality materials. Together with the public area requirements, the design standards will support the development of a cohesive, attractive and safe downtown area. The design standards do not prescribe a particular building or architectural style. The standards are intended to be clear and objective, and compliance with the standards is checked as part of building plan review.



Specific Downtown Zoning Ordinance provides the regulatory framework.



Adopted Public Area Requirements ensure design consistency throughout downtown.

Public Area Requirements. Public Area Requirements prescribe specific details and design criteria for improvements within the public right-of-way, and establish a common urban design thread to link the different land uses and architectural styles of the Downtown Zones.

Quality affordable housing will be accessible to transit and downtown amenities.

4. Role of Design Guidelines

The design guidelines coordinate and enhance the diverse activities taking place in downtown Milwaukie. There will always be many ways of meeting a particular guideline.

The guidelines do not prescribe specific design solutions, nor are they rigid requirements without flexibility.

Rather, the design guidelines provide a descriptive template for maintaining and improving the urban character of downtown, without dictating or prescribing a specific *style or theme.*

The guidelines also recognize Downtown Milwaukie to be a *"town center"* (designated in the City Comprehensive Plan) where buildings in most cases are built edge-to-edge and engage the streets; this town center image of Milwaukie is maintained and strengthened by the guidelines.

Moreover, the Design Guidelines ensure that new development does not treat existing older buildings as urban leftovers, lost and unattached fragments of the past. Rather, new construction and rehabilitation should respect the few remaining unique qualities of Milwaukie's existing historic downtown.

It is important to emphasize that design guidelines should be viewed as an opportunity for applicants to propose new and innovative designs.

The mission of the guidelines is to be a tool for designers to understand the City's design concerns for downtown development.

Design Review Process

All new development, additions, remodels and renovations within the Downtown Zones are subject to design review for determination of consistency with these design guidelines.[1]

The process for design review is based on the extent of work proposed and whether it falls under one of three categories as follows:[2]

1. Exterior Maintenance and Repair (Type I Administrative for all work requiring a building permit);
2. Minor Exterior Modifications (Type I Administrative, with option for Type II and Minor Quasi-Judicial); and
3. Major Exterior Modifications (Minor Quasi-Judicial Review before the Design and Landmarks Commission).

Projects will be evaluated for consistency with the Downtown and Riverfront Framework Plan, the Milwaukie Zoning Ordinance and these design guidelines. The design guidelines are the approval criteria for design review applications. City staff will review development proposals in the Downtown Zones and determine the appropriate review procedures. Decisions will be made by staff or the Design and Landmarks Commission, approving, approving with conditions or denying a proposal. Development projects are reviewed to determine consistency with development and design standards of the Downtown Zones and substantial consistency with the design guidelines. Where a project is not found consistent with the design guidelines, staff or the Design and Landmarks Commission may impose conditions of approval requiring the project to be modified to be consistent, or if it can be established that design details or other site factors warrant finding for approval of the project without meeting the particular design guidelines. For those applications that are substantially inconsistent with the guidelines, staff or the Design and Landmarks Commission also have the option to deny the development request.

[1] Zoning Ordinance Section 19.312.7 for Design Review Procedures

[2] Exterior Maintenance and Repair and Minor and Major Exterior Alterations are defined in Section 19.312.6 of the Zoning Ordinance. See also Section 19.1000 for procedures for Type I, II and Minor Quasi-Judicial Review.

How to Use This Document

This document guides the design review process for any new project that occurs in the Downtown Milwaukie plan area. It is divided into five sections or "Guideline Elements," each of which addresses a particular set of design concerns that affect the downtown environment. These guideline elements are as follows:

- Milwaukie Character
- Pedestrian Emphasis
- Architecture
- Lighting
- Signs

For each of these guideline elements, there is an introductory page describing the *intent* of that section of guidelines, followed by the specific guidelines. Each specific guideline contains a descriptive statement of the guideline itself as well as examples of recommended and not recommended applications, both listed in text form and illustrated in photo examples.

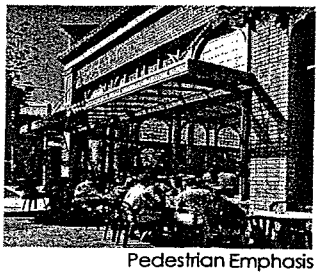
Visual Examples

Visual examples are included in each guideline element, as models for design and review purposes only. They are intended to provide designers, developers and the Design Commission a means to effectively judge a building relative to appropriate and inappropriate design criteria.

Regulatory Reference

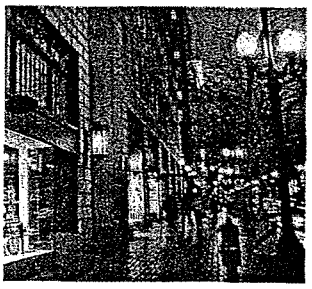
The guidelines are intended to supplement regulatory ordinances. For clarification, ordinance reference is provided for guidelines where key development and design standards or sign ordinances should be reviewed.

Milwaukie Character



Pedestrian Emphasis

Architecture



Lighting

Signs

Guideline Elements

Where applicable, development must respond to the following categories of guidelines:

1. Milwaukie Character Guidelines

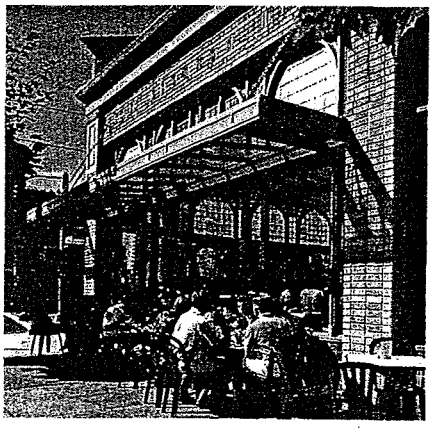
These guidelines address Milwaukie's unique "sense of place," its special quality and personality. People's image of Milwaukie is that of an All-American riverfront town which is hospitable and family oriented. The guidelines address what gives Milwaukie this feeling, this "character" as a unique collection of spaces and buildings, not simply a group of individual projects that could be anywhere.

The Milwaukie Character Guidelines consist of the following sections:

- Reinforce Milwaukie's Sense of Place
- Integrate the Environment
- Promote Linkages to Horticultural Heritage
- Establish or Strengthen Gateways
- Consider View Opportunities
- Promote Compatibility
- Preserve Historic Buildings
- Use Architectural Contrast Wisely
- Integrate Art

2. Pedestrian Emphasis Guidelines

In Downtown Milwaukie, the pedestrian is the priority. These guidelines address the ways in which buildings and spaces may be designed to create a convenient, comfortable, human-scaled environment that people will want to be in.

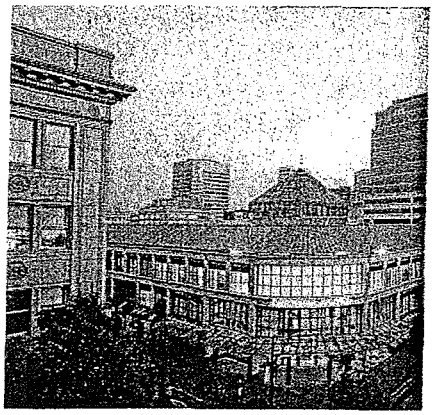


The Pedestrian Emphasis Guidelines include the following:

- Reinforce and Enhance the Pedestrian System
- Define the Pedestrian Environment
- Protect the Pedestrian from the Elements
- Provide Places for Stopping and Viewing
- Create Successful Outdoor Spaces
- Integrate Barrier-Free Design

3. Architecture Guidelines

The Architecture Guidelines promote quality development while reinforcing the individuality and spirit of Milwaukie. The guidelines promote architectural types indigenous to Milwaukie and/or the Northwest. Buildings in Milwaukie should seem to be "at home" there, reflecting its character and heritage, suiting its climate, landscape and downtown street grid.

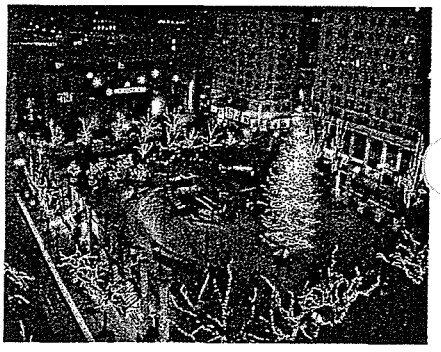


Within each downtown planning area, building proposals must consider and respond to selected requirements from the following architectural criteria:

- Doors
- Walls
- Windows
- Silhouette and Roofline
- Green Architecture
- Building Security
- Parking Structures

4. Lighting Guidelines

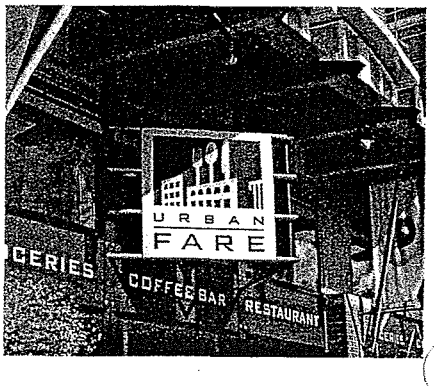
Lighting should not only provide nighttime security, but also encourage nighttime patronage of businesses and restaurants. Lighting should create an atmosphere of festivity and activity - especially where special elements or places are concerned. Utilitarian application of glaring, offensively colored lights is not appropriate for downtown. Each development proposal must consider and respond to selected requirements from the following lighting criteria:



- Exterior Building Lighting
- Parking Lot Lighting
- Landscape Lighting
- Sign Lighting

5. Sign Guidelines

Signs should make it easy to locate and identify businesses as well as providing other information relevant to getting around and doing business in downtown; however, signs should never overwhelm either buildings or landscape. Moreover, signs should provide information in a highly graphic format that is complementary to downtown architecture. Tasteful logos, symbols and graphics are encouraged. A strong pedestrian orientation should be encouraged for all signs.



Development proposals must consider and respond to selected requirements from the following sign criteria:

- Wall Signs
- Hanging or Projecting Signs
- Window Signs
- Awning Signs
- Information and Guide Signs
- Kiosks and Monument Signs
- Temporary Signs

Milwaukie Character Guidelines

The Milwaukie Personality is divided into the following elements:

- Reinforce Milwaukie's Sense of Place
- Integrate the Environment
- Promote Linkages to Horticultural Heritage
- Establish or Strengthen Gateways
- Consider View Opportunities
- Promote Compatibility
- Preserve Historic Buildings
- Use Architectural Contrast Wisely
- Integrate Art

Visual examples are included as models for design and review purposes. They are intended to provide designers and Design and Landmarks Commissioners a means to identify recommended and not recommended character elements. They are not intended to be specific examples that should be replicated.

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Milwaukie Character

Milwaukie Downtown Design Guidelines

Intent

These guidelines address Milwaukie's unique "sense of place" - that is, the qualities that make it special and give it personality. They consider what makes Milwaukie a unique collection of spaces and buildings, not simply a group of individual projects.

Milwaukie's waterfront in the 19th century

Main Street parade in the 1950s

Reinforce Milwaukie's Sense of Place

Guideline
Strengthen the qualities and characteristics that make Milwaukie a unique place.

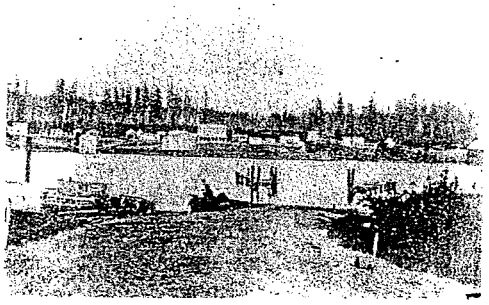
Description
From the beginning, downtown has been the heart of Milwaukie. Its historic Main Street and riverfront should be a place for celebrations and festivities, for the community to gather, and continue to be an important destination for all who live in Milwaukie.

Milwaukie was a leader in the mid-19th century in the shipping and fruit industries, and this rich heritage should inspire the character of redevelopment in downtown; the Design Guidelines encourage development that authentically reflects Milwaukie's unique history and thus genuinely reinforces its sense of place.

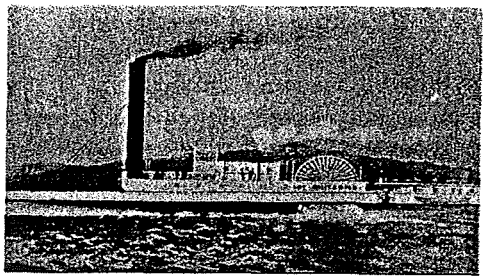
For instance, the adopted Milwaukie Downtown and Riverfront Plan strengthens the town's sense of place by reconnecting downtown to the River, recognizing that Milwaukie life has always been oriented to the Willamette. Originally, Clackamas Indians lived in villages along the banks of the River; Milwaukie was officially founded in 1847 by Lot Whitcomb, and its downtown grew along the river in the mid-19th Century.

During that period, Milwaukians created its vibrant shipping, shipbuilding, timber, flour milling, and horticulture industries. Lot Whitcomb built one of the earliest steamer ships in Oregon, a sidewheel steamer which he named after himself. The ship began its Milwaukie to Astoria run along the Willamette and Columbia Rivers in 1850.

At the same time Milwaukie's rich heritage of horticulture was born. Settlers from the Midwest, including the Luelling family, moved out to Oregon with an ox-drawn "travelling nursery," carrying 700 fruit trees of all sorts and settling in Milwaukie. They and others continued to create new varieties of fruit, including the Bing cherry. The efforts of these early Milwaukie residents led to the great nursery and orchard business that still thrives in Oregon today.



Milwaukie's waterfront in the 19th century.



Lot Whitcomb on the Willamette River in Milwaukie, 1850.

Recommended
- Emphasize special relationships at pedestrian level first and foremost.
- Riverfront or marine design references.
- Small-town urban character.
- Colorful flowering trees and shrubs.

Not Recommended
- Downtown development that has a "themed historic" appearance.
- Overscaled, monotonous and non-descript development projects.
- Security or privatization measures that physically segregate community members through high-security gates and fences or window bars.
- Avoid development that is universal or generic, which could apply anywhere, whether in downtown Milwaukie, an airport terminal or shopping mall.

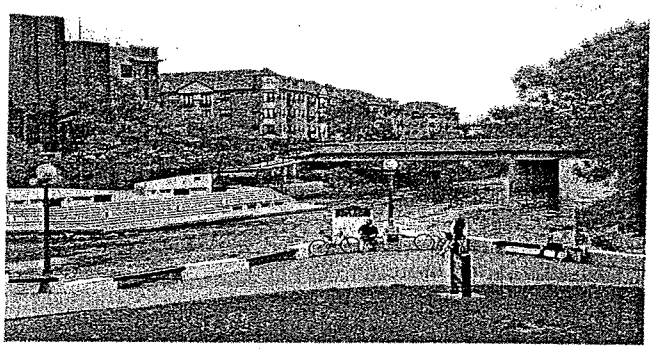
Integrate the Environment

Guideline
Building design should build upon environmental assets.

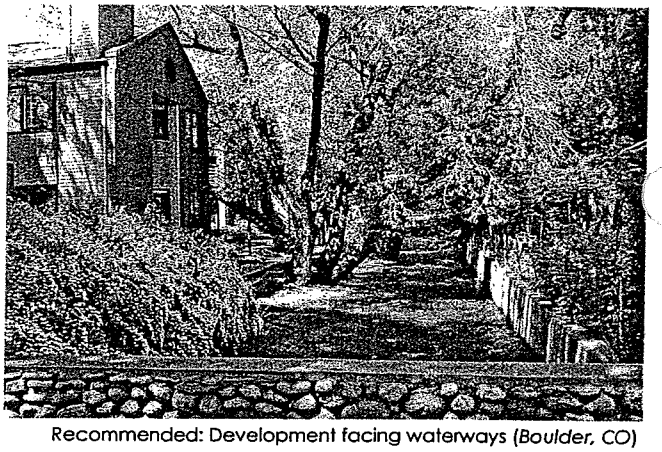
Description
All new development should capitalize upon its proximity to the Willamette River, Scott Lake, Kellogg and Spring Creek, and other natural assets that make downtown Milwaukie unique. Building designs should feature these environmental assets. Adjacent development should provide graceful transitions and use compatible materials, forms and colors that are harmonious and complementary with these assets.

Recommended
- Active and passive gathering areas and walkways oriented toward water elements.
- Public access.
- Natural and/or man-made elements engaging water edges.
- Places where people can directly see, touch and hear the water.

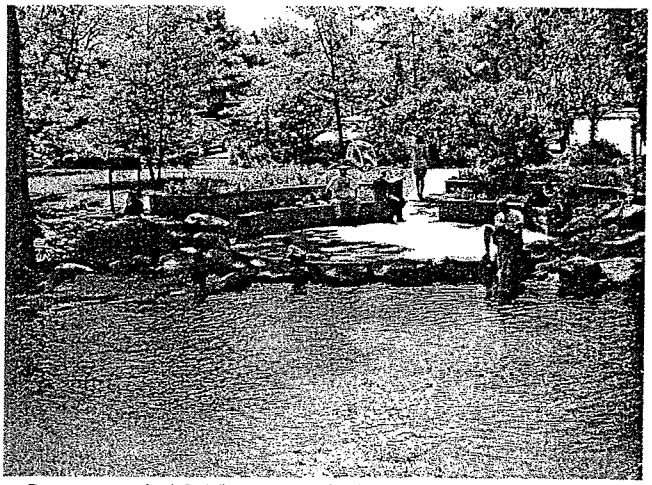
Not Recommended
- Elements that may adversely affect water quality, wildlife habitat or visual quality of natural waterways or vegetation.
- Parking, loading or service areas adjacent to water elements or open space.
- Brightly-colored buildings that clash with the natural colors of the environment that surrounds them.



Recommended: Public gathering areas engaging streams and ponds *(Denver, CO)*



Recommended: Development facing waterways *(Boulder, CO)*



Recommended: Public access oriented to natural features *(Boulder, CO)*

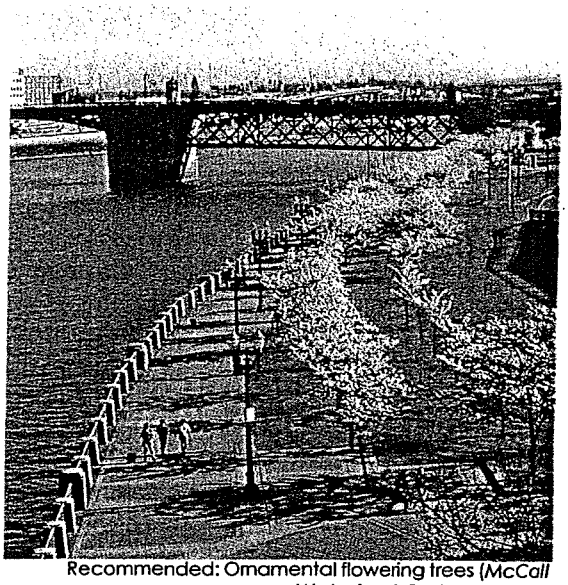
Promote Linkages to Horticultural Heritage

Guideline
Celebrate Milwaukie's heritage of beautiful green spaces.

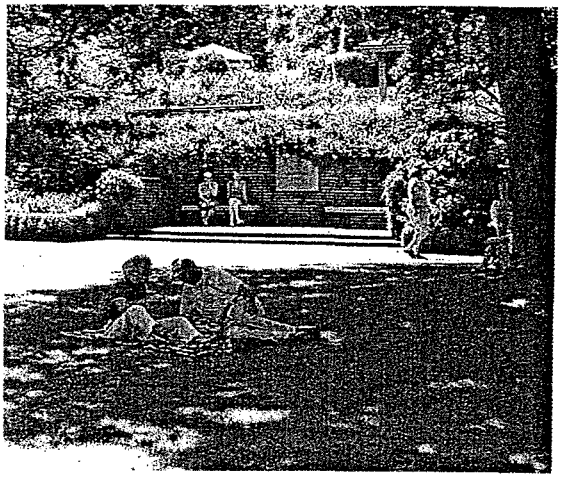
Description
Milwaukie, the "Dogwood City," has a celebrated history of horticultural innovation and beauty. Development that includes courts, plazas, or other open spaces should include gardens, planting areas, and specimen plantings that promote the City's horticultural heritage.

Recommended
- Use of dogwoods, cherry, and other flowering, ornamental trees.
- Formally planted, manicured courtyards and squares.

Not Recommended
- Large expanses of paved plazas, parking lots or other paved areas.
- Expansive monocultural plantings of turf, groundcover, bark dust or other mulching material.



Recommended: Ornamental flowering trees (*McCall Waterfront Park, Portland*)



Recommended: Manicured, landscaped gardens and courtyards (*Washington Park, Portland*)

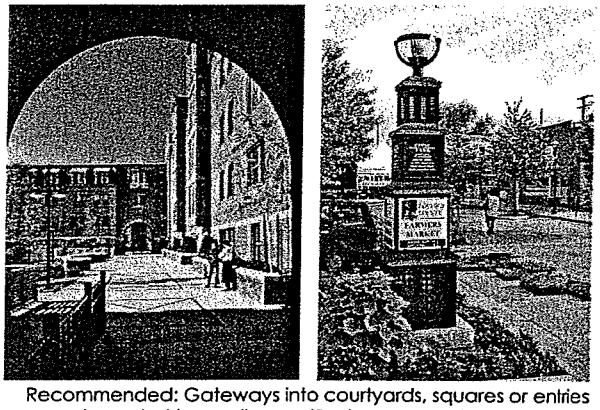
Establish or Strengthen Gateways

Guideline

Projects should use arches, pylons, arbors or other transitions to mark special or primary entries and/or borders between public and private spaces.

Description

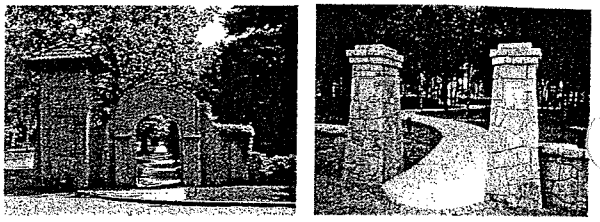
Gateways may be used to celebrate access points into private development parcels while clearly indicating the transition between the public and private realm. Gateways should be neither fortress-like nor intimidating. They may occur at entries to courtyards, along walkways, stairs, or pedestrian pathways. Safety should also be a concern.



Recommended: Gateways into courtyards, squares or entries to pedestrian walkways (*Boston, MA and Boulder, CO*)

Recommended

- Gated internal courtyards on high-density residential projects.
- Gateways used to separate and indicate transitions from public to private spaces.
- Gateways used to indicate change or separation of transportation modes (i.e., auto areas from pedestrian areas).
- Gateways used to indicate change in land use (i.e., retail mixed use from residential area).
- Ornamental or decorative elements combined with lighting or signs.



Recommended: Residential or open space gateways (*East Burnside, Portland and Dallas, TX*)

Not Recommended

- Gated private residential development compounds (including buildings, open space and parking).
- Utilitarian gateway materials (i.e., chain link gate/fence combinations).

Recommended: Private compounds (*NW Westover, Portland*)

Consider View Opportunities

Guideline

Building designs should maximize views of natural features or public spaces.

Description

Create new viewing opportunities by situating windows, entrances, and adjacent exterior spaces so they relate to surrounding points of interest and activity.

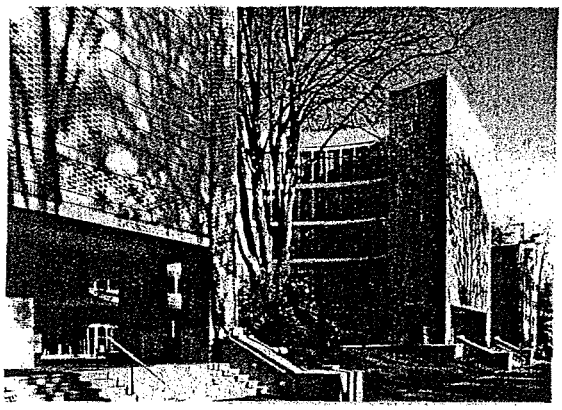
Buildings should be designed with glass areas that face important and appealing visual features both nearby and in the distance. For example, views from buildings in downtown Milwaukie might highlight the Main Street Plaza, Willamette Riverfront Park, Scott Park, Spring Creek - all of which can be taken advantage of and incorporated into a building's design, in a sense, by being visible from within the building.

Recommnended

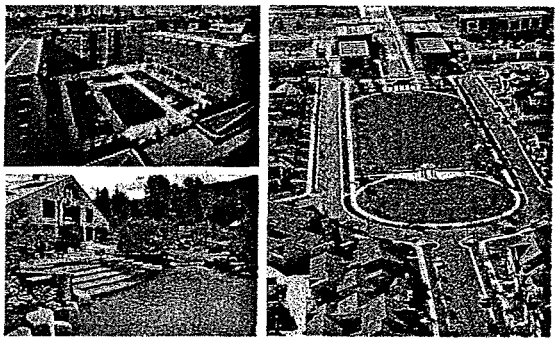
- Views of streets and interior courtyards.
- Views of parks.
- Views of natural features such as streams, lakes, ponds or specimen landscape plantings.

Not Recommended

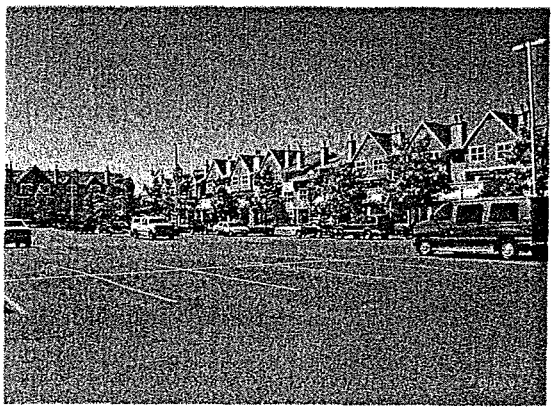
- Views of large expanses of parking.
- Views of service bays, loading docks, storage areas.
- Views of adjacent residential interiors.



Recommended: Building featuring a significant tree *(Portland State University Campus)*



Recommended: Views oriented toward natural features, parks and courtyards *(Boston, MA, Whistler, Canada, and Orenco Station, Hillsboro)*



Not Recommended: Views featuring parking lots and loading or service areas *(Beaverton Creek Station Area)*

Consider Context

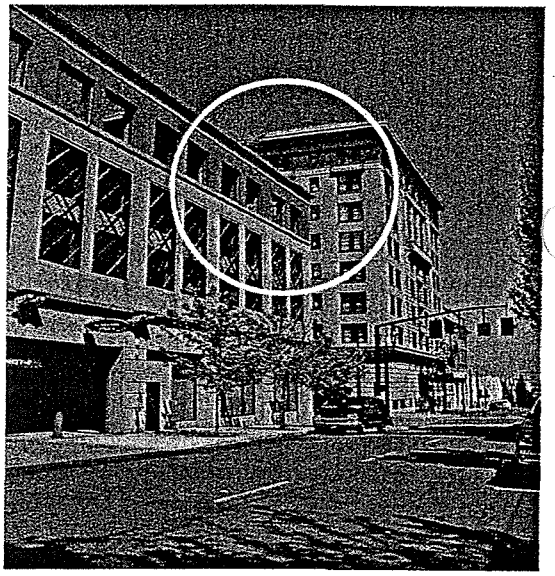
Guideline
A building should strengthen and enhance the characteristics of its setting, or at least maintain key unifying patterns.

Description
A common downtown Milwaukie architectural vocabulary can be established by addressing and responding to the basic features of existing or future high quality buildings. Proportions of windows, placement of entries, decorative elements, style, materials and silhouette are examples of features that may be used to establish a sense of unity in Downtown Milwaukie.

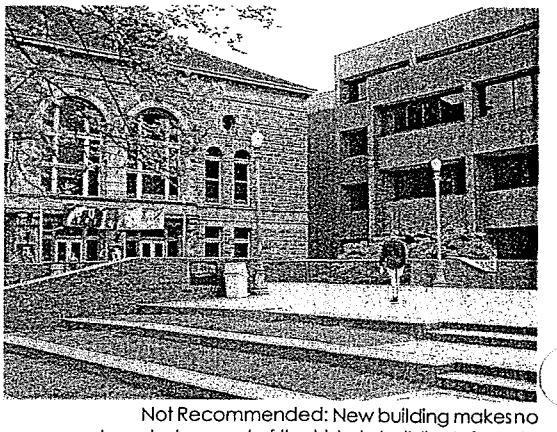
Design features such as wall texture, materials, color, medallions, columns, pilasters, window proportions and facade articulation may all still be used to acknowledge the characteristics of surrounding buildings - and ought to be considered.

Recommended
- Building elements similar to adjacent historic or significant high quality buildings.

Not Recommended
- Building elements that do not respect the scale, materials, or proportions of adjacent historic or significant high-quality buildings.



Recommended: Basic proportions, silhouette and distinctive elements of the historic hotel were repeated in new adjacent parking structure *(SW 16th and Yamhill, Portland)*



Not Recommended: New building makes no acknowledgement of the historic building's facade configuration or materials *(Seattle, WA)*

Promote Architectural Compatibility

Guideline

Buildings should be "good neighbors." They should be compatible with surrounding buildings by avoiding disruptive excesses. New buildings should not attempt to be the center of attention.

Description

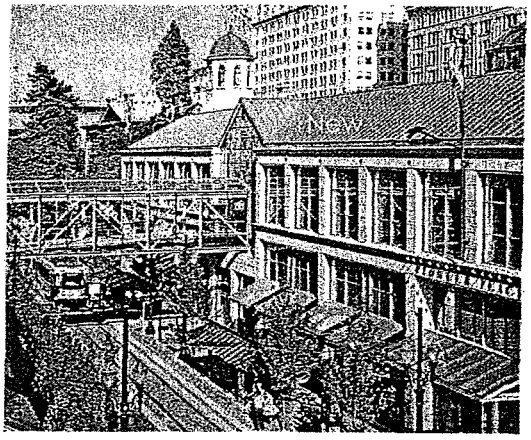
Compatibility can be viewed in terms of a fit or misfit between the design "vocabulary" of the project and that of its surrounding architecture. A design that "fits" - i.e. relates to the nearby buildings by using architectural elements such as scale, color, rhythm and proportion in a way similar to that of the earlier buildings - will contribute to and enhance the area's character. A design that ignores its neighbors may damage the special qualities and identity of downtown.

Recommended

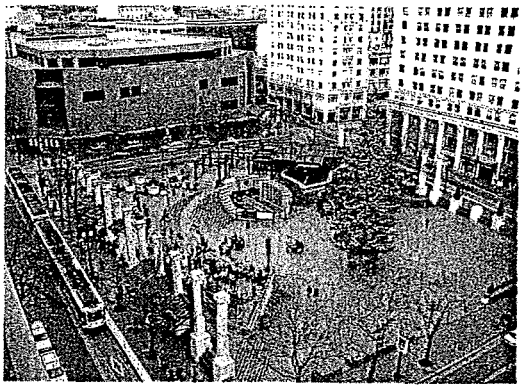
- Buildings that repeat and strengthen established district colors, forms and massing and height.

Not Recommended

- Literal interpretations of existing buildings are discouraged. Poorly executed recreations of historic architectural elements and materials often result in a "stage-set" appearance and as a result weaken the importance of original buildings.



Recommended: The new building is visually linked to the adjacent historic building through the use of a similar design vocabulary (*Pioneer Place, Portland*)



Not Recommended: The smaller brick building on the left is not a "good neighbor." Neither its architectural vocabulary nor its color, massing, rythmn or height relate to the adjacent historic buildings (*Pioneer Square, Portland*)

Preserve Historic Buildings

Guideline
Historic building renovation, restoration, or additions should respect the original structure.

Description
Total preservation of existing buildings may not always be a financially viable option, especially where buildings are not "landmarks." Compromised rehabilitation solutions may be necessary to maintain the health and economic viability of Downtown Milwaukie.

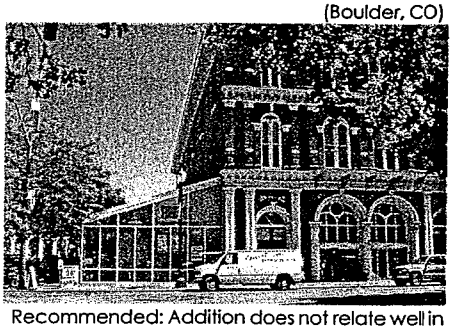
Recommended
- Buildings should retain significant original characteristics of scale, massing, and building material along street facades.
- Additions to buildings should not deform or adversely affect the composition of the facade or be out of scale with the building.
- Distinctive stylistic features or examples of skilled craftsmanship should be treated with sensitivity. All buildings should be respected and recognized as products of their time.

Not Recommended
- Incompatible additions or building alterations using contemporary materials, forms or colors on building facades,

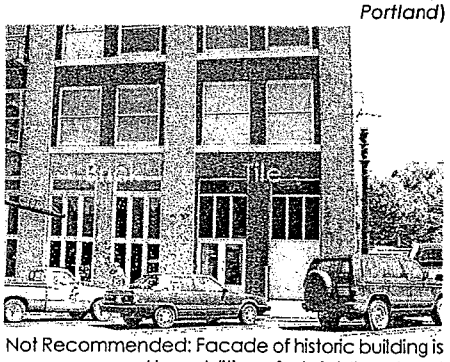
Note: In the case of buildings listed on the local historic inventory, before being renovated or demolished they must go through a separate review process with the Milwaukie Design and Landmarks Commission.

Recommended: Contemporary additions on rooftops can be compatible with the historic building if the historic facades are left intact (*NW 8th and Everett, Portland*)

Recommended: Addition of second story building is set back from the historic facade (Boulder, CO)



Recommended: Addition does not relate well in form, massing or materials (*SW 2nd and Ankeny, Portland*)



Not Recommended: Facade of historic building is marred by addition of a brightly colored contemporary tile cladding (*SW Salmon and 11th, Portland*)

Use Architectural Contrast Wisely

Guideline

Contrast is essential to creating an interesting urban environment. Used wisely, contrast can provide focus and drama, announce a socially significant use, help define an area and clarify how the downtown is organized.

Description

The use of contrast should not create a building which is at war with its surroundings. Instead it should be a comfortable part of its setting.

A downtown with buildings that contrast greatly can cause visual chaos if widespread. Contrast employed at large scale should be reserved exclusively for civic buildings. However, a limited amount of contrast in small-scale projects can create delight and interest in the overall building composition and used as an integral part of a building's design.

Buildings that contrast with their neighbors are most successful if they are offset themselves using green spaces, plazas or other elements that provide a visual separation.

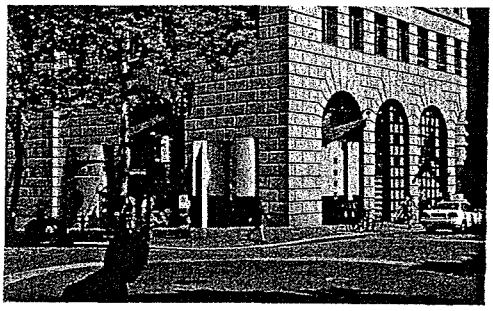
Recommended

- Building contrast created by a unique site.
- Civic building contrast on a large scale.
- Selective, highlighted elements that create interest in the downtown.

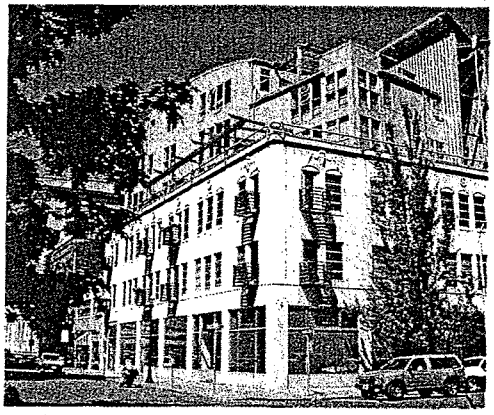
Not Recommended

- Building projects that differ radically in material use, form, color, or massing than their neighbors.

Recommended: Building contrast architecturally as a result visual separation and building form due to unique site conditions (*Vancouver, Canada*)



Recommended: Selective contrast can be achieved using unique design elements (*SW 6th and Salmon, Portland*)



Not Recommended: Contemporary addition on top of historic building contrasts too greatly in form, color and materials with the existing building below. (*NW 8th and Flanders, Portland*)

Not Recommended: Main Street commercial building that differs radically from its neighbors in form and mass (*Downtown Milwaukie*)

Integrate Art

Guideline

Public art should be used sparingly. It should not overwhelm outdoor spaces or render building mere backdrops. When used, public art should be integrated into the design of the building or public open space.

Description

Public art pieces can both be large scale and bring focus to an outdoor space or can be of a small scale and bring detail and delight to the ground floor of a building or low wall. Three dimensional sculpture, murals or other art forms are appropriate only when well-designed.

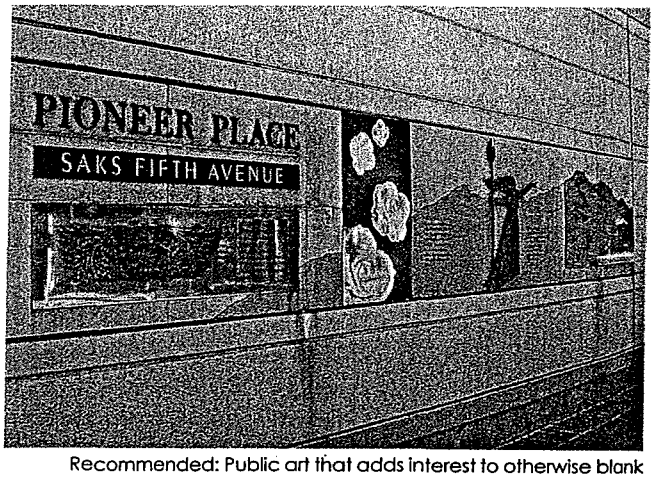
Surface art work painted or attached to a wall, if executed well, can add interest, whimsy and spice to large blank walls. Sometimes murals created as community art projects to promote a special use or activity can be executed poorly, are not durable, and can compete with buildings and the streetscape. Art work, to be deemed appropriate, should be permanent and designed to age well.

Recommended

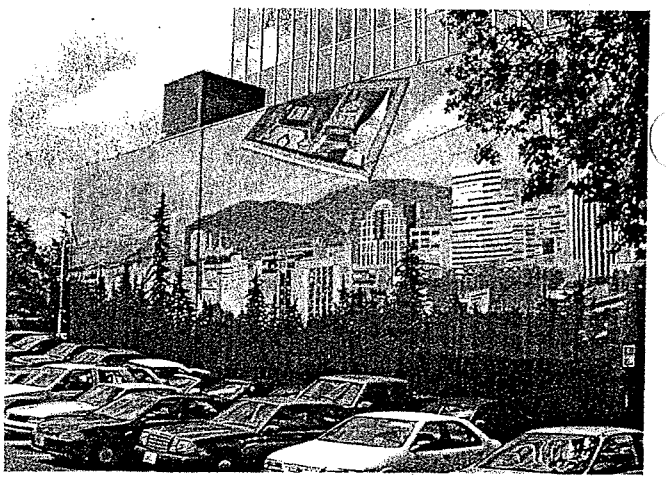
- Artwork designed specifically for and integrated into the building or site.
- Professionally designed.
- Durable, low maintenance materials that are vandal-resistant.

Not Recommended

- Amateur art projects.
- Artwork used as advertising.
- Subjects and themes that may offend, incite, or embarrass the community or individuals of Milwaukie.



Recommended: Public art that adds interest to otherwise blank walls at pedestrian level (*SW Yamhill and 5th, Portland*)



Recommended: Murals that enhance blank walls (*SW Alder and 10th, Portland*)

Recommended: Environmental art (*Ann Arbor, MI*)

Pedestrian Emphasis Guidelines

The Pedestrian Emphasis section is divided into the following elements:

- Reinforce and Enhance the Pedestrian System
- Define the Pedestrian Environment
- Protect the Pedestrian from the Elements
- Provide Places for Stopping and Viewing
- Create Successful Outdoor Spaces
- Integrate Barrier-Free Design

Visual examples are included as models for design and review purposes. They are intended to provide designers and Design and Landmarks Commissioners a means to identify recommended and not recommended pedestrian-emphasis elements. They are not intended to be specific examples that should be replicated.

Pedestrian Emphasis

Milwaukie Downtown Design Guidelines

Intent

The intent of the pedestrian emphasis guidelines is to provide an environment where the pedestrian is the priority. Simply stated, downtown must maintain a clear and comfortable separation between pedestrian and vehicle areas.

Where unavoidable intersections occur, pedestrian comfort, safety and interest must not be compromised. The pedestrian should be safe and comfortable in all seasons and hours of the day, in all parts of downtown.

Pedestrian Emphasis

Milwaukie Downtown Design Guidelines

Reinforce and Enhance the Pedestrian System

Guideline

Barriers to pedestrian movement and visual and other nuisances should be avoided or eliminated, so that the pedestrian is the priority in all development projects.

Description

Develop pedestrian routes that are attractive and convenient. Sidewalks should be continuous. Interruptions such as vehicle curb cuts or change of grade are strongly discouraged. Walkways should be direct and free of barriers such as utility poles or other obstructions.

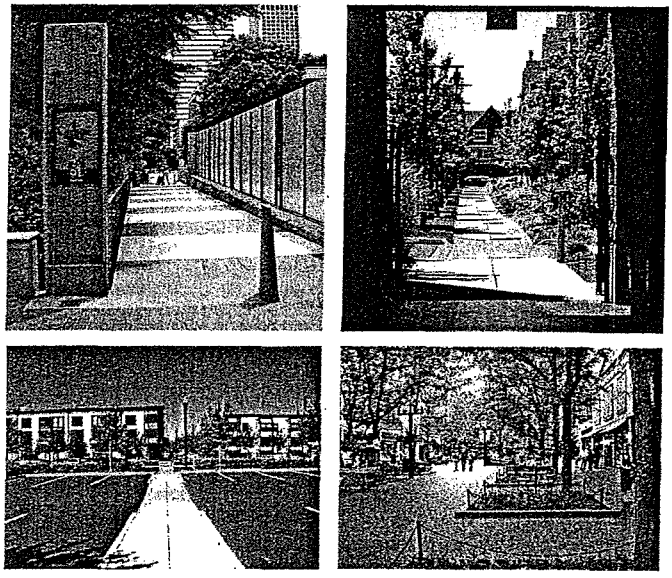
Separating and protecting pedestrians from other nuisances such as noise and odors is also important. Mitigation of these nuisances by screening or enclosing loading docks, mechanical equipment, garbage dumpsters and other unsightly items is encouraged. These components should be located away from where pedestrians may congregate and instead kept to service areas or alleys whenever possible.

Recommended

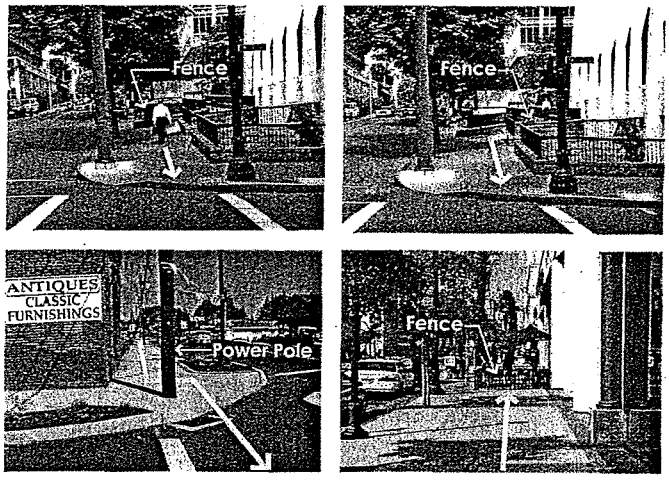
- Mid-block landscaped pedestrian walkways.
- Parking lot walkways.
- Trash dumpster enclosures.
- Utility/substation enclosures.

Not Recommended

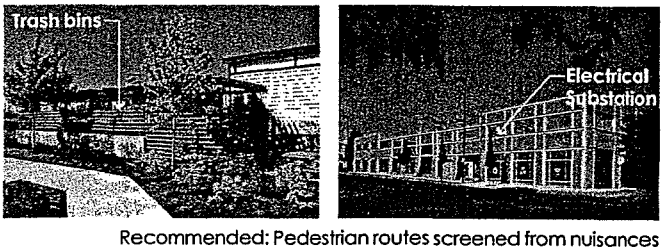
- Indirect or circuitous pedestrian routes.
- Permanent pedestrian route obstructions.



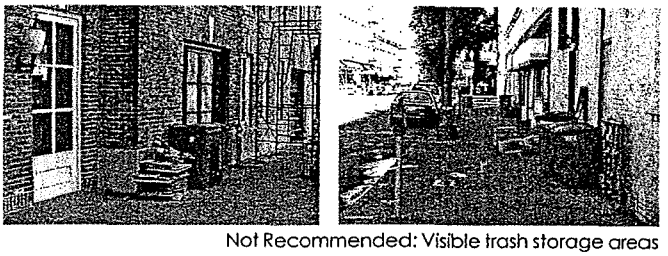
Recommended: Direct pedestrian routes free of obstructions



Not Recommended: Indirect pedestrian routes with obstructions



Recommended: Pedestrian routes screened from nuisances



Not Recommended: Visible trash storage areas

Pedestrian Emphasis

Milwaukie Downtown Design Guidelines

Define the Pedestrian Environment

Guideline

Provide human scale to the pedestrian environment, with variety and visual richness that enhance the public realm.

Description

The most important part of a building is its lowest 15' where the pedestrian experiences the building the most. Within this zone, building facades should contribute positively to the street environment by creating an enclosed and comfortable street edge. Along public areas, building transparency should foster interaction between the public and private realm.

Recommended

- Windows - transparent or displays at street level.
- Walls that create visual interest by providing a variety of forms, colors, varied, but compatible cladding materials.
- Walls that have a comfortable rhythm of bays, columns, pilasters or other articulation.

Not Recommended

- Nondescript, flat, blank walls at street level.

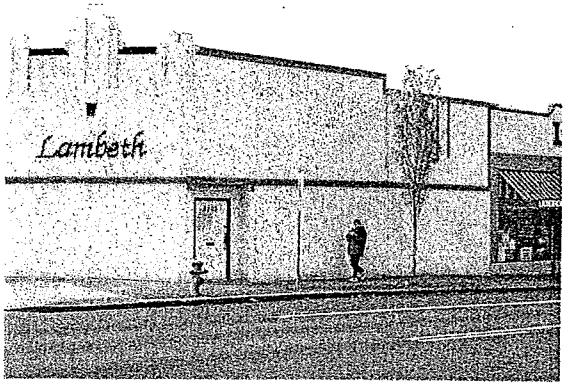
Recommended: Transparency of facade fosters interaction between the public and private realm *(NE Broadway and 15th, Portland)*

Recommended: Comfortable street edge is created by providing interesting elements along the base of the building *(Santa Cruz, CA)*

Code Requirement:

This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5 and 19.313-2*
- *Ground-floor retail/restaurants Section 19.312.4(B)(7)*
- *Ground-floor windows/doors Section 19.312.4(B)(8)*
- *Design standards for walls Section 19.312.6(C)(2)*
- *Design standards for windows Section 19.312.6 (C)(3)*



Not Recommended: "Dead edge" created by providing no window openings or building articulation along the lower 15' of the building *(N Denver and Schofield, Portland)*

Pedestrian Emphasis

Protect the Pedestrian from the Elements

Guideline

Protect pedestrians from wind, sun and rain.

Description

Awnings and canopies are encouraged along the ground floor of buildings to protect pedestrians from rain during inclement weather and provide shade in the summer. Overhead protection encourages window shopping and lingering.

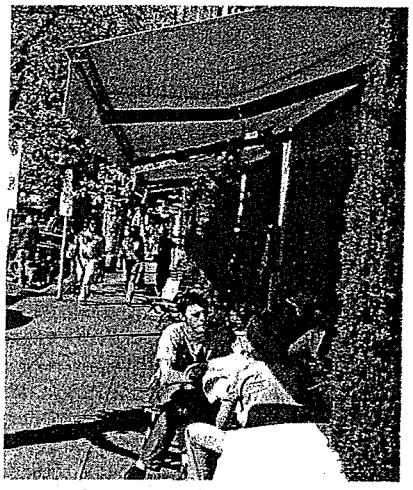
Awnings and canopies can provide interest and detail to a facade. They also create outdoor sidewalk cafe areas for restaurants and cafes. The design of awnings and canopies should be an integral component of the building facade. Awnings should be well proportioned with the building and sidewalks. Awnings should not be so large as to impact street trees, light fixtures or other street furniture.

Recommended

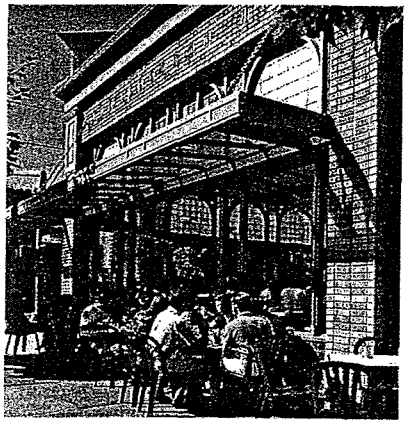
- Canvas fixed or retractable awnings.
- Horizontal metal canopies, especially if transom or clerestory windows are above storefront glazing.

Not Recommended

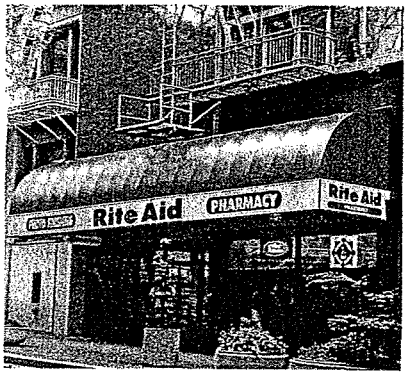
- Vinyl or other synthetic fabrics.
- Backlit awnings.
- Oversized advertising or tenant signs on awnings.
- Oddly-shaped forms.



Recommended: Retractable fabric awnings create a shady outdoor seating area (*NW 21st and Glisan, Portland*)



Recommended: Glass and metal canopies integrated into building facade (*NE Broadway and 15th, Portland*)



Not Recommended: Vinyl awnings (*SW 6th and Alder, Portland*)

V. A. 38

Provide Places for Stopping and Viewing

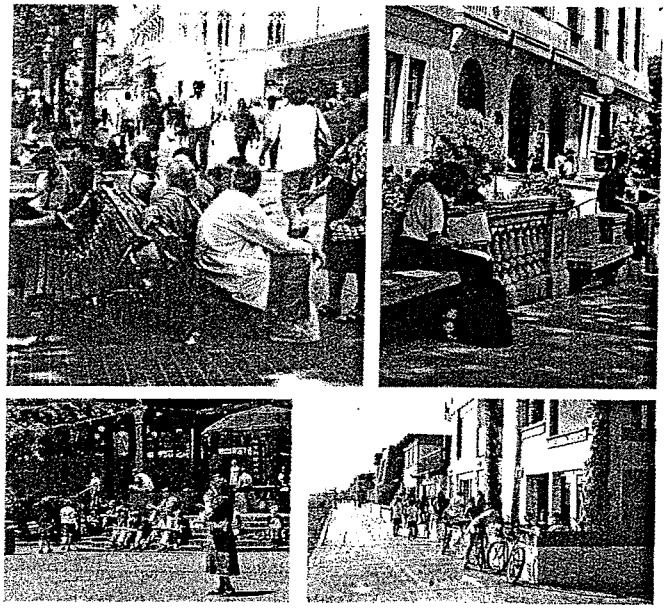
Guideline
Provide safe, comfortable places where people can stop to sit and rest, meet and visit with each other, and otherwise enjoy the downtown surroundings.

Description
Seating can bring humanity to the urban environment only if pedestrians can pause or stop in a safe and comfortable environment. People like to sit and watch other people and most prefer to sit where others are sitting, rather than in a secluded spot.

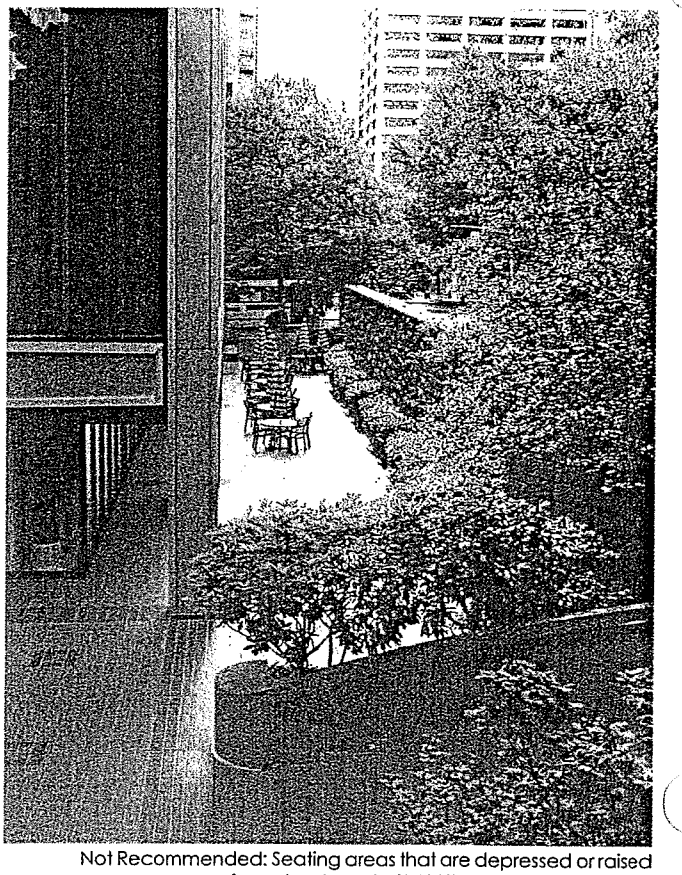
People-watching, socializing and eating are restful and pleasurable activities for the pedestrian. Stopping places increase both a sense of security as well as actual security. Seating tends to be used more frequently at major destination points where people can rest before going on to their next destination. Seating is also desirable outside food and drink establishments and near food vendors. While benches provide the simplest way to provide seating, wide steps, the edges of landscaped planters, low walls, and widened window sills can also be appropriate.

Recommended
- Formal or informal seating areas near active retail establishments.
- Adjacent to parks and plazas.

Not Recommended
- Seating areas raised more than three feet above or below street grade.
- Seating areas adjacent to loading, service bays or storage areas.
- Seating areas that are hidden, secluded, dark or unsecured spaces behind or to the side of buildings.



Recommended: Provide opportunities for stopping, resting and watching.



Not Recommended: Seating areas that are depressed or raised from street grade (*SW 6th and Main, Portland*)

Pedestrian Emphasis

Milwaukie Downtown Design Guidelines

Create Successful Outdoor Spaces

Guideline

Spaces should be designed for a variety of activities during all hours and seasons.

Description

Outdoor spaces should be inviting and maximize opportunities for use. These spaces should be well defined, friendly, accommodating and secure. All areas should work well for pedestrians and be able in some cases to accommodate special events.

- Areas intended for public gathering should avoid separation from the street by visual barriers or change of grade.
- Outdoor spaces should be human-scaled, easy to maintain, and "alive" - whether they are intimate and quiet spaces or more active and boisterous.
- Trees, shrubs, and plants should help define walkways, create appropriate transitions from the park to the street and provide visual interest.
- Structures, pavilions and sitting areas should be easily accessible. They should also be secure and feel safe during both day and evening hours.
- Buildings surrounding green spaces should provide visual definition to the space and should surround it with active ground-floor uses.
- Rooftops should be considered for garden terraces.

Recommended

- Courtyards, squares, forecourts, and plazas with active adjacent ground-floor uses.
- Greenways or pedestrian walkways in residential area. If used, front doors should engage these spaces.

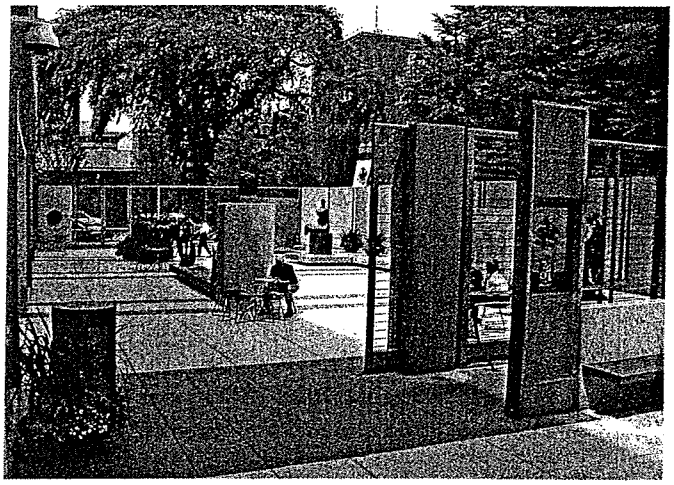
Not Recommended

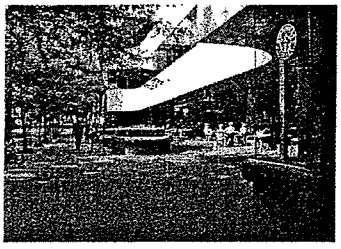
- Pocket parks without active enclosing uses.
- Forecourt plazas without active ground floor uses.

Code Requirement:

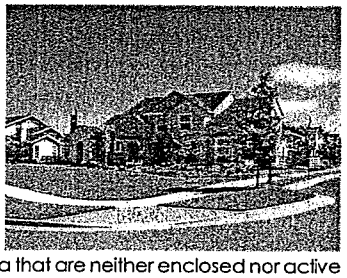
This guideline supplements the Downtown Zoning Ordinance and Development Standards for required ground-floor use areas.

- *See Figures 19.312-5 and 19.313-2*
- *Ground-floor retail/restaurants Section 19.312.4(B)(7)*
- *Ground-floor windows/doors Section 19.312.4(B)(8)*
- *Design standards for Residential Courtyards Section 19.312.6(C)(1c)*





Recommended: Provide comfortable and attractive outdoor spaces that are enclosed, are surrounded by active ground floor uses and are easily accessible (*Portland Art Museum, SW 5th and Main, and NW Irving Pedestrian Mall, Portland*)



Not Recommended: Parks and plaza that are neither enclosed nor active (*MLK and NE Alberta, SW 3rd and Jefferson, Portland, and Orenco Station*)

Integrate Barrier-free Design

Guideline

Accommodate handicap access in a manner that is integral to the building and public right-of-way and not designed merely to meet minimum building code standards.

Description

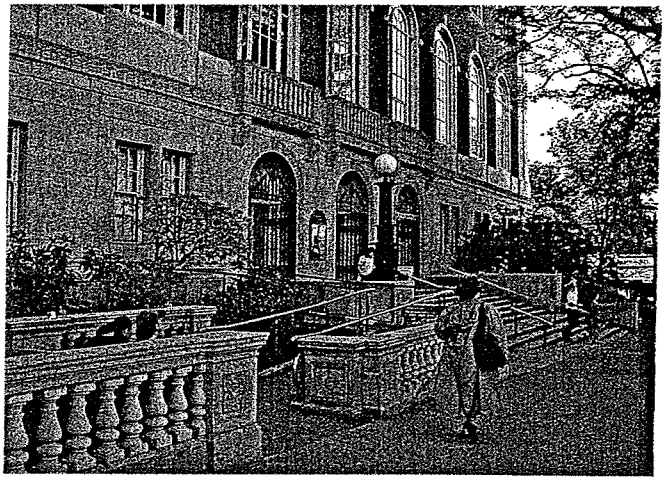
Ramps, lifts and elevators should be integrated gracefully into the design of projects, rather than just meeting the requirements in an awkward and/or minimal manner.

Recommended

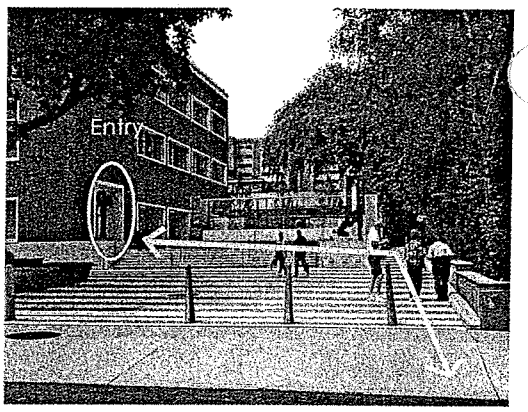
- Ramps that provide direct access but are screened and/or integrated into the stairway design.
- Ramps constructed of similar or compatible materials as the building, stairs and walkways.

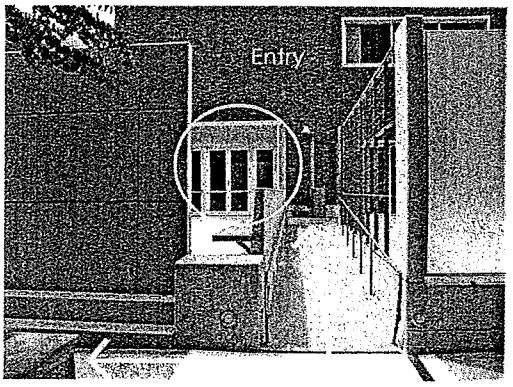
Not Recommended

- Ramps that obstruct or limit pedestrian access from stairs or walkways.
- Ramps that do not provide safe and convenient access to building entries.

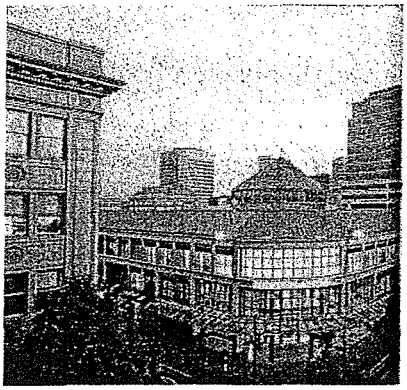


Recommended: Ramp design integrated into the design of the entrance and the character of the building *(SW 10th and Taylor, Portland)*





Recommended: Ramp design providing easy access to building entrance without negatively impacting the character of the building *(Portland Art Museum)*



Architecture Guidelines

Specific architectural elements of a building are grouped together as the "Architecture Guidelines" portion of the Milwaukie Downtown Design Guidelines. The specific building elements are:

- Doors
- Walls
- Windows
- Silhouette and Roofline
- Green Architecture
- Building Security
- Parking Structures

Visual examples are included as models for design and review purposes. They are intended to provide designers and Design and Landmarks Commissioners a means to identify recommended and not recommended building elements. They are not intended to be specific examples that should be replicated.

V. A. 42

Intent

The Architecture Guidelines promote architectural elements that unify downtown and reinforce the individuality and spirit of Milwaukie. The guidelines promote architectural types that reinforce the City's heritage by being indigenous to Milwaukie and/or the Northwest. New buildings which are appropriate in Milwaukie will be those that seem "at home" there, reflecting its character and heritage, suiting its climate and landscape.

Corner Doors

Guideline
Locate entry doors on corners of commercial and retail buildings wherever possible.

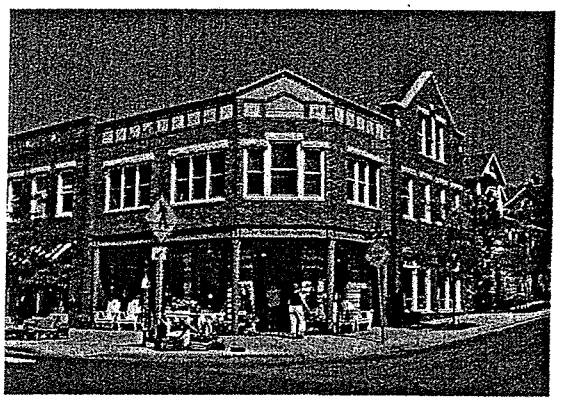
Description
Corner entries reinforce intersections as important places for pedestrian interaction and activity. Transparent doors and windows are strongly encouraged. Entries at 45 degree angles, free of visual obstructions, are also encouraged.

Recommended
- Doors with large glass areas.
- Primary building entrance should be at corners.
- Combined doors with roof or facade architectural elements such as bays or towers.
- Building wall lighting highlighting entrance.

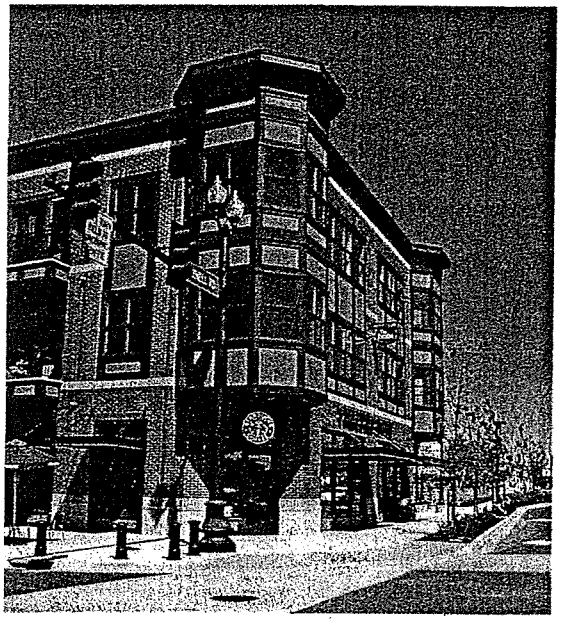
Not Recommended
- Blank walls at corners of public streets.
- Visual and physical obstructions such as large columns.
- Primary entry doors made of unpainted aluminum, wood or metal, or in a residential style.
- Primary entry doors that are solid and windowless
- Utility boxes, meters or mechanical units near the entrance door.
- Glass areas with simulated divisions (internal or applied synthetic materials).
- Reflective, opaque or tinted glazing in the door.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

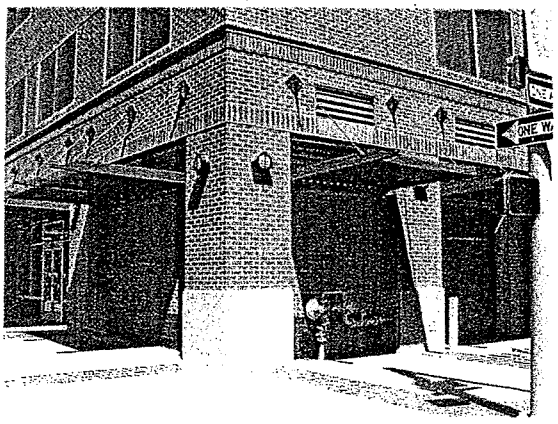
- *See Figures 19.312-5*
- *Street Setbacks Section 19.312.4(B)(5)(c)(ii)*
- *Ground-floor Windows and Doors Section 19.312.4(B)(8)(a)(ii)*



Recommended: Corner entry (*Boulder, CO*)



Recommended: Corner entry (*Orenco Station, Hillsboro*)



Not Recommended: Unwelcoming blank walls at building corner (*Salem, Oregon*)

Retail and Commercial Doors

Guideline
Doors should create an open and inviting atmosphere.

Description
Primary business entry doors for retail and commercial establishments should be transparent so that passersby may see the activity within the building - allowing the building to add life and vitality to the street. Doors with extra-large openings blending the activity of the street and the interior are appropriate for restaurants and cafes.

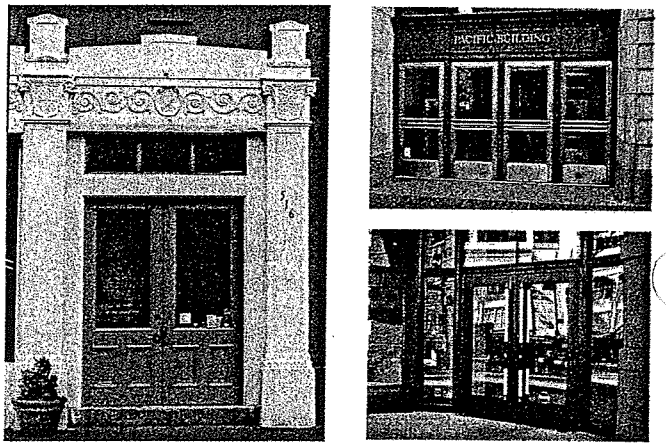
Recommended
- Large cafe or restaurant doors that open street to interior by pivoting, sliding, or rolling up overhead.
- Doors comprised of a minimum 50% window area.
- Building lighting emphasizing entrances.
- Transom, side lites or other window combinations.
- Doors combined with special architectural detailing.
- Double or multiple door entries.
- Well-detailed or ornate door hardware.

Not Recommended
- Solid metal or wood doors with small or no windows.
- Primary entry doors raised more than three feet above sidewalk level.
- Doors flush with building facade.
- Clear anodized aluminum frames.
- Glazing with simulated divisions.
- Reflective, opaque or tinted glazing.

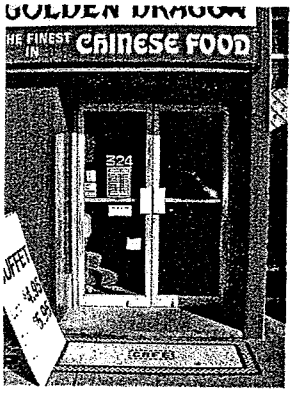
Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Street Setbacks Section 19.312.4(B)(5)(c)(ii)*
- *Ground-floor Windows/doors Section 19.312.4(B)(8)(a)(ii)*

Recommended: Public access doors should be inviting (*SW Ankeny and 4th and SW 5th and Alder, Portland*)



Recommended: Public access doors should be inviting (*NW Hoyt and 12th and SW Broadway and Taylor, Portland*)



Not Recommended: Unpainted aluminum door frame (*SW 3rd and Stark, Portland*)

Residential Doors

Guideline

Residential front doors should define a friendly transition between the public and private realm.

Description

Doors should be substantial enough to suggest privacy yet still express a welcoming sense of friendly contact for those who approach and enter. The design of a door should respond to its context - to the amount of street activity that surrounds it, for example. Where a door faces a very active street, it is appropriate to separate the door from the street by a comfortable change of grade, perhaps two or three feet above street level. For less active areas, transition areas may include porches.

Recommended

- Multi-panel painted doors.
- Doors combined with transom windows or side lites.
- Durable, high quality metal door hardware.
- Wood solid core doors.
- Doors accessed from porches, terraces, stoops or canopy-covered entries.

Not Recommended

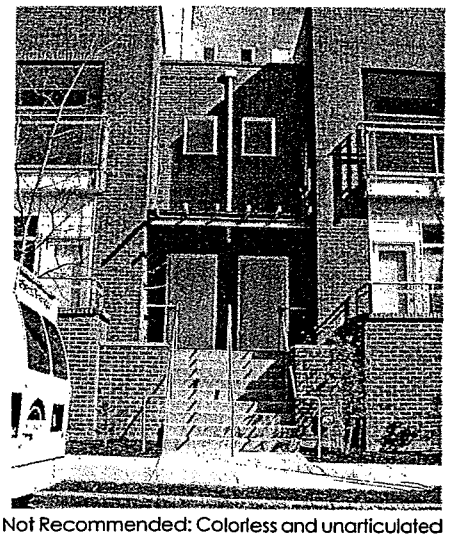
- Sliding glass doors.
- Unarticulated, flush doors.
- Doors raised more than three feet above sidewalk level for townhome/rowhouse type housing.
- Door not directly accessed from the street or court-yard.
- Doors accessed directly from parking lots.
- Door glazing with simulated divided lites.

Code Requirement:

This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *Residential Entries and Porches Section 19.312.6(C)(1)(a)*
- *Garages and Parking Areas Section 19.312.6(C)(1)(b)*

Recommended: Recessed entry and high quality door and trim materials, set comfortably above the sidewalk (*NW 11th and Hoyt and NW Lovejoy and 20th, Portland*)



Not Recommended: Colorless and unarticulated entry doors do not convey a welcoming appearance (*NW Northrup and 23rd, Portland*)

Not Recommended: Entry doors too high above street level (*East Burnside and 104th, Portland*)

Wall Materials

Guideline
Use materials that create a sense of permanence.

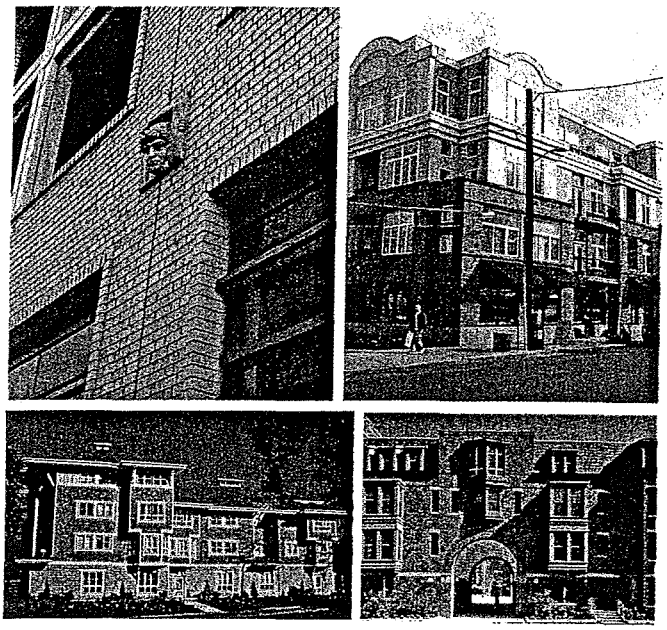
Description
Quality wall materials can provide a sense of permanence in a building, and bring life and warmth to downtown. Articulation of wall materials should be bold, with materials used in a way that shows their depth. It should be apparent that the materials have substance and mass, and are not artificial, thin, "stage sets" applied only to the building surface.

Recommended
- Boldly articulated window and storefront trim.
- Natural or subdued building colors.
- Limited use of bright accent trim colors.
- Varied yet compatible cladding materials.
- Belt courses and medallions.

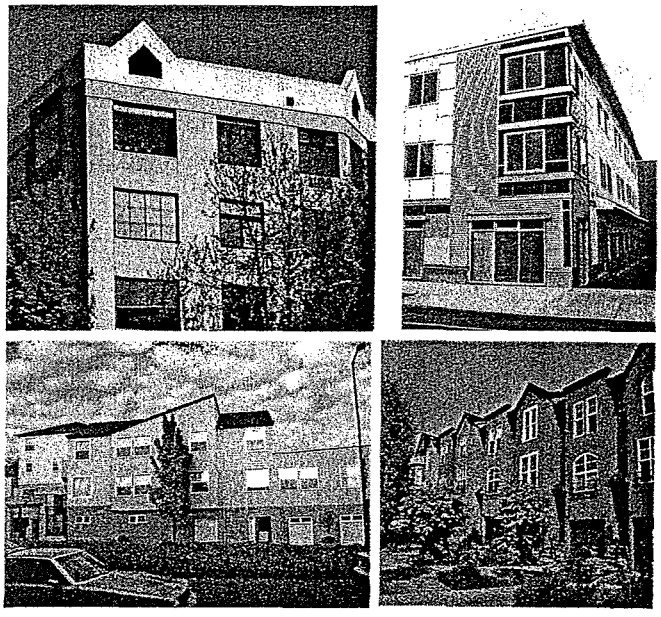
Not Recommended
- Bright or primary wall colors for the entire wall surface.
- Flagstone, simulated river rock or other similar veneer cladding.
- Painted brick.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *Design Standards for walls Section 19.312.6(C)(2)*



Recommended: Boldly articulated facades benefit from the inclusion of medallions, belt courses, varied cladding materials or other surface articulation (*SW Yamhill and 4th, NW Hoyt and 12th, Oakland, CA, Boston, MA*)



Not Recommended: Walls appear "thin," lack sense of permanence or have a stage set appearance due to awkward proportions, lack of articulation, use of non-durable materials and bright wall colors (*SW Alder and 15th, NW 18th and Lovejoy, NE Skidmore and MLK Blvd., and NW Pettygrove and 23rd, Portland*)

Architecture Guidelines

Milwaukie Downtown Design Guidelines

Wall Structure

Guideline

Use scale-defining devices to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure by establishing an uninterrupted street edge.

Description

Building walls should provide a sense of continuity and enclosure to the street, creating a "street wall." They should also include vertical and horizontal divisions to provide a human scale to the space of the street. Such vertical and horizontal architectural elements should create a coherent pattern and visual interest, and will tend to make large buildings appear inviting.

Recommended

- Tripartite facade division - base, middle, top for taller buildings (Over three stories).
- Vertical articulation of windows, columns and bays.

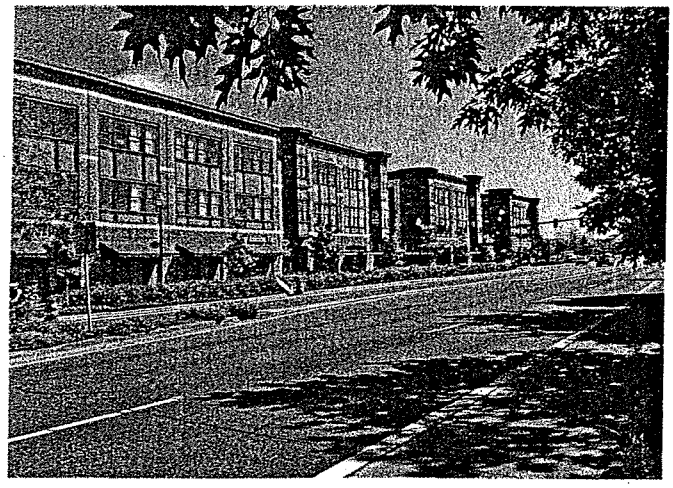
Not Recommended

- Smooth, undifferentiated facade.
- Suburban-styled horizontal orientation of building elements - walls, doors and windows.

Code Requirement:

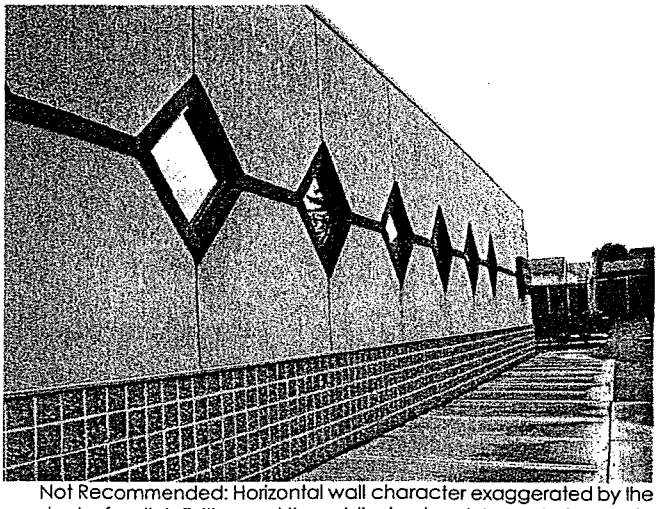
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *Design Standards for Walls Section 19.312.6(C)(3)(b)*



Recommended: This building creates a comfortable sense of enclosure by providing an uninterrupted street wall (*Orenco Station, Hillsboro*)

Recommended: Tripartite facade - clearly marked base, middle and top (*NW 13th and Johnson, Portland*)



Not Recommended: Horizontal wall character exaggerated by the lack of wall definition and the oddly sized and shaped windows (*N Lombard and N Denver, Portland*)

Retail Windows

Guideline
Use windows that create an open and inviting atmosphere.

Description
Retail and commercial uses should provide windows that add activity and variety at the street level, inviting pedestrians in and providing views both in and out.

Transparency beckons people inside - whether it be into a shop, gallery, restaurant or office. Restaurants and cafes can benefit from having windows that actually open to let passersby see, hear and smell the activity of the place. Views into stores should not be blocked.

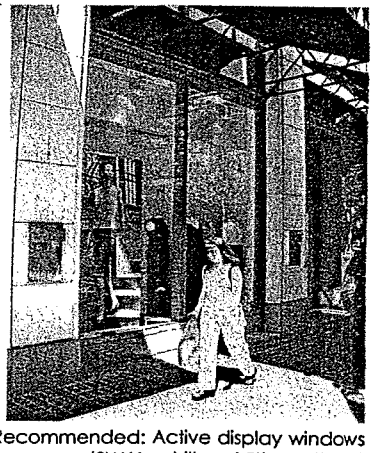
Recommended
- Windows that open by pivoting, sliding, or shuttering
- Painted wood panels or tile clad panels below windows.

Not Recommended
- Residential-styled window bays, multi-paned divided lites, half-round or other similar forms.
- Clear anodized aluminum windows.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Design standards for windows Section 19.312.6(C)(3)*
- *Design standards for ground-floor windows/doors Section 19.312.4(B)(8)*

Recommended: Cafe windows that open, blending the activity of the interior with that of the street *(NW 23rd and Kearney, Portland)*



Recommended: Active display windows *(SW Yamhill and 5th, Portland)*

Not Recommended: Storefront windows without panels below*(Teufel Village, Wilsonville)*

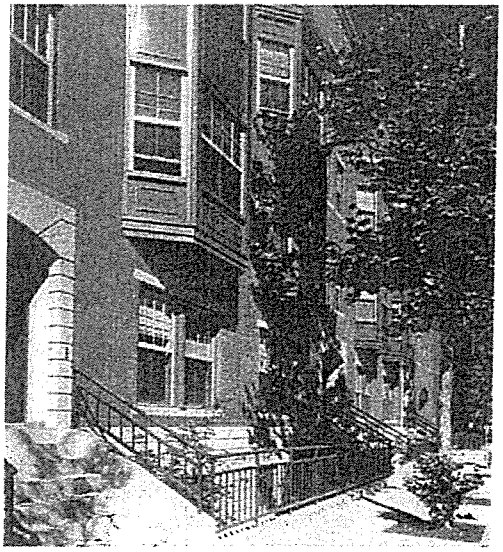
Residential Bay Windows

Guideline
Provide bays to add variety and visual interest to facade and interesting views and outdoor spaces from the interiors.

Description
Bays provide variation and relief to a facade; their sculptural form can add interest to building walls. Contrasting color and materials are encouraged. Exuberant visual ornamentation may be added as further accent to window lintels or panels.

Recommended
- Bays on second story or higher floor levels.
- Contrasting but compatible wall cladding materials and colors.

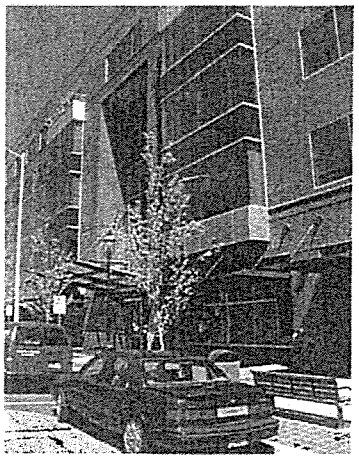
Not recommended
- Cladding materials such as corrugated metal panels or spandrel glass;
- Poorly detailed panels or those without detailing.
- Projecting wall-mounted mechanical units.

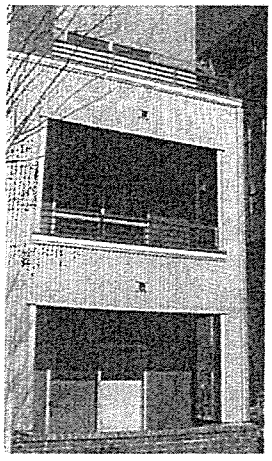


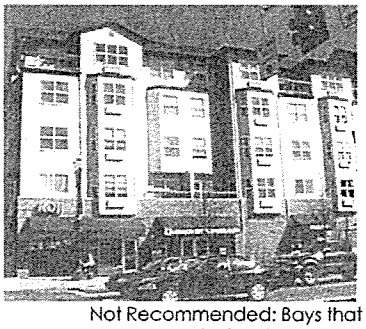
Recommended: Bays on upper stories and provide relief
(Boston, MA)

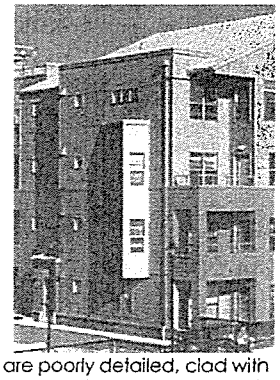
Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address ground-floor windows and openings.

- *See Figures 19.312-5*
- *Design Standards for Walls Section 19.312.6(C)(2)*
- *Design Standards for Windows Section 19.312.6(C)(3)*









Not Recommended: Bays that are poorly detailed, clad with corrugated metal, or include projecting mechanical units
(NE Weidler and 15th, Union Station Housing, Salem Transit Center, Union Station Housing)

Silhouette and Roofline

Guideline
Create interest and detail in silhouette and roofline.

Description
Building roof lines should enliven the pedestrian experience and be of visual interest, with detail that will create a skyline composed of interesting forms and shadows. Building silhouette should be compatible with those of other buildings along the existing streetscape.

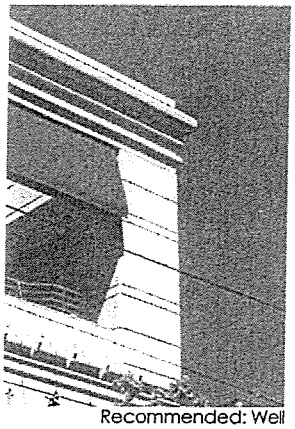
In some cases, it may be appropriate to mark an entryway with a distinct form - a tower for example- to emphasize the significance of the building entry.

For residential buildings, roof massing should be simple yet not dull or unarticulated. For example, flat roofs may be appropriate if they have a cornice, designed with depth and detail expressing the top of the building wall. Dormers set into sloped roofs may be appropriate. These forms provide visual interest, and bring additional living space, light and ventilation to upper floor and attic spaces.

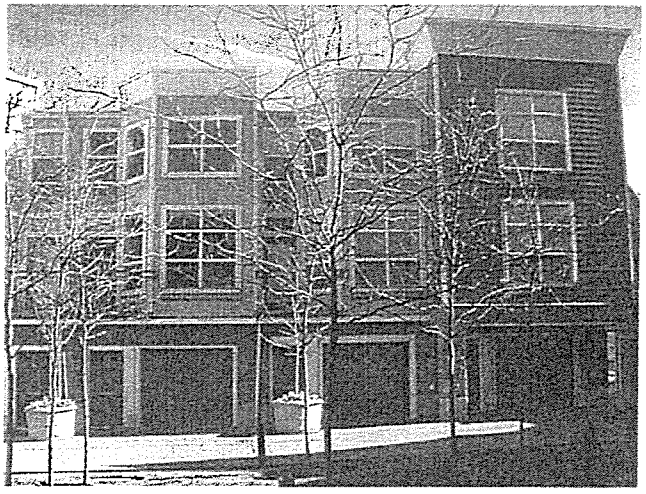
Recommended
- Dormer windows.
- Towers or similar vertical architectural expressions of important building functions such as entries.
- Varied roofline heights.
- If cornices are used they should be well-detailed. They should have significant proportions (height and depth) that create visual interest and shadow lines.

Not Recommended
- Unarticulated rooflines.
- Poorly detailed decorative roof forms.

Recommended: Simple tower elements at corners *(Boston, MA)*

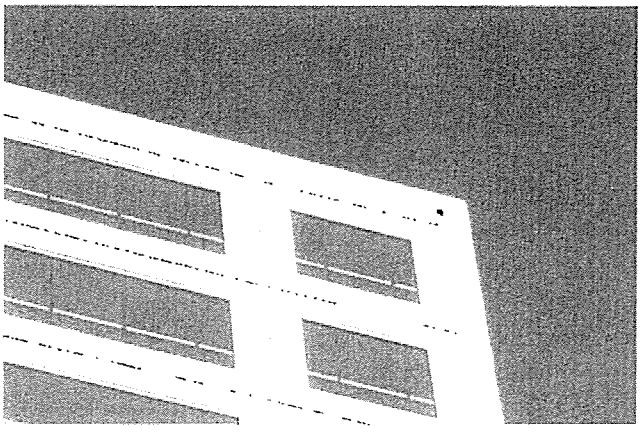


Recommended: Well articulated, deep cornices on flat-roofed buildings *(SW Yamhill and 3rd, Portland)*



Recommended: Complex roof line that breaks down the scale of the residential development and provides visual interest *(Riverplace, Portland)*

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address roofs.
- *Design Standards for Roofs Section 19.312.6(C)(4)*



Not recommended: Unarticulated roof line *(SW 3rd and Alder, Portland)*

Rooftops

Guideline
Integrate rooftop elements into building design.

Description
Roof shape, surface materials, colors, mechanical equipment and other penthouse functions should all be integrated into the overall building design.

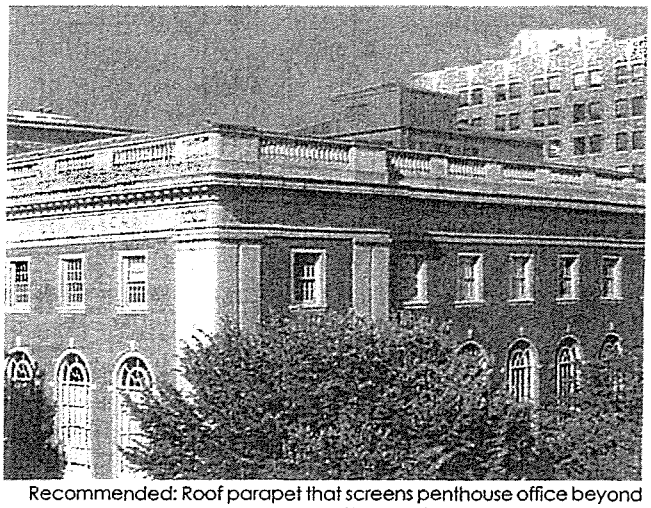
Roof mounted mechanical equipment should be hidden from view by parapets. If building parapets do not provide adequate screening, screening walls or enclosures installed as an integral part of the architectural design should be used.

Roof terraces and gardens are encouraged.

Recommended
- Screened mechanical units.
- Rooftop penthouse occupied residential or office spaces.
- Rooftop gardens.
- "Green" roofs that reduce stormwater runoff.

Not Recommended
- Exposed rooftop mechanical or electrical units.
- Exposed telecommunication equipment including satellite dishes, cell-phone towers or antennae.

Code Requirement:
This guideline supplements the Downtown Zoning Ordinance and Development Standards which address roofs.
- *Design Standards for Roofs Section 19.312.6(C)(4)*



Recommended: Roof parapet that screens penthouse office beyond (*SW Morrison and 10th, Portland*)

Not Recommended: Rooftop equipment visible and not integrated into building design (*SW 2nd and Stark, Portland*)

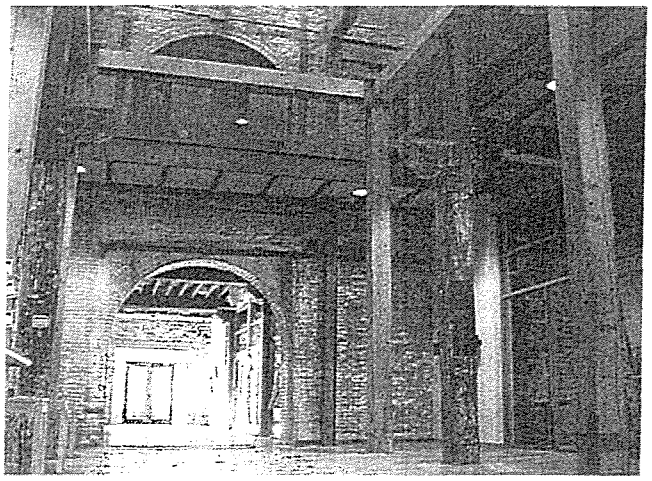
Green Architecture

Guideline
New construction or building renovation should include sustainable materials and design.

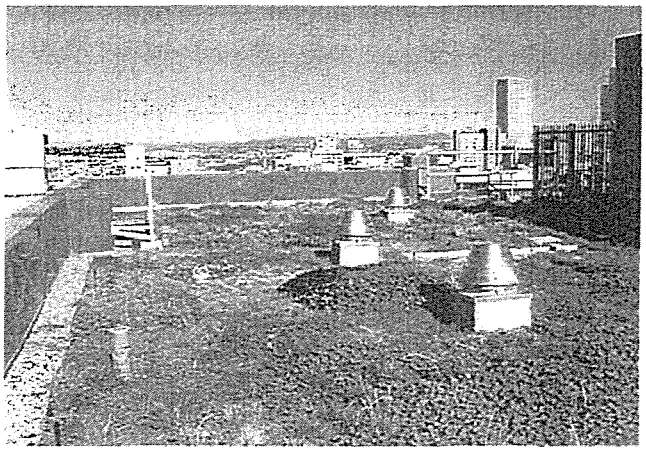
Description
Building in Downtown Milwaukie should use materials that are safe for the environment not only during their use in the building, but also during their manufacture or disposal. Buildings should be designed to increase energy efficiency through advanced design of the building envelope and mechanical systems.

Recommended
- Use salvaged materials or reuse existing products wherever possible.
- Use products made from recycled materials when appropriate.
- Maximize natural light.
- Include measures to maximize indoor air quality.
- Include landscaping strategies to minimize polluted water runoff from building roofs and parking lots.

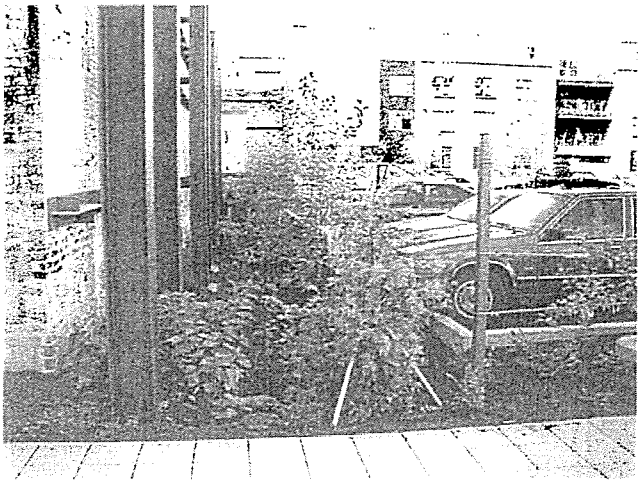
Not recommended
- Use of building products from non-renewable resources that may emit pollutants or the use of imported and domestic forest products that are not certified as being produced using sustainable forestry methods.
- Construction techniques that do not minimize construction waste.



Recommended: Use of salvaged and recycled materials *(NW 10th and Irving, Portland)*



Recommended: Roof that includes landscaping to filter rainwater *(SW12th and Clay, Portland)*



Recommended: Polluted water runoff from parking lot is mitigated by a landscaped swale *(NW 10th and Irving, Portland)*

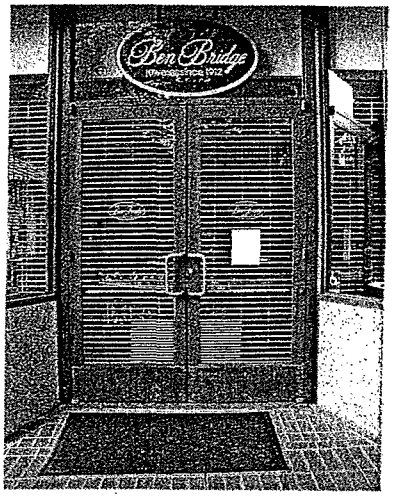
Building Security

Guideline
Buildings and site planning should consider and employ techniques that create a safe environment.

Description
Downtown should be a place in which people of all ages should feel safe day or night and during all seasons. However, downtown should not become a "secured fortress" in which all public and private areas are segregated. Instead, new development should create "eyes on the street" - active uses in which residents, employees and visitors can deter criminal activity, providing self-policing through observation. Where buildings employ security measures such as gates, screens or fencing, these measures should be designed as integral components of the building or site.

Recommended
- Interior or exterior roll-up or sliding security gates that are not visible from the public right-of-way.
- Secured loading bays or service areas.
- Gated private courtyards or plazas.
- Security cameras or surveillance devices screened from view or integrated into building design.

Not Recommended
- Fixed exterior security gates on building edges that are visible from the public right-of-way.
- Fixed exterior security screened windows along public streets or gathering areas.
- Gated residential development.



Recommended: Interior, roll-up security gates (*SW Yamhill and 5th, Portland*)

Not Recommended: Fixed security bars on windows and storefronts and security gates in front of the entrances (*N Denver and Kilpatrick and NW Couch and 4th, Portland*)

Parking Structures

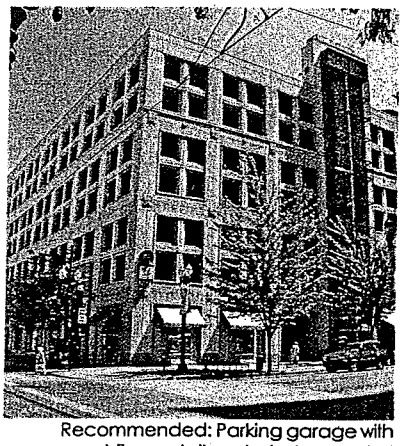
Guideline
Parking structures should be designed so that they appear like most other buildings in the downtown.

Description
Parking garages play an important role in the success of any downtown. However, too often they are incompatible with nearby buildings because they look like vertically-stacked parking lots. This frequently occurs when the dominant architectural features of the garage are long dark horizontals created by the alternation of large openings and structure at each parking level.

Parking garages should instead be designed to appear more like other occupied buildings in the downtown. To achieve this, their horizontality must be broken down - for instance, adding more wall surface while reducing openings, providing adequate ventilation through a series of punched openings rather than the long horizontal gaps, and using detailing at cornices or on window trim. Active retail uses on the ground floor also help garages fit in with the rest of downtown.

Recommended
- Ground-floor retail or other active uses.
- Small openings that are glazed to function as windows.
- Stairways, elevators and parking entries and exits that occur at mid-block.

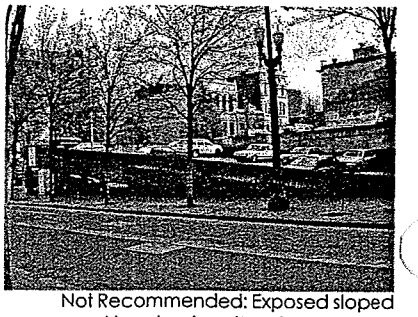
Not Recommended
- Parapets at each parking level forming long, dark horizontal ribbons and lacking wall surface.
- Parked cars on the ground-floor that are visible from adjacent sidewalks.
- Exposed sloped floors visible from the street.
- Stairways, elevators and parking entries and exits occurring at the building's corners, where retail is a more appropriate use.



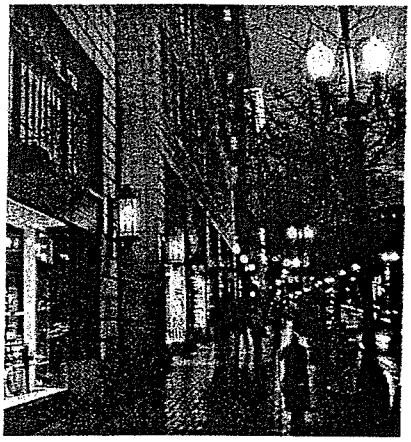
Recommended: Parking garage with ground-floor retail and window-scaled openings (*SW Yamhill and 4th, Portland*)

Recommended: Parking garage in scale with nearby buildings (*Dallas, TX*)

Not Recommended: Long dark horizontal openings dominate facade (*NW Hoyt and 9th, Portland*)



Not Recommended: Exposed sloped parking structure (Morrison *and 1st, Portland*)



Lighting Guidelines

Lighting guidelines include specific descriptive requirements for recommended and not recommended lighting. The guidelines are organized by lighting types. Lighting types include:

- Exterior Building Lighting
- Parking Lot lighting
- Landscape Lighting
- Sign Lighting

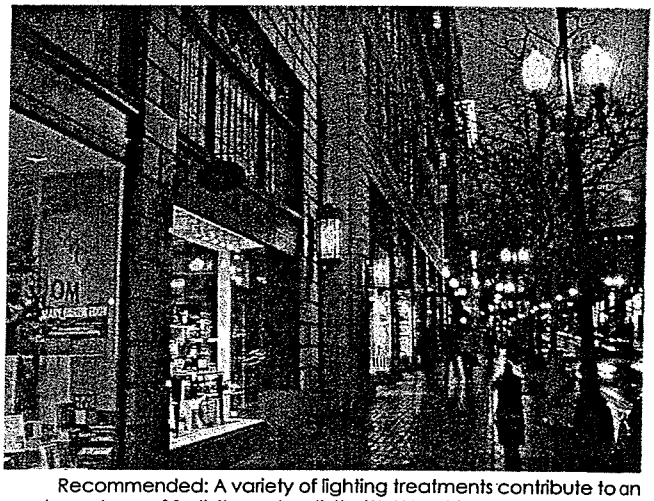
Visual examples are included as models for design and review purposes. They are intended to provide designers and the DLC a means with which to recognize recommended and not recommended lighting types.

Lighting Guidelines

Intent

The lighting of buildings and open spaces should not only provide security at night but also contribute to the overall sense that downtown is an active and vital place, both day and night.

Lighting should be designed to be not simply utilitarian but also to encourage nighttime patronage of downtown businesses and restaurants. Effective and appropriate lighting should create a pleasant, festive atmosphere. Use of glaring, offensively colored lights should be discouraged.



Recommended: A variety of lighting treatments contribute to an atmosphere of festivity and activity *(SW Yamhill and 5th, Portland)*

Lighting Guidelines

Exterior Building Lighting

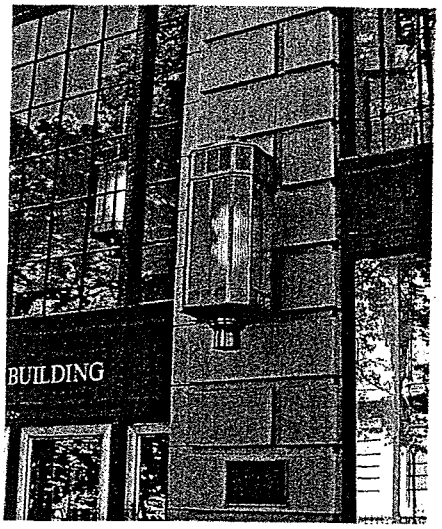
Guideline

Architectural lighting should be an integral component of the facade composition.

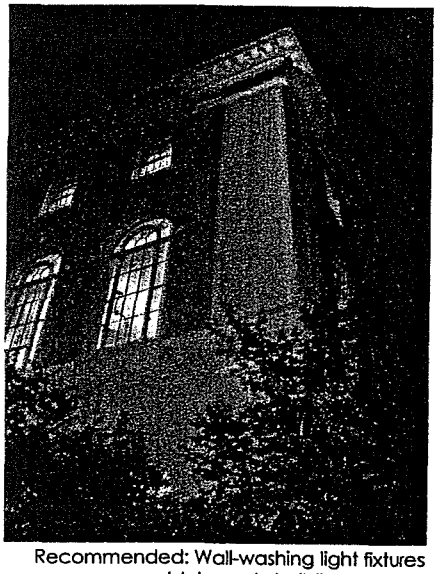
Description

Architectural lighting may be used to articulate the particular building design. Lighting of cornices, uplighting, and other effects may be used.

Lighting should not cast glare onto adjacent lots or streets in any way that decreases the safety of pedestrians and vehicles. Lights may, however, be used to create effects of shadow, relief and outline that add visual interest and highlight aspects of the building.



Recommended: Decorative wall sconce designed as part of overall building facade composition *(SW Yamhill and 5th, Portland)*



Recommended: Wall-washing light fixtures can add drama to buildings at night *(SW 10th and Yamhill, Portland)*

Recommended

- Metal halide lights.
- Wall-washing lighting fixtures.
- Decorative wall sconce and similar architectural lighting fixtures.
- Screened uplight fixtures on buildings or integrated with landscape.

Not Recommended

- Neon silhouette accent lighting.
- Bulb or flashing lighting.
- Fluorescent tube lighting.
- Security spotlight.

Parking Lot Lighting

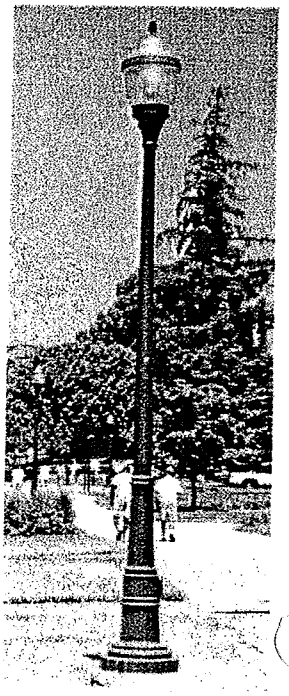
Guideline
Ornamental street lights should be used to be compatible with downtown streetlight standards identified in the Public Area Requirements.

Description
Parking lot lighting should be provided for retail and office uses. Driveways, parking bays and parking lot pedestrian circulation routes should be lighted.

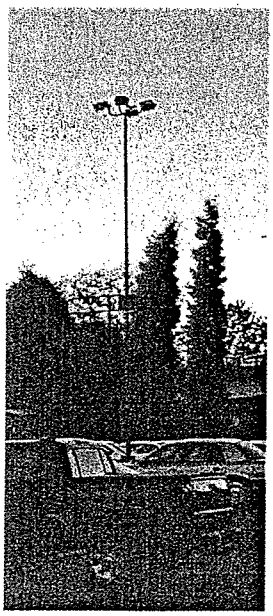
Recommended
- Historic street lights in a parking lot setting.
- Pole standards should be black or a very dark green in color.
- Standards may accommodate banners and hanging flower pots. Automatic drip irrigation for the pots should be considered.
- Light standards should be located in landscaped areas wherever possible to protect fixtures from automobile damage.

Not Recommended
- Concrete light fixture bases should be no taller than 8".
- Parking lot lighting should be designed to avoid unnecessary illumination of residential areas.
- Ornamental or contemporary light fixtures which are incompatible with downtown street light fixtures.
- Parking lot fixtures taller than 15'.

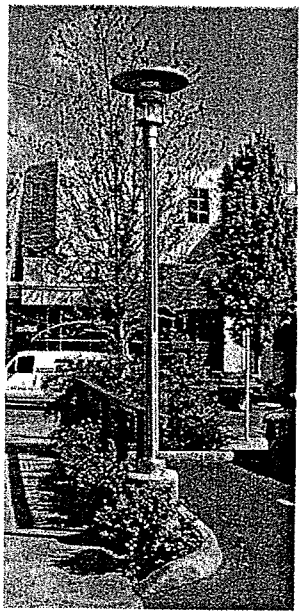
Code Required Public Area Requirements:
3.4 Street Lights



Recommended: Historic-style standards (*Salem Capitol Mall*)



Not Recommended: Overscaled, utilitarian lights in parking lots (*SW 2nd and Alder, Portland*)



Not Recommended: Contemporary-style standards (*NW 23rd and Flanders, Portland*)

Lighting Guidelines

Landscape Lighting

Guideline

Lighting should be used to highlight sidewalks, street trees and other landscape features. Landscape lighting is especially appropriate as a way to provide pedestrian safety during holiday periods.

Description

Lights may be used to highlight trees and similar features within public and private plazas, courtyards, walkways and other similar outdoor areas at night to create excitement and a festive ambiance.

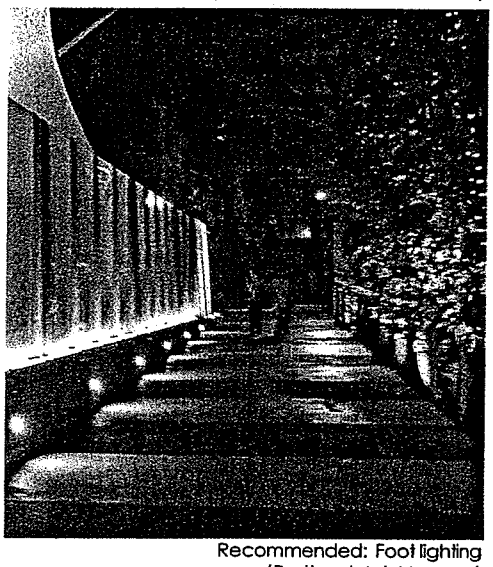
Appropriate

- Seasonal string lights on buildings and trees.
- Footlighting that illuminates walkways and stairs. Fixtures concealed and integrated into the design of buildings or landscape walls and stairways.
- Bollard lighting that is directed downward toward surfaces people walk on.

Inappropriate

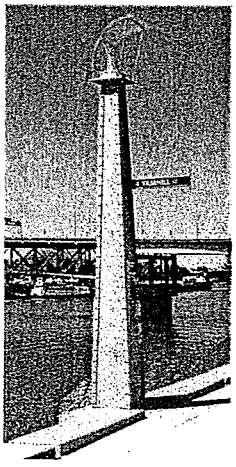
- Flashing or colored lights.
- Exposed cords, outlets or other electrical devices that may provide safety hazards and are unsightly.
- Lights such as "icicle" style lights that affect the appearance of facades or landscaping during the daytime.
- Contemporary fixtures, or overscaled, utilitarian fixtures such as "cobra-head" lights.

Recommended: String lights create excitement and festive ambiance. *(NW Hoyt and 23rd, Portland)*



Recommended: Foot lighting *(Portland Art Museum)*

Recommended: Ornamental light fixture *(Eastbank Esplanade, Portland)*



Not Recommended: Contemporary-style standards *(Eastbank Esplanade, Portland)*

Lighting Guidelines

Sign Lighting

Guideline

Sign lighting should be designed as an integral component of the building and sign composition.

Description

Sign lighting may provide interest not only during nighttime but also daytime. Sign lighting should be oriented toward pedestrians along adjacent streets and open spaces.

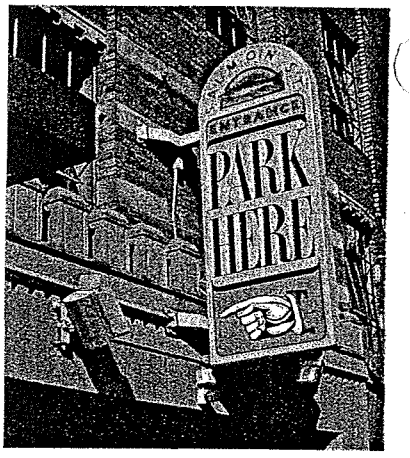
Recommended

- "Gooseneck" lighting that illuminates wall-applied signs.
- Sign silhouette backlighting.
- Incandescent or fluorescent bulb or low-voltage lighting.

Not Recommended

- Backlight vinyl awning sign lighting.
- Interior plastic sign lighting.
- Metal halide, neon or fluorescent tube sign lighting.
- Signs lit by lights containing exposed electrical conduit, junction boxes or other electrical infrastructure.

Recommended: Gooseneck lighting that illuminates a wall sign (*SW 5th and Alder, Portland*)



Not Recommended: Exposed utilitarian lighting (*SW Salmon and 9th, Portland*)

Sign Guidelines

Sign guidelines are organized by sign type. Sign guidelines include specific descriptive requirements of recommended and not recommended signs. Sign types include:

- Wall Signs
- Hanging or Projecting Signs
- Window Signs
- Awning Signs
- Information and Guide Signs
- Kiosks and Monument Signs
- Temporary Signs

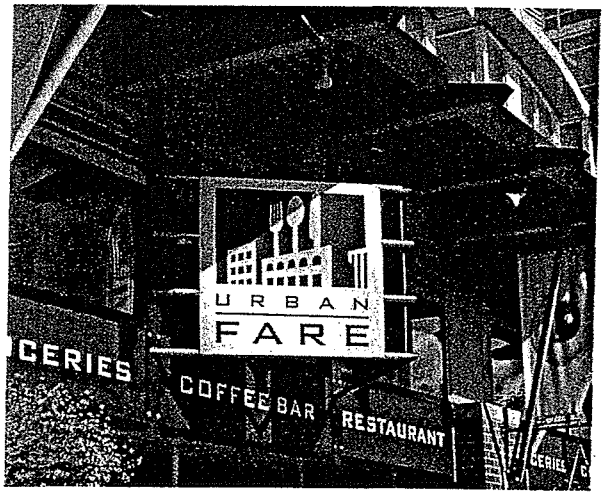
Visual examples are included as models for design and review purposes. They are intended to provide designers and the Design and Landmarks Commission a means to recognize recommended and not recommended sign types.

Sign Guidelines

Intent

Each development or building represents only a small portion of the downtown as a whole, but contributes significantly to the overall visual image of downtown. The uniform application of sign guidelines addressing type, location, size and quality will ensure a visually pleasing downtown environment.

Signs may provide an address, identify a place of business, locate tenants, or generally provide directions and information. Appropriately designed, signs can also reinforce the downtown's character and provide visual interest. Regardless of function, signs should be architecturally compatible and contribute to the character of the area. Signs should be good neighbors - they should not compete with each other or dominate the setting due to inconsistent height, size, shape, number, color, lighting or movement.



Recommended: Signs that are highly graphic and oriented toward the pedestrian. (*Vancouver, BC*)

Code Requirement:

The following guidelines do not supersede sign codes. They are instead intended to supplement the City's sign code. All required permits can be obtained through the Milwaukie Planning Department. Please refer to the City of Milwaukie's Sign Ordinance for complete requirements and approval procedures.

Sign Guidelines

Milwaukie Downtown Design Guidelines

Wall Signs

Guideline

Signs should sized and placed so that they are compatible with the building's architectural design.

Description

Signs should not overwhelm the building or its special architectural features. Signs should not render the building a mere backdrop for advertising or building identification.

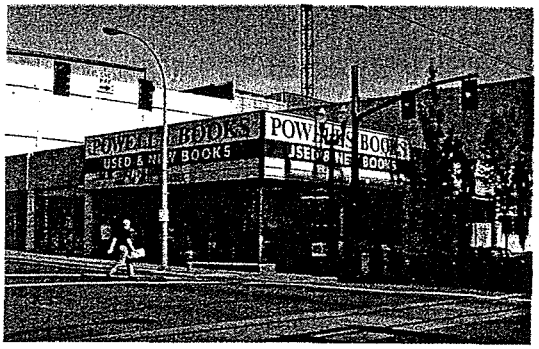
Recommended

- Wall signs should be located along the top, middle or at the pedestrian level of buildings.
- Signs should be incorporated into the building architecture as embossing, low relief casting, or application to wall surfaces.
- Signs may be painted or made with applied metal lettering and graphics.
- Signs should be durable and long lasting.
- Signs may incorporate lighting as part of their design.
- Signs should be located as panels above storefronts, on columns, or on walls flanking doorways.

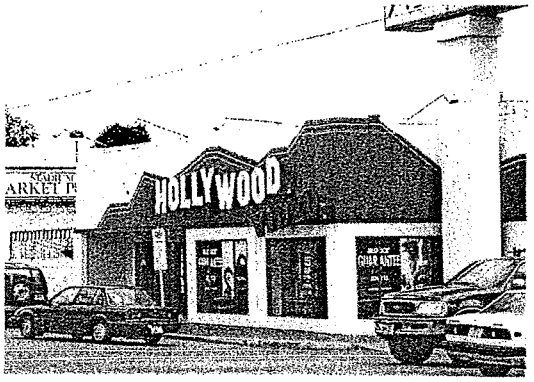
Not Recommended

- The material use, size and shape of signs that overwhelm, contrast greatly or adversely impact the architectural quality of the building.

Recommended: Signs incorporated into architectural design *(NW 23rd and Everett, Portland)*



Not Recommended: Oversized sign *(NW 10th and Burnside, Portland)*



Not Recommended: Building facades designed primarily to serve as a sign *(NW 20th and Burnside, Portland)*

Hanging or Projecting Signs

Guideline

Hanging signs should be oriented to the pedestrian, and highly visible from the sidewalk.

Description

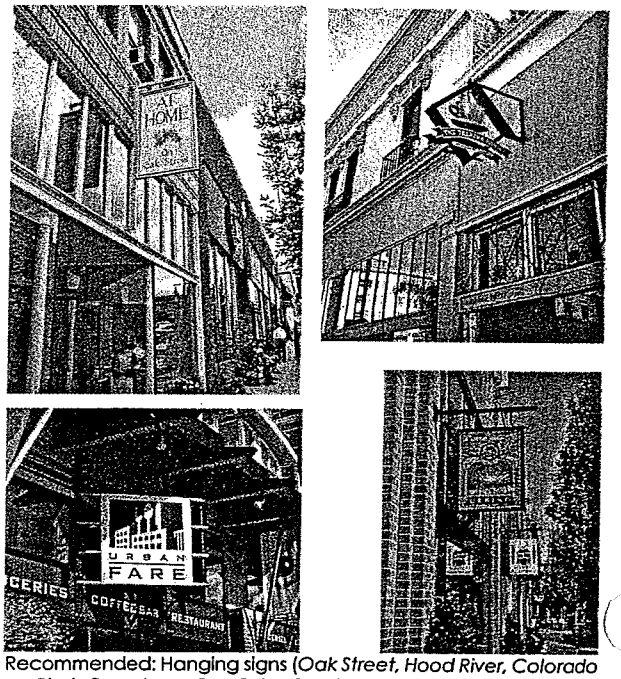
Signs should not overwhelm the streetscape, and should be compatible with and complementary to the building architecture and any awnings, canopies, lighting, and street furniture.

Recommended

- Any required sign lighting should be integrated into the facade of the building. (See lighting guidelines.)
- Signs should be very graphic and constructed of high quality materials and finishes.
- Signs should be attached to the building with durability in mind.

Not Recommended

- Signs interfering with sight lines that may create a safety hazard, obstruct or block views



Recommended: Hanging signs (*Oak Street, Hood River, Colorado Blvd., Pasadena, CA, False Creek Waterfront, Vancouver, BC, NW 23rd and Glisan, Portland*)

Not Recommended: Overscaled Hanging signs that block, obstruct or dominated views (*City Walk, Los Angeles, CA*)

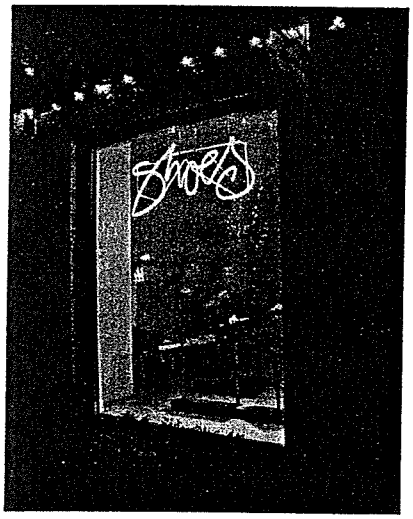
Window Signs

Guideline
Window signs should not obstruct views through windows.

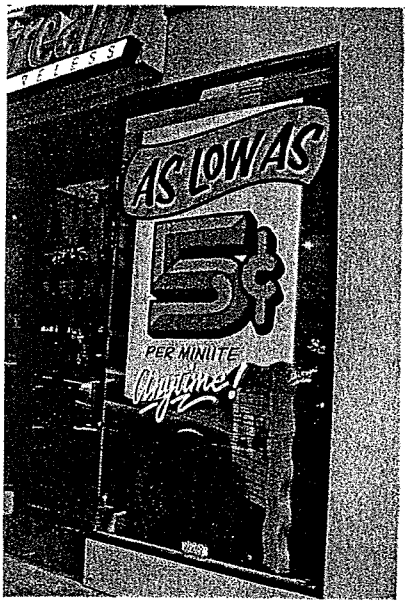
Description
Window signs should be oriented to pedestrians rather than motorists. They should be an integral component of the storefront design.

Recommended
- Neon or other illumination is only appropriate if installed as interior signs.
- Interior applied lettering or graphics.

Not Recommended
- Painted window signs.



Recommended: Interior neon sign indicates retail use only (*NW 23rd and Irving, Portland*)



Not Recommended: Window advertising sign (SW Broadway and Washington, Portland)

Awning Signs

Guideline

Awning signs should be used as alternatives to building or wall signs. They should be designed as means to attract attention to a shop, office or residential entrance.

Description

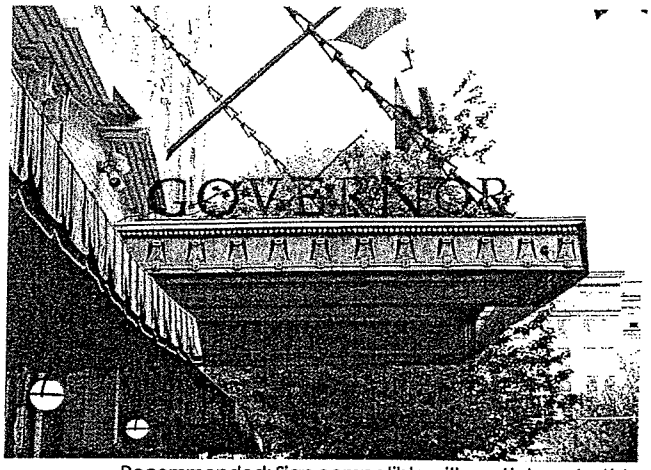
Awning signs should not dominate or overwhelm the building; rather, the awning should serve as mere back-drop for building or tenant identification.

Recommended

- Awning signs generally should occur at only one location on a single building.
- Signs painted on fabric awning valances.
- Signs applied to, embossed on or attached to canopy edges.

Not Recommended

- Signs located on second or upper story awnings.
- Lighting of awning signs either externally or internally.



Recommended: Sign compatible with and integrated into architecture of building (*SW 10th and Alder, Portland*)

Not Recommended: Vinyl awning sign (*N Lombard and N Denver, Portland*)

Sign Guidelines

Information and Guide Signs

Guideline

Directional signs should be small scale and of consistent dimensions, and located in a visually logical order. These signs also should provide on-site directional information.

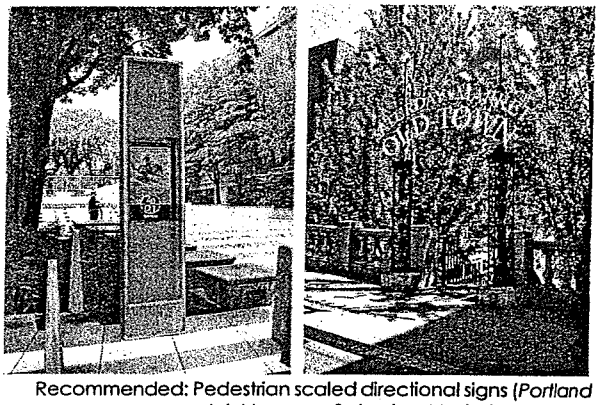
Description

Directional signs - those intended to identify and direct vehicular and pedestrian traffic to various on-site destinations - may be provided along roadways and within all multi-parcel developments, consistent with the City's Sign Code.

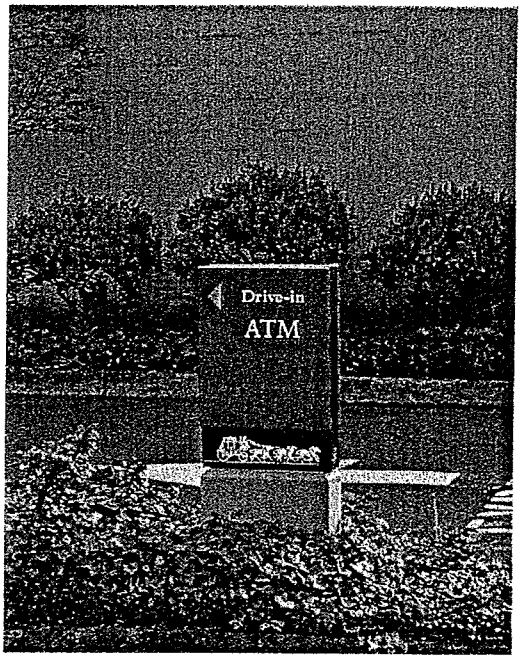
Directional signs should be designed consistently throughout a project. All signs shall be fabricated from the same materials, with a consistent color palette and common graphic theme. The use of materials compatible with adjacent architectural design is encouraged.

Recommended

- Location at entries to parking lots or service areas.
- Signs in internal courtyards, along walkways, or at plazas.



Recommended: Pedestrian scaled directional signs (*Portland Art Museum, Saturday Market, Portland*)



Recommended: Low scaled auto-oriented directional sign (*N Interstate and N Denver, Portland*)

Sign Guidelines

Kiosks and Monument Signs

Guideline

Directory monument information signs should illustrate the layout of a development, and list and locate uses or tenants within.

Description

These signs should be highly graphic, constructed of durable materials and consistent with architectural and landscape themes. They should be scaled to and easily approached by pedestrians rather than passing motorists.

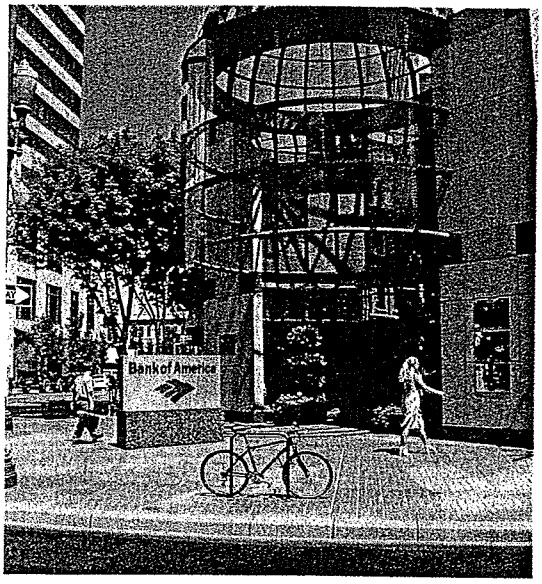
Recommended

- Kiosks that provide directional information and additional space for public announcements or flyers.
- Vandal-resistant painted or cast metal sign monuments.
- Compatibility with adjacent architecture and established downtown streetscape elements.

Not Recommended

- Freestanding monuments at primary building entries, forecourts or plazas.
- Wood construction, glass, plastic or other non-durable materials.
- Internally illuminated.
- Wildly contrasting colors or graphics that are highly distracting.

Recommended: Information kiosk oriented to pedestrians (*Pearl Street Mall, Boulder, CO*)



Not Recommended: "Suburban-styled" monument signs at building entries (*Second and Morrison, Portland*)

Temporary Signs

Guideline

Signs identifying short-term uses or activities should be allowed on a temporary basis if consistent with the design character of the surrounding area.

Description

Temporary signs should not obstruct pedestrian access or disrupt the visual quality of downtown. Sandwich board signs should be located within close proximity of the use identified. Temporary signs should be used only during hours in which businesses are open.

Recommended

- Easels and chalkboards.
- High quality professionally-painted and -designed sandwich boards.

Not Recommended

- Signs which impede or obstruct pedestrian access.
- Poor quality "homemade"-looking sign construction, painting, graphics or lettering.
- Attachments of balloons, banners or flags.
- Advertisements for products or services.

Recommended: Temporary signs constructed of durable materials *(Broadway and Morrison, Portland)*

Recommended: Small chalkboard as temporary sign *(NW 21st and Johnson, Portland)*

Not Recommended: Poorly executed and maintained temporary signs *(NW 6th and Everett, and SW 3rd and Ankeny, Portland)*

V. A. 70

www.ca-city.com

Attachment 2

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICPAL CODE TITLE 19-ZONING ORDINACE, AND TITLE 14-SIGN ORDINANCE.

(Milwaukie Planning Department Files ZA-01-03 and ZA-02-01)

WHEREAS, the City of Milwaukie desires to review, and amend its Zoning and Sign Ordinances on a regular basis; and

WHEREAS, the City adopted the Downtown and Riverfront Land Use Framework Plan, the Downtown Zones land use designations and Design and Development Standards, and the Public Area Requirements in November, 2000, and these establish policies and standards to help guide revitalization of downtown Milwaukie; and

WHEREAS, The proposed regulations are consistent with and serve to implement the Downtown and Riverfront Land Use Framework Plan; and

WHEREAS, The proposed regulations are consistent with policies and objectives of the Comprehensive Plan Chapter 4, Land Use, Economic Base and Industrial / Commercial Land Use Element, Objective 12 - Town Center; and

WHEREAS, Stakeholder outreach and public information efforts have included individual notice to property and business owners, public workshops and articles in the city newsletter, The Pilot; and

WHEREAS, on February 25, 2003, the Planning Commission and Design and Landmarks Commission held a public hearing and adopted motions recommending the City Council approve the proposed amendment; and

WHEREAS, review of the proposed land use change has been coordinated with the appropriate neighborhood groups and affected agencies; and

WHEREAS, the City Council held a duly advertised Public Hearing on April 1, 2003;

WHEREAS, public agency notice of applications ZA-01-03 and ZA-02-01 have been provided in accordance with the Milwaukie Municipal Code and Oregon Revised Statutes.

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

Section 1. Findings of fact in support of these amendments contained in application ZA-01-03 and ZA-02-01.

Applications ZA-01-03 and ZA-02-01 and the code amendments proposed therein are consistent with Zoning Ordinance 19.902 - Amendment Procedure and 19.905 - Approval Criteria for all Amendments and 19.1011.5 - Legislative Actions as shown in Exhibit C. The findings included in Exhibit C are adopted as the Council's findings and incorporated herein by the reference.

Section 2. Ordinance 1712, Milwaukie Municipal Code Title 19-Zoning Ordinance is amended as shown in Exhibit A.

Section 3. Milwaukie Municipal Code Title 14-Sign Ordinance is amended as shown in Exhibit B.

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

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

Signed by the Mayor on _____.

_____
Jim Bernard, Mayor

ATTEST:

Pat DuVal, City Recorder

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

_____
City Attorney

Exhibit A

Amendments to Milwaukie Municipal Code

Underlined text is to be inserted

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TITLE 2 – ADMINISTRATION AND PERSONNEL

Underlined text is to be inserted

Strikeout ~~text~~ is to be deleted

Section 2.10.010 Applicability.

D. ~~Historic resources commission~~ Design and Landmarks Commission (MMC 2.18).

Section 2.18.010 Established--Purpose.

D. Review and recommend appropriate design guidelines and design review processes and procedures to the City Council.

TITLE 19 - ZONING ORDINANCE

19.312.7 Design Review.

A. Purpose

Design Review is intended to achieve the following purposes:

1. Preserve and enhance the character of Downtown Milwaukie;
2. Ensure a degree of order, harmony, and quality in the Downtown Zones, providing buildings and projects that are attractive individually yet contribute to a downtown that is unified and distinctive as a whole; and
3. To ensure that new development and alterations or enlargement of existing development are consistent with the Downtown Design Guidelines and Downtown and Riverfront Land Use Framework Plan.

B. Applicability

All new construction and changes to buildings and/or properties in the Downtown Zones involving exterior maintenance and repair, minor exterior alterations, and

major exterior alterations as defined in section 19.312.6.B are subject to design review in accordance with the procedures as outlined below under Section 19.312.7.E.

C. Design Guidelines

Design Guidelines shall be established for the Downtown Zones and shall be considered as part of Design Review applications is accordance with the provisions of Section 19.312. The Design Guidelines shall be adopted by resolution of the City Council, in accordance with the procedures of Section 19.1011.5.

D. Duty to Review – Planning Director

The Planning Director shall review each application for a building permit or other approval in the Downtown Zones. The purpose of this review is to ensure that improvements within the downtown zones maintain consistent standards of design and to ensure that development is consistent with adopted design guidelines.

E. Application Procedure

Applications for Design Review shall be processed in accordance with chapter 19.1000 Type I, Type II, and Minor Quasi-Judicial procedures as indicated in this section, as follows:

1. Exterior maintenance and repair, as defined in Section 312.6.B.1, shall be processed as a Type I Review in accordance with the procedures in Section 1011.1. Exterior painting, repair, and refurbishing of existing building materials that does not require a building permit shall be exempt from Type I Review.
2. Minor exterior alterations, as defined in Section 312.6.B.2, shall be processed as a Type I Review in accordance with the procedures in Section 1011.2. The Planning Director may change a Type I review to a Type II review upon finding the following:
   a. The work is visible from streets, courtyards, and/or public squares and significantly changes the architectural character of the building, which may include changes to exterior wall materials and changes in architectural style; and/or
   b. The work is inconsistent with the downtown design guidelines.
3. Major exterior alterations, as defined in Section 312.6.B.3 shall be processed as Minor Quasi-Judicial Review in accordance with the

procedures in Section 1011.3. Applications for major exterior alterations shall be heard in a public hearing and decided by the Design and Landmarks Commission, except as follows:

The following major exterior alterations shall be processed by Type II Review:

a. Additions not more than 250 square feet in floor area that do not face streets, courtyards, and/or public squares and are not designed and used for utility, HVAC, or other mechanical equipment, building upgrades as needed to comply with the Americans with Disabilities Act, or egress required by applicable fire safety or building codes.

b. Demolition or replacement of no more than 25 percent of the surface area of any exterior wall or roof that does not face streets, courtyard, and or public squares.

4. Residential.

a. "Stand-alone" residential buildings that do not include non-residential uses are exempt from design review, but shall be subject to the clear and objective design standards under Section 19.312.6. Applicants may elect to process a "stand alone" residential building design review.

b. Mixed-use buildings. The residential portion of mixed-use buildings shall be subject to the clear and objective standards under Section 19.312.6. The non-residential portion of the building is subject to design review as provided in this section. Applicants may elect to process the entire mixed-use building through design review.

Any change in use of the residential portion of a mixed-use building that elected only to apply clear and objective standards, and where exterior changes to the building are proposed shall require approval by the Design and Landmarks Commission.

F. Application

Applications for Design Review shall be filed with the Planning Department on forms prescribed by the Planning Director. Design Review applications shall include a narrative explaining how the development considered each of the downtown design guidelines. The applicant shall demonstrate consistency with the design guidelines and compliance with applicable zoning criteria. In addition to all information specified on the "Submission Requirements" and "Site Plan Checklist" forms, each application for design review shall be accompanied by the following information:

1. Completed Design Review Checklist.

2. Written statement that describes how the proposal meets applicable design guidelines. Where a guideline is not met, the applicant shall provide justification indicating why it is not applicable or demonstrate other site or project characteristics that warrant an exception.

3. Show footprints of surrounding buildings, including driveways and pedestrian connections.

4. Location, dimension, and setbacks of all proposed buildings, structures, walls and fences.

5. Dimensioned building elevations indicating height, exterior materials, colors and details of exterior architectural features, such as cornices, windows and trim.

6. A streetscape drawing showing the relationship of the proposed project to adjacent buildings.

7. Frontage improvements in the public right-of-way per the public area requirements.

G. Approval Criteria for Design Review

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

1. Compliance with Title 19; and

2. substantial consistency with the Downtown Design Guidelines; and

3. submission of a complete application and applicable fee as adopted by the City Council.

H. Report and Recommendation by Design and Landmarks Commission

When an application also requires Planning Commission approval, the Planning Director for Type II reviews, or Design and Landmarks Commission for Minor Quasi-Judicial reviews, shall make a written report of its recommendation concerning the design to the Planning Commission. After receiving the Planning Director's or Design and Landmarks Commission's recommendation, the Planning Commission shall consider the design review recommendation and integrate it with the land use application process applicable to the project.

I. Variances to Development Standards

The Design and Landmarks Commission may authorize variances to the Development Standards under Section 19.312.4 in accordance with procedures of Section 19.700.

J. Modification of Design Standards

The Design and Landmarks Commission may authorize modification of the Design Standards under Section 19.312.6.C, in accordance with the following procedures.

A modification to a design standard may be granted at a public hearing in accordance with Section 19.1011.3 when the following criteria is satisfied:

1. The modification is integral to the overall design concept for the building;
2. The modification:
    a. Substantially meets the intent of the design standard; or
    b. In combination with other design elements of the project, the modification meets the intent of the design standard; and
3. The project is substantially consistent with the Downtown design guidelines applicable to the design standard.

Section 19.323.4 Design and Landmarks Commission.

A. Appointment and Composition. The Design and Landmarks Commission shall have five members appointed by the City Council for three-year terms. The City Council shall have discretion to reappoint or remove commissioners. One of the members of the commission shall have demonstrated special interest, experience, training, or knowledge in the field of historic preservation or history. One of the members of the commission shall have demonstrated special interest, experience, training, or knowledge in the field of architecture, planning, landscape design or similar field. Notwithstanding Section 2.10.030.H, one member of the Planning Commission may simultaneously serve on the Design and Landmarks Commission.

Section 19.700 Variances, Exceptions, and Home Improvements Exceptions.

Section 19.701 Variances.

The Planning Commission, Design and Landmarks Commission as provided in Section 19.312.7.H or Planning Director may authorize variances from the standards and requirements of this title within the limitations prescribed in Section 19.702. In granting a variance, the Planning Commission, Design and Landmarks Commission, or Planning Director may, in addition to the time limitations of Section 19.1013, attach conditions which it finds necessary to lessen the impact of the variance on nearby property, protect the general welfare of the city, and achieve the purposes of this title.

Section 19.1011 Procedures.

19.1011.2 Type II Administrative Review. A Type II procedure provides for an administrative decision with the option of a public hearing.

A. Public notification. Within fifteen days of the receipt of an application, the Director will mail a notice of tentative decision. This notice shall contain a description of the request and shall describe the tentative decision made by the Director, including findings and conclusions based on the applicable criteria. It will specify the deadline for submission to request a public hearing and provide for potentially affected persons to communicate concerns to the Director, who will take them into account in reaching a final decision on the application. The notice shall be mailed to the owner, applicant, and all property owners within three hundred feet of the outer boundaries of the site. For applications in the downtown zones, notice shall also be given to the Design and Landmarks Commission. The names and addresses used for this purpose shall be those shown on the current records of the County Assessor. At least fourteen days shall be given from the date of the notice to state objections or request a public hearing. The notice shall also contain a listing of the applicable criteria upon which the decision was based.

B. Administrative Action. If a public hearing is requested, the application shall follow the procedures of subsection 19.1011.3, Minor Quasi-Judicial Review. The Director or the applicant may immediately request a public hearing if it appears that the application has potential for controversy or there is difficulty in applying the applicable criteria. If no request for a public hearing is received by the Community Development Director, the Director may grant the application, either with or without conditions, without a hearing, if applicable criteria are met. The applicant, property owner, and all property owners within the notification area shall be renotified if a final decision is changed. If either the applicant or persons

with concerns are not satisfied with the Director's decision, they may appeal per the provisions of Section 19.1002 and the matter will be subject to the provisions of subsection 19.1011.3, Minor Quasi-Judicial Review.

C. Public Hearing. If any interested person or notified property owner responds and requests an opportunity to testify at a public hearing, a hearing shall be scheduled according to the "Public Hearing Schedule" outlined by the Community Development Department and shall follow procedures outlined in subsection 19.1001.3, Minor Quasi-Judicial Review. For applications in the downtown zones, a Design and Landmarks Commissioner may request the application be set for public hearing before the Design and Landmarks Commission.

19.1011.3 Minor Quasi-Judicial Review. A minor quasi-judicial procedure requires a public hearing in front of the Planning Commission or the Design and Landmarks Commission, as specified in this section. The Design and Landmarks Commission shall consider downtown design review, variances to developments standards in the downtown zones, and historic resource review. The Planning Commission shall consider all other minor quasi-judicial matters.

E. Decision. The Planning Commission or Design and Landmarks Commission shall conduct the public hearing and render a decision on the matter including findings, conclusions, and conditions, if necessary, based on compliance with the applicable comprehensive plan goals and policies and other applicable implementing ordinances. Community Development staff shall notify the applicant, the property owner if different, and any individual who testified, either in person or in writing, at the hearing, within five days after the final decision.

19.1011.5 Legislative Actions. Legislative actions provide for the establishment and modification of legislative land use policies and plans. This includes, but is not confined to a zoning ordinance or comprehensive plan text amendment, adoption of a neighborhood plan or area design guidelines, or establishment of a plan district.

A. Public Notification. Notice of a hearing shall be published once each week for two consecutive weeks in a newspaper of general circulation in the city, of which the second publication shall not be less than five days prior to the date of the hearing. Preliminary neighborhood meetings or other public meetings may be held, as appropriate, prior to the public hearing.

B. Decision. The Planning Commission, or Design and Landmarks Commission as provided in section 19.3.12 shall conduct a public

hearing and shall make a decision based on compliance with the applicable goals and policies of the comprehensive plan. The Planning Commission or Design and Landmarks Commission shall prepare a recommendation to the City Council. If the commission denies the proposal, and it was the initiator of the proposal, the matter shall be terminated. If the proposal was initiated by the City Council and the commission denies it, the proposal shall be forwarded to City Council with a report and recommendation of denial. If the proposal is approved by the commission, a report and recommendation, including findings and conclusions, shall be forwarded to Council. The City Council shall conduct a public hearing. Public notification of this hearing shall be given as per subsection A above. (Ord. 1762 (part), 1994)

Section 19.1012 Recess of hearing.

The Planning Commission, ~~or~~ City Council or Design and Landmarks Commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to resume shall be announced.

Exhibit B

Amendments to Milwaukie Municipal Code
Title 14 – Sign Ordinance

(Milwaukie Planning Department File ZA-02-01)

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Section 14.04.030 Definitions.

"Downtown Zones" means the DS, Downtown Storefront; DC, Downtown Commercial; DO, Downtown Office; DR, Downtown Residential; and DOS, Downtown Open Space zones as defined in the zoning ordinance.

Sign, Cabinet. "Cabinet Sign" means a sign in which the display face is mounted on or attached to the front of a self contained "box like" structure, which usually houses a light source, and is affixed to a building or other structure.

Sign, Pole. "Pole Sign" means a freestanding sign in which the display face of the sign is supported on a base which may be tubular, columnar or rectangular in shape and which any portion of the base or support structure has a width that is less than the width of the display surface of the sign.

Sign, Hanging. "Hanging Sign" is a sign that is suspended below a canopy, awning, or other portions of a building and typically oriented perpendicular to pedestrian or vehicular travel.

Sign, Kiosk. "Kiosk Sign" means any sign with multiple display surfaces for view by pedestrians, that illustrate the layout of a development and lists tenants and/or businesses in a specific area.

Sign, monument. "Monument Sign" means any sign affixed to a base which has a width that is equal to or greater than the width of the sign.

Section 14.12.020 Prohibited signs.

O. Pole signs in the downtown zones.

Chapter 14.16 SIGN DISTRICTS

Section 14.16.020 Residential-Office-Commercial Zone.

No sign shall be erected or maintained in an R-O-C~~,~~ or R-1-B ~~or DR~~ zone, except as allowed under Section 14.12.010 or as otherwise noted in this section.

Section 14.16.040 Commercial Zone.

No sign shall be erected or maintained in the C-L, ~~DS, DC, DO, DOS,~~ C-G and C-CS zones, except as allowed under Section 14.12.010 or as otherwise noted in this section.

A. Freestanding Sign.

1. Area. The maximum permitted display surface area of a freestanding sign shall be computed on one and one-half square feet of area per lineal foot of street or highway frontage for the first one hundred feet of such frontage, plus one square foot of area for each foot of frontage over one hundred feet, but not exceeding three hundred square feet of sign area per display surface for each sign, or a total of one thousand two hundred square feet for all display surfaces as authorized in Section 14.16.040A4.

2. Height and/or Clearance. The maximum height of any portion of a sign or sign structure shall be twenty-five feet from ground level at its base regardless of location. The minimum clearance below the lowest portion of a freestanding sign and the ground below shall be fourteen feet in any driveway or parking area. ~~In the DS, DC, DO, and DOS zones, properties without frontage on McLoughlin Boulevard are limited to a maximum freestanding sign height of seven feet.~~

E. Awning Sign.

1. Area. The maximum permitted display surface of an awning sign which is painted onto, attached to, or affixed to the surface of an awning is twenty-five percent of the surface of the awning measured in vertical distance times length. For a sign hung or suspended underneath an awning, the sign shall not exceed in area one square foot per one lineal foot of awning length.

2. Height and/or Clearance. An awning sign may not extend higher than the point at which the roofline intersects the exterior wall, regardless of the existence of a parapet wall. The minimum clearance below an awning on which signage is hung or displayed is eight feet from the sidewalk or ground level to the lowest portion of the awning, or suspended sign, whichever is lowest.

3. Number. One awning sign per frontage per occupancy is permitted.

~~4. Illumination of Awning Signs. Awning signs shall have external illumination only in the DS, DO, DR, and DOS zones. Internal illumination is prohibited in these zones.~~

Section 14.16.050 Downtown Zones.

No sign shall be erected or maintained in the DC, DS, DO, DR and DOS zones, except as allowed under Section 14.12.010 or as otherwise noted in this section.

A. Freestanding Sign. In the downtown zones, freestanding signs shall be monument type only. The sign face shall be no less than sixty percent of the total area of the monument. Pole signs are prohibited.

1. Area. The maximum permitted display surface area of a freestanding sign shall be computed on one square foot of area per lineal foot of street or highway frontage.

a. In the DO Zone the maximum area shall not exceed forty square feet per display surface and eighty square feet overall.

b. In the DR and DOS Zones the maximum area shall not exceed thirty two square feet per display surface and sixty four square feet overall.

2. Height and/or Clearance.

a. In the DC, DS and DO Zones, freestanding signs are limited to a maximum height of seven feet, Properties with frontage on McLoughlin Boulevard may have freestanding signs with a maximum height of fifteen feet and shall only be located along the McLoughlin Boulevard frontage. Freestanding sign height shall be measured from the top of the sign to the lowest finished grade within a six feet horizontal distance from the sign.

b. In the DR and DOS Zones freestanding signs are limited to a maximum height of six feet above grade.

3. Number. One freestanding sign is permitted on a street or highway frontage.

B. Wall Sign.

1. Area. The maximum permitted area of a wall sign shall be twenty percent of the building face.

a. In the DR and DOS Zones the maximum permitted area of a wall sign shall be sixteen square feet.

2. Height and/or Clearance. No wall sign shall extend above the roofline at the wall or the top of a parapet wall, whichever is higher.

3. Number.

a. Dictated by area requirements.

b. In the DR and DOS Zones one wall sign is permitted in addition to one freestanding sign.

4. Location. Limited to the building surface or surfaces facing the public right-of-way only.

C. Awning Sign.

1. Area. The maximum permitted display surface of an awning sign which is painted onto, attached to, or affixed to, the surface of an awning, is twenty-five percent of the surface of the awning measured in vertical distance times length. For a sign hung or suspended underneath an awning, the sign shall not exceed in area one square foot per one lineal foot of awning length.

2. Height and/or Clearance. An awning sign may not extend higher than the point at which the roofline intersects the exterior wall, regardless of the existence of a parapet wall. An awning sign may not be located higher than the first floor of a building or 15 feet, whichever is less. The minimum clearance below an awning on which signage is hung or displayed is eight feet from the sidewalk or ground level to the lowest portion of the awning or suspended sign, whichever is lowest.

3. Number. One awning sign per frontage per occupancy is permitted.

D. Daily Display Sign.

1. Area. The maximum permitted area of a daily display sign shall be eight square feet per display surface and sixteen square feet overall, with a maximum height limit of six feet above ground level.

2. Number. One daily display sign per business is permitted.

3. Location. A daily display sign must be located on the premises with which it is associated, but not within required landscaped areas, except that a daily display sign may be allowed within the public right-of-way or off the premises, subject to the standards of Section 14.20.040.

E. Projecting Signs.

1. Area. Projecting signs shall not exceed in gross area twenty percent of the face of the building to which the sign is attached or on which the sign is maintained. However, if a projecting sign is located on the same building face as a wall sign, the total of all sign surfaces shall not exceed twenty percent of the face of the building.

2. Height and/or Clearance. No projecting sign shall extend above the roofline at the wall or the top of a parapet wall, whichever is higher. No projecting sign shall project more than five feet from a building. Overhead clearance and projection into public rights-of-way shall be maintained so that no sign shall project within two feet of the curb nor beyond the distances specified in the following table:

Table 14.16.050
Projection of Signs Into Public Rights-of-Way

Overhead Clearance	Maximum Projection Into Public Right-of-Way
Less than eight feet above finished floor/grade	Not permitted
Eight feet above finished floor/grade	One foot
Eight to sixteen feet above finished floor/grade	One foot plus six inches for each foot of clearance in excess of eight feet
Over sixteen feet above finished floor/grade	Five feet

3. Location. No projecting sign shall be located within twenty feet of another projecting sign. Of two signs not conforming to this provision, the first lawfully erected sign may remain.

4. Number. Only one projecting sign will be permitted on the same business frontage. No projecting sign shall be permitted on the same premises where there is a freestanding sign.

F. Under-Marquee Signs.

1. Area. Under-marquee signs shall not exceed six square feet per display surface or twelve square feet in overall sign area.

2. Height and/or Clearance. Under-marquee signs must have eight feet of clearance below the lowest portion of the sign and the ground below.

3. Location. Under-marquee signs shall not project within two feet of the curb.

4. Number. No limit, dictated by area requirements.

G. Illumination. Internally illuminated cabinet signs are discouraged in the downtown zones. Internally illuminated signs may be permitted subject to design review approval by the Design and Landmarks Commission per the procedures outlined in Section 19.1011.3. In considering internally illuminated signs, the Design and Landmarks Commission shall use the downtown design guidelines as approval criteria, as provided under

Section 19.312.7.F. All other illuminated signs may be permitted subject to the following:

1. Backlit or "Halo" illuminated signs with individual letters are permitted as illuminated signs.
2. Par spot or reflective type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets.
3. Awning signs shall not be illuminated, either internally or externally unless approved by the Design and Landmarks Commission.
4. Sign illumination shall be directed away from, and not be reflected upon, adjacent premises.

Chapter 14.32 VARIANCES

Section 14.32.010 Authorization to Grant or Deny Variance.

A. The Planning Commission may authorize variances from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship. In granting a variance, the Planning Commission in addition to the time limitations of Section 14.32.040, may attach conditions which it finds necessary to protect the welfare of the city and otherwise achieve the purposes of this chapter.

B. In the downtown zones the Design and Landmarks Commission is the review authority and may authorize variances from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship. In granting a variance, the Design and Landmarks Commission in addition to the time limitations of Section 14.32.040, may attach conditions which it finds necessary to protect the welfare of the city and otherwise achieve the purposes of this chapter.

Section 14.32.020 Variance procedure.

The following procedures shall be followed in applying for and acting on a variance:

A. A property owner may initiate a request for a variance by filing an application with the City Manager, using forms required by the City Manager or duly authorized agent. The application shall be accompanied by a site plan drawn to approximate scale showing the condition to be varied and the dimensions and arrangement of the proposed sign, support structure, buildings and real property. The ~~Planning Commission~~ review authority may request other drawings or material essential to an understanding of the variance request.

B. The ~~Planning Commission~~ review authority shall hold a public hearing per the provisions of Ordinance 1712, the zoning ordinance, Section 1011.3, Minor Quasi-Judicial Review, for any variance request which is twenty-five percent or more of the required standard. Variance requests of less than twenty-five percent from the standard required shall be reviewed by the Community Development Director per the provisions outlined in Section 1011.2, Administrative Type II Review, of Ordinance 1712, the Zoning Ordinance. Within five days after a decision has been rendered with reference to a request for a variance, the City Manager or duly authorized representative shall provide the applicant with notice of the decision of the ~~Planning Commission~~ review authority.

Section 14.32.030 Circumstances for Granting Variance.
The ~~Planning Commission~~ review authority shall consider and make findings with respect to each of the following:

A. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the sign ordinance;

B. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district;

C. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;

D. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;

E. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

Section 14.32.040 Time Limit.

A. Authorization of a variance shall be void if the building or work approved by such variance is not commenced within six months of the date of approval.

B. The ~~Planning Commission~~ review authority may, upon receiving a written request from the applicant prior to the variance expiration date, extend the variance for a period not to exceed one year.

Section 14.32.050 Appeals.
Appeals of Planning Commission or Design and Landmarks Commission decisions shall follow the procedures of Section 1000 of the Milwaukie Zoning Ordinance.

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EXHIBIT C

City Council April 1, 2003

Downtown Design Guidelines Project

Compliance with Approval Criteria for Zoning Text Amendments

Consistency with Zoning Ordinance Section 900 - Amendments

1. Section 901 Initiation of Amendments

   An amendment to the Milwaukie zoning map or to the text of this title may be initiated by the city council, by the planning commission, or by the application of a property owner.

   The proposal was initiated by the City Council and is therefore consistent with the above.

2. Section 902 Amendment Procedure

   Section 902.1 The following application and review procedures shall be in effect for all proposed amendments:

   A. The planning commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after the application has been determined to be complete by the director. Zoning map amendments shall follow the procedures outlined in subsection 19.1011.4, Major Quasi-Judicial Review. Zoning text amendments shall follow the procedures outlined in subsection 19.1011.5, Legislative Actions.

   The Planning Commission conducted a public hearing on February 25, 2003 in accordance with Section 1011.5.

   B. Notice to Metro. The planning department shall provide notice to metro of any proposed amendment to the comprehensive plan or zoning ordinance, subject to Milwaukie zoning ordinance subsection 19.1011.4, Major Quasi-Judicial Review, and 19.1011.5, Legislative Actions. Any copy of notice required pursuant to subsections 19.1011.4 and 19.1011.5, and provided to Oregon Department of Land Conservation and Development (DLCD) pursuant to ORS 197.610 or 197.615, shall be sent to metro's executive officer at least forty-five days before the final hearing on the adoption of any amendment. Notice to metro shall include the same content as notice to DLCD pursuant to ORS 197.610 or 197.615 and, if available, shall include

analysis demonstrating that the proposed amendments are consistent with the metro urban growth management functional plan. If the analysis demonstrating consistency with the functional plan is not included in the initial notice, a report containing the analysis shall be delivered to metro no later than fourteen days before a final hearing.

Notice was made to the Oregon Department of Land Conservation and Development on January 8, 2003 and to Metro on January 9, 2003 in accordance with the procedures above.

C. Denial of the proposed amendment shall be final unless it is appealed to the city council as provided under Section 19.1002 of this title.

The above provision does not apply at this time.

D. Upon approval of the proposed amendment by the planning commission, the director shall provide a report of the commission's recommendation to the city council within forty days after the hearing.

Action on the application will be consistent with the above following Commission action.

3. Section 903 Requirements for Zoning Map Amendments

Not applicable to this proposal.

4. Section 904 Approval Criteria for Zoning Text Amendments

A. Applicable requirements of Section 19.1003.

Section 1003 specifies submission requirements for all applications. This application is consistent with Section 1003.

B. Reasons for requesting the proposed text amendments.

The request is made in accordance with City Council direction to adopt regulations that will ensure development in the downtown is consistent in design and quality with the Downtown Plan.

C. Explanation of how the proposed text amendment is consistent with other provisions of this title.

Other sections that apply to this action are 19.1003 and 19.905. Explanation of compliance is provided herein.

D. The approval criteria of Section 19.905.

See Section 905 below.

5. Section 905 Approval Criteria for All Amendment

A. The proposed amendment must conform to applicable comprehensive plan goals, policies, and objectives and be consistent with the provisions of city ordinances, metro urban growth management functional plan, and applicable regional policies.

By supporting the revitalization of the downtown through by established procedures and criteria assuring development consistent with the Downtown and Riverfront Land Use Framework Plan, the proposal is consistent with the Comprehensive Plan, Chapter 4 – Land Use, Economic Base and Industrial / Commercial Land Use Element, Objective 12 - Town Center.

The only Metro Urban Growth Management Functional Plan element that applies is Title 8 reporting requirements, which have been met for the proposed amendments.

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

This criterion applies to development in association with a rezoning and therefore does not apply to the proposed amendments.

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

The only Metro Urban Growth Management Functional Plan element that applies is Title 8 reporting requirements, which have been met for the proposed amendments. The proposed amendments are consistent with Statewide Planning Goals 1, Citizen Involvement and 2 Land Use Planning. There are no applicable Federal regulations.

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

This criterion applies to development in association with a rezoning and therefore does not apply to the proposed amendments.

E. The proposed amendment is consistent with the functional classification, capacity, and level of service of the transportation system. A transportation impact analysis may be required subject to the provisions of Chapter 19.1400.

The above provision does not apply to the proposed amendments.

CITY OF MILWAUKIE CENTENNIAL 1903~2003

V. B. 1

To: **Mayor and City Council**

From: **Mike Swanson, City Manager**
Alice Rouyer, Community Development and Public Works Director
Michelle Gregory, Neighborhood Services Director
John Gessner, Planning Director

Date: **April 1, 2003**

Subject: **South Corridor Transit Options**
Locally Preferred Alternative

ACTION REQUESTED

Adopt a resolution in support of both (1) the South Corridor Policy Committee Locally Preferred Alternative (LPA) and (2) considerations for design and mitigation recommended by the Planning Commission. The Planning Commission recommendations, with which staff concurs, will not negatively affect Phase 1 implementation, and the issues posed may be considered and resolved within the time constraints imposed by Phase 2.

The short-term benefit to the City of Milwaukie is the development of a park-and-ride at the Southgate site, removal of the transit center from downtown Milwaukie, and relocation of the transit center to the Southgate area—all within Phase 1. In the long-term, a light rail line connecting downtown Milwaukie to downtown Portland will be constructed in Phase II. Phase II will require development of a finance strategy that in all likelihood will require voter approval of regional funds to finance a federal grant match.

KEY ISSUES

1. The South Corridor Policy Committee recommended a two-phase light rail project based on findings of an environmental impact statement and public input. There are two phases as follows:

    - Phase 1 is construction of an I-205 Light Rail alignment and relocation of the current Milwaukie Transit Center from its present downtown location to the Southgate area.

V. B. 2

- Phase 2 is construction of a Milwaukie Light Rail alignment. This assumes the development of a finance package that captures significant federal funding. Matching local funding will in all likelihood require the successful passage of a general obligation ballot measure in 2004 or 2006.

2. The proposed Milwaukie alignment follows Main Street and crosses over to the Tillamook Branch north of Hanna Harvester Drive.

3. This report details staff recommendations for consideration of design issues and mitigation to ensure that potential impacts of future light rail in Milwaukie are managed.

4. Final selection of a locally preferred alternative will be made by the Metro Council on April 17, 2003.

5. Once Metro adopts the Locally Preferred Alternative, a final environmental impact statement will be prepared in response to issues raised in public comments on the Supplemental Draft Environmental Impact Statement.

6. Project staff from Metro will be available at the April 1, 2003 Council meeting.

8. The Planning Commission considered this matter on March 11, 2003 and adopted a resolution recommending to the City Council considerations for future design and mitigation.

Background

On February 13, 2003 the South Corridor Policy Committee[1] adopted a two-phase light rail package as the locally preferred transit alternative (LPA) including the I-205 Light Rail Alignment (Phase 1)[2] and a Milwaukie Light Rail Alignment (Phase 2). Details of the LPA selection are found in the attached South Corridor Locally Preferred Alternative Report.

Study options not selected are Bus Rapid Transit and a dedicated Busway. Other jurisdictions considering the LPA include Multnomah and Clackamas Counties, Oregon City, and Portland. TriMet is scheduled to consider the LPA on March 27, 2003. The Milwaukie City Council will consider the LPA report at its April 1, 2003 meeting for the purpose of forwarding a recommendation to Metro. Metro Council will consider the matter on April 17, 2003

Adoption of the LPA by the Policy Committee was based upon information and analysis contained within the South Corridor Project Supplemental Draft Environmental Impact Statement and regional public involvement and previous South Corridor studies.

The I-205 segment is to be constructed first, with the Milwaukie segment to follow once funding and issues about the Willamette crossing are resolved. The rationale for the I-205 selection includes high ridership, travel time savings, minimal displacement of business and

[1] The Committee is comprised of various agency staff and elected officials from the region including Milwaukie Mayor James Bernard.

[2] Phase 1 also includes relocation of the Milwaukie Transit Station to the Southgate Theatre site.

lower acquisition costs. It is understood that the Milwaukie segment would most likely not be started until 2010.

In order to ensure that Milwaukie receives something concrete early in the process, Phase 1/I-205 as proposed includes a commitment to eliminate the current transit center in downtown Milwaukie and to relocate it to the Southgate area. Funding for the Milwaukie alignment in Phase 2 will require a general obligation bond, which will, in turn, require a regional vote in either 2004 or 2006.

The Milwaukie Light Rail Alternative was selected by the Policy Committee based upon the highest potential ridership, fastest travel time, community support, opportunities for transit-oriented development, and other reasons that are detailed on page 18 of the attached LPA report.

The Portland Segment of Phase 2 includes:

- Downtown Portland station at Main Street and 1st Avenue.
- New Willamette River Crossing at Caruthers Street.
- OMSI Light Rail Station.
- Station at Clinton and 12th Avenue.
- Holgate Boulevard Station.
- McLoughlin alignment.
- Bybee Station.

The Milwaukie segment of Phase 2 includes[3]:

- Tacoma Station with a 600 space parking structure located at the Goodwill site.
- Close Moores Street at northbound McLoughlin.
- Eliminate two Thomason buildings north of Ochoco Street.
- Shift Main Street to the east.
- Reconstruct the intersection of Main and Beta streets.
- 600 car parking structure and transit center at Southgate.
- "Crossover Alignment" from Main Street east to the Tillamook Branch.
- Harrison Street Station behind Waldorf School with a "quick drop" along Harrison Street.
- Lake Road Terminus Station at 21st Avenue, with the option of an interim lower cost terminus at Waldorf School.
- 275 Space Park & Ride with 17,000 square feet of retail at Washington & Main Street that will serve the Lake Road Station.

Public Comment

A number of interested parties testified before the Planning Commission. These included area business operators and landowners, neighborhood leaders, and staff. Property owners in the North Industrial area expressed concerns about traffic, loss of parking, future intersection design, and impacts to freight movements.

[3] The "crossover" design was selected in favor of the Tillamook alignment due to higher ridership, better access to jobs, increased park-and-ride capacity, and reduced capacity for transit operations.

Michelle Gregory, Neighborhood Services Manager delivered a memorandum from the Neighborhood Leadership, which is found in Attachment 2. See also Attachment 4, Commission meeting minutes.

Planning Commission Recommendation

Attachment 1 contains specific considerations adopted by the Planning Commission at its March 11, 2003 for referral to the City Council. The Planning Commission also wished to convey its strong support for the creation of a Neighborhood District Association for the North Industrial Area.

A summary of key issues addressed by the Planning Commission that are included in its recommendation follow. Full details are found in Attachment 1:

1. The transit center should be relocated from downtown as soon as possible.
2. Future intersection and access design at the McLoughlin/Milport intersection must be included in the Locally Preferred Alternative and a design that protect businesses and the ability to move truck freight easily.
3. Impacts to area businesses including loss of parking should be minimized in locations along Main Street and around the proposed transit center.
4. Impacts to neighbors around Harrison Street and Lake Road stations should be minimized.
5. Future public outreach efforts should be strengthened.

CONCURRENCE

City staff from the City Manager's Office, Neighborhood Services, Planning and Community Development Departments all contributed to the analysis of the Locally Preferred Alternative. The Planning Commission reviewed the LPA on March 11, 2003.

FISCAL IMPACT

No City funds have been committed to these projects. It is anticipated that relocation of the transit center will be financed from federal and regional funds. The proposed Milwaukie light rail alignment local share is unfunded at this time.

ALTERNATIVES

1. Adopt the Locally Preferred Alternative as proposed by the Metro Policy Committee, attaching the proposed findings, observations and considerations as recommended by the Planning Commission in Attachment 1.
2. Amend the Locally Preferred Alternative and Planning Commission recommendation to consider issues not addressed by the Policy Committee and Planning Commission.

3. Adopt a different alternative than recommended by the Metro Policy Committee.
4. Take no action.

ATTACHMENTS

1. Proposed Resolution with Findings, Observations, and Considerations for Future Design and Mitigation.
2. NDA recommendation on the South Corridor Locally Preferred Alternative
3. South Corridor Project Locally Preferred Alternative Report.
4. March 11, 2003 Planning Commission Meeting Minutes.
5. Milwaukie Crossover Segment Light Rail Alignment Plans.

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ATTACHMENT 1

V. B. 6

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON ENDORSING THE RECOMMENDED LOCALLY PREFERRED ALTERNATIVE FOR THE SOUTH CORRIDOR PROJECT

WHEREAS, the South Corridor Supplemental Draft Environmental Impact Statement (SDEIS) addressing potential transit improvements in the southeast metropolitan area was published on December 20, 2002; and

WHEREAS, the SDEIS evaluates a No-Build Alternative, a Bus Rapid Transit Alternative, a Busway Alternative, A Milwaukie Light Rail Alternative, an I-205 Light Rail Alternative, and a Combined Light Rail Alternative including bus and light rail improvements; and

WHEREAS, the public was invited to comment on the study alternatives and the SDEIS through an extensive process, including the public comment period that ran from December 20, 2002 through February 7, 2003; and

WHEREAS, the City of Milwaukie has participated n the preparation of the SDEIS; and

WHEREAS, after consideration of public comments, on February 13, 2003 the South Corridor Policy Committee concluded that a phased Light Rail option was the preferred alternative to serve the future transit needs of the South Corridor; and

WHEREAS, the South Corridor Policy Committee concluded that construction of the I-205 alignment would be accomplished during Phase 1, together with the construction of a park and ride at Southgate and relocation of the transit center from downtown Milwaukie to the Southgate area; and

WHEREAS, the South Corridor Policy Committee concluded that construction of the Milwaukie alignment would be accomplished during Phase 2; and

WHEREAS, on March 11, 2003 the Milwaukie Planning Commission considered the Locally Preferred Alternative (LPA) as adopted by the South Corridor Policy Committee; and

WHEREAS, the Planning Commission recommended approval of the LPA together with certain considerations for future design and mitigation measures for the Phase 2 Milwaukie alignment attached as Exhibit A and incorporated herein.

V. B. 7

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON.

Section 1. That the City Council adopts the South Corridor Locally Preferred Alternative recommended by the South Corridor Policy Committee on February 13, 2003 as the City's preferred alternative and recommends its adoption to the Metro Council.

Section 2. That the City Council requests that the Metro Council adopt the design and mitigation measures for the Phase 2 Milwaukie alignment as set forth in the attached Exhibit A.

Section 3. The resolution becomes effective upon its adoption.

Introduced and adopted by the City Council of the City of Milwaukie on the 1st day of April 2003.

_____
James Bernard, Mayor

ATTEST:

_____
Pat DuVal, City Recorder

APPROVED AS TO FORM:

_____
Ramis, Crew, Corrigan & Bachrach, LLP

Recommended Findings, Observations, and Considerations for Future Design and Mitigation as Adopted by the Planning Commission.

1. Relocate the transit center from downtown Milwaukie as soon as possible.

2. A public involvement strategy that includes affected property owners and business operators that ensure adequate and thorough participation should be implemented.

3. TriMet is strongly encouraged to work with the Oregon Department of Transportation to commit to satisfactory transportation solutions in the North Industrial Area at McLoughlin intersections, including but not limited to the McLoughlin/Milport intersection. Satisfactory transportation solutions shall include, but not be limited to:

   a. Protection of truck access.

   b. Intersection capacity and stacking distance.

   c. Preservation and enhancement of cross movements on McLoughlin Boulevard.

   d. Protect and improve, where possible, access to the interior of the industrial area from McLoughlin Boulevard.

4. The light rail project should be designed to minimize adverse impacts on area businesses.

5. TriMet and Metro should form a Milwaukie working group for the Transit Center and Park & Ride relocation effort, so that representatives of the community, its residential neighborhoods and its industrial/commercial districts, can be involved in the interim and final designs of this transit center.[1]

6. Milwaukie is concerned that property owner decisions made between now and the time at which final Phase 2 light rail design issues are resolved, may result in design changes to the presently proposed alignment and related facilities.

7. The Main Street alignment has potentially significant impacts to area business and therefore may not be the best alignment considering that the Tillamook alignment has far fewer potential impacts. Successful mitigation efforts, as outlined throughout this document, must be implemented in order to address the strong North Industrial Area business concerns expressed about the Crossover alignment.

8. The Milwaukie North Industrial Area is an important regional warehousing and distribution center that is supported by highway and freight rail service. In addition, Milwaukie is presently evaluating development potential of the area under a grant from the Transportation and Growth Management Program. Highway and local access is important to the continuing and future economic vitality of the area and Milwaukie's jobs and tax base. The Milwaukie Crossover has the following elements that warrant further design considerations and

[1] This item was adopted from the March 10, 2003 Memo of Michelle Gregory, Neighborhood Services Manager on behalf of the Neighborhood leadership.

mitigation prior to construction. It is noted that some of the issues below may already have been addressed in the Supplemental Draft Environmental Impact Statement.

a. The closure of Moores Street reduces access options to northbound McLoughlin Boulevard and will add additional vehicle loading to the Ochoco/McLoughlin Boulevard intersection. Consideration should be given to ensuring adequate capacity at Ochoco Street intersection needed to accommodate the closing of Moores Street.

b. The redesign of the Beta Street intersection with Main Street as shown on Drawing C15C203 (South Corridor Transit Study, Milwaukie Max Alignment) is incomplete. The Beta Street intersection is an important access for nearby warehousing and distribution firms. Any redesign should minimize operational impacts to freight access.

c. Light rail construction will take more than 80 parking spaces along Main Street. This count excludes the Iridio site just north of the theatre, which also lose parking. Future design consideration should minimize the loss or parking and ensure the future success of businesses by replacement of parking displaced by light rail and related facilities.

d. The intersection of Mailwell Drive and Main Street serves major warehousing and distribution businesses and other commercial uses. Inbound and outbound traffic movements at this intersection should be protected to ensure the continued viability of area businesses.

e. The proposed site design at the Southgate Park & Ride and Transit Center should be reconsidered due to its impact on the Milport/Main and Milport/McLoughlin intersection. Additional stacking length is needed to ensure proper intersection functioning and adequate access to and from the industrial area.

8. Considerations for future design and mitigation at the Harrison site include the following:

   a. Visual and noise barriers to protect nearby residential properties.

   b. Traffic impact analysis at the site and at Harrison Street intersections with McLoughlin Boulevard and Expressway 224.

   c. Replacement of any loss of Waldorf School parking.

   d. Neighborhood parking management including means to offset the cost of city parking enforcement.

9. Recommended considerations for future design and mitigation at the Lake Road and Washington Avenue sites include the following:

   a. Visual and noise barriers to protect nearby residential properties.

   b. Neighborhood parking management including means to offset the cost of city parking enforcement.

   c. Avoidance and mitigation of Water Quality Resource impacts to Kellogg Lake.

ATTACHMENT 2

V. B. 10

CITY OF MILWAUKIE CENTENNIAL 1903~2003

To: Planning Commission

Through: John Gessner, Planning Director
Michelle Gregory, Neighborhood Services Manager

From: Milwaukie Neighborhood Leadership

Subject: NDA recommendation on the South Corridor Locally Preferred Alternative.

Date: March 10, 2003

Action Requested
Consider this correspondence from the Neighborhood leadership as you make your recommendation to the City Council regarding the Locally Preferred Alternative for the South Corridor Project.

Background
The South Corridor project began in 1999 as a regional effort to look at non-light rail alternatives to solving congestion problems within the south corridor. The project has culminated in a dual light rail alignment that would be implemented in the I-205 corridor first, and then in the McLoughlin corridor. The neighborhoods support the project at this stage. Throughout the study, Milwaukie neighborhoods have been involved in the research, design, community involvement and alternatives selection process. They support the Locally Preferred Alternative that has been recommended by the Policy Group with the following caveats and recommendations:

The Combined Light Rail Alternative should make progress for the City of Milwaukie by ensuring that the transit center is relocated as an immediate component of Phase I of the project. The neighborhoods prefer to see this occur accordingly:

- The Milwaukie neighborhoods favor an interim location and operating design for the transit center, if such is needed to resolve existing and anticipated design or property acquisition issues within the area of the Southgate Theater.

- They suggest relocation of the current Milwaukie on-street Transit Center and any associated TriMet park and ride facilities from the downtown blocks of Main St., 21st, and Jackson St. to the southern vicinity of the North Industrial Area by the end of 2003.

V. B. 11

- The Milwaukie neighborhoods request that Trimet and Metro form a Milwaukie working group for the Transit Center and Park & Ride relocation effort, so that representatives of the community, its residential neighborhoods and its industrial/commercial districts, can be involved in the interim and final designs of this transit center.

- The Milwaukie neighborhoods support a final design for the North Industrial area, that accommodates all-vehicle access into and out of the District. They especially encourage designs that will preserve truck and auto access, while also allowing for rail and bus access.

- The Milwaukie neighborhoods support an alignment, transit center and park and ride design that will preserve and support the reuse of historic resources in the North Industrial area, specifically, the ODOT building and grounds. They feel that the community should have an opportunity to learn about and weigh in on ODOT's future plans for the property.

- The Milwaukie neighborhoods want to support the property owners, business owners and occupants of the North Industrial area through South Corridor process and the North Industrial Land Use Study. However, they are concerned that until the North Industrial stakeholders organize to form an officially-recognized district, it will be very difficult for Milwaukie neighborhoods to unite around the best economic development and transportation plans this area of the community.

These concerns were discussed at the February 27th Neighborhood Leadership Meeting. Five neighborhoods were represented and those in attendance requested that the Neighborhood Services Manager draft a memo articulating their concerns in time for the Planning Commission meeting.

ATTACHMENT 3

V. B. 12

South Corridor Project

Locally Preferred Alternative Report

Adopted Recommendation by the South Corridor Project Policy Committee

February 13, 2003

Metro

The preparation of this report was financed in part by the U.S. Department of Transportation, Federal Transit Administration (FTA). The opinions, findings and conclusions expressed in this report are not necessarily those of the FTA.

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S. SUMMARY

This document presents the implementation strategy and the Locally Preferred Alternative (LPA) recommendation for transit improvements within the South Corridor. This recommendation is based on information documented in the *South Corridor Project Supplemental Draft Environmental Impact Statement* (Metro: December 2002), the *South/North Corridor Project Draft Environmental Impact Statement* (Metro: February 1998), the *South/North Transit Corridor Study Locally Preferred Strategy Final Report* (Metro: July 1998), the *Downtown Light Rail Systems Analysis* (TriMet and Metro: December 2002) and from public input received during the public comment period as documented in the *South Corridor Project Public Comment Report* (Metro, February 2003).

S.1 South Corridor Strategy

A two-phased major transit investment strategy is recommended for the South Corridor. The implementation of the I-205 LRT Alternative is recommended as the initial LPA, to be followed by the implementation of the Milwaukie LRT Alternative. While the South Corridor strategy recommends implementation of both the I-205 and Milwaukie light rail alignments, the two light rail projects would be constructed sequentially because sufficient local and federal dollars to construct both alignments concurrently have not been identified.

Pursuant to this LPA, TriMet will submit an application including all appropriate New Starts documentation to the Federal Transit Administration (FTA) to advance the I-205 project and Portland Mall into Preliminary Engineering (PE) and to initiate the South Corridor I-205 Project Final Environmental Impact Statement (FEIS). Based on consultation with the Federal Transit Administration (FTA), Metro and TriMet will also immediately undertake an amendment to the *South Corridor SDEIS* to update environmental and transportation analyses for the Portland Mall LRT alignment. Because an amendment is required to the SDEIS, the Portland Mall LRT alignment section of the I-205 LRT Project has the status of Preliminary Locally Preferred Alternative (PLPA) until the amended SDEIS is completed and a final LPA decision is made. The Portland Mall alignment will then be included in the South Corridor I-205 Project FEIS.

Following completion of the South Corridor I-205 Project FEIS, adoption of a finance plan for the Milwaukie project and the resolution of issues related to the Willamette River crossing, Metro and TriMet will prepare New Starts rating materials and an application to FTA to advance the Milwaukie project into Preliminary Engineering. This application will include any segment(s) of the Portland Mall not constructed with the I-205 project and also initiate the South Corridor Milwaukie Project Final Environmental Impact Statement. The South Corridor strategy is defined as follows:

A. Gateway to Clackamas Regional Center

I-205 Light Rail Alternative, including:

East of CTC Transit Center Terminus Option.
Downtown LRT Alignment (Preliminary LPA recommendation, to be finalized subsequent to amended SDEIS):
Preferred: Advance Portland Mall LRT alignment between the Steel Bridge and Portland State University (PSU) with I-205 LRT Alignment

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Fall-back options: (1) Portland Mall LRT alignment between the Steel Bridge and SW Main Street or (2) the existing SW 1st Avenue/Cross Mall alignment as identified in the I-205 SDEIS Alternative.

B. Milwaukie to Portland

Milwaukie Light Rail Alternative, including:

Lake Road Terminus.
17th Avenue Design Option.
Southgate Crossover Design Option.
Portland Mall (Preliminary LPA recommendation, pending future amended SDEIS):Complete remaining segment(s) of the Portland Mall light rail alignment if not completed with the I-205 project as part of Phase 1.
Willamette River Crossing Alignment (Preliminary LPA recommendation, pending future amended SDEIS):
Preliminary Preferred: Caruthers Bridge and SW Lincoln Street to PSU/Mall Alignment.
Fall-back options: (1) Caruthers Bridge with the Harrison Alignment, or (2) Hawthorne Bridge river crossing with (a) a SW Main/Madison connection to a Portland Mall LRT alignment or (b) the existing SDEIS SW 1st Avenue to Steel Bridge alignment.

C. Milwaukie to Oregon City

Implement Limited Bus Rapid Transit (BRT) Improvements and park-and-ride lots incrementally in accordance with priorities in TriMet's *Transit Investment Plan.*

D. Milwaukie to Clackamas Regional Center

No-Build Alternative. Maintain local bus service in this segment.

S.2 Locally Preferred Alternative Status

As stated above, the I-205 LRT Project is recommended to be the initial LPA for the South Corridor, to be followed by the Milwaukie LRT Alternative as the next LPA. Upon consultation with FTA, the Downtown Portland sections of the LPA alignments will have Preliminary LPA status until additional environmental work is completed.

A. I-205 LRT Project

I-205 LRT Alignment. The I-205 LRT Project includes two new LRT alignments, Clackamas Regional Center to Gateway via I-205 and the downtown Portland Mall from the Steel Bridge to Portland State University. Because the I-205 LRT alignment was evaluated through the *South Corridor SDEIS,* the Locally Preferred Alternative (LPA) designation is based on current environmental and transportation analysis. Because the LPA for the I-205 LRT Project's I-205 alignment was based on a current and active federal environmental document, it is recognized by the Federal Transit Administration (FTA) as meeting their guidelines for the definition of an LPA, and no further environmental work is required prior to the *South Corridor I-205 Light Rail Project Final Environmental Impact Statement* (FEIS).

Portland Mall LRT alignment. The LPA decision on the Portland Mall LRT alignment should be referred to as a Preliminary Locally Preferred Alternative (PLPA). The FTA makes this distinction because the Portland Mall alignment was not included in the *South Corridor SDEIS* alternatives, and the previous federal environmental document that evaluated a Portland Mall light rail alignment (South/North DEIS) is over five years old and in need of updating. Rather than proceeding directly into the FEIS, the Portland Mall alignment will be documented and evaluated in an amendment to the SDEIS. At the completion of the amended SDEIS for the Portland Mall alignment, a final LPA decision will be made.

B. Milwaukie LRT Project

The South Corridor Strategy's next LPA would require a distinction similar to the I-205 Project LPA. Environmental work on the Willamette River crossing and Mall connection alignment sections of the Milwaukie LRT Alternative will need to be updated as well and will be the subject of a future second amendment to the South Corridor SDEIS. The Milwaukie LRT alignment, based on the current South Corridor SDEIS, meets FTA guidelines for an LPA. The Caruthers Bridge and Lincoln Street alignment recommendations should be referred to as a Preliminary LPA recommendation, requiring a second amendment to the South Corridor SDEIS and subsequent final LPA decision.

S.3 Major Transit Investment Strategy Phasing Plan

As detailed in Section 4 of this LPA report, financial considerations require that the two light rail projects be built sequentially. Below is a summary of the two phases, followed by a more detailed description of each phase.

Phase 1 will be the I-205 Light Rail Project including light rail on the Portland Mall, as well as the following transit improvements in Milwaukie; 1) construction of a Southgate park-and-ride lot scheduled to begin construction in Fall 2003, and 2) relocation of the existing on-street Milwaukie transit center to the Southgate area pending resolution of design and environmental issues detailed in this report.

Phase 2 will be the Milwaukie Light Rail Project, which will be advanced following completion of the I-205 FEIS, adoption of a finance plan for the project and the resolution of issues related to the Willamette River crossing.

S.3.1 Phase 1: Construct I-205 and Portland Mall Light Rail and Implement Transit Improvements in the McLoughlin Corridor

Phase 1 would include construction of I-205 Light Rail Project between the Gateway regional center and Clackamas regional center and construction of the Portland Mall light rail alignment. Concurrent with Phase 1, construct a Southgate park-and-ride lot and relocate the existing on-street Milwaukie transit center to the Southgate area as early as practical pending resolution of environmental and design issues.

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A. I-205 LRT Project

Undertake engineering and environmental studies required to seek a federal funding contract for the I-205 LRT Project during 2005. Pursuant to this LPA decision, staff will:

Update environmental and transportation analyses for the Portland Mall Preliminary LPA alignment with an *Amended South Corridor SDEIS* as required by FTA, to be followed by a final LPA decision,

Submit an application including all appropriate New Starts documentation to the Federal Transit Administration (FTA) to advance the I-205 Project including the Portland Mall Preliminary LPA into Preliminary Engineering (PE), and

Initiate the *South Corridor I-205 Project Final Environmental Impact Statement* (FEIS),

Identify project elements during Preliminary Engineering that can be eliminated, deferred or value engineered to reduce project costs consistent with the project finance plan. In addition, project staff would work with City of Portland bureaus to identify methods of reducing utility-related costs.

Undertake activities to finalize the capital and operating finance plan for the project by the time the FEIS is published.

B. Activities to be undertaken concurrently with Phase 1: Milwaukie Transit Center and Park and Ride lot.

Concurrent with Phase 1, continue to address outstanding issues associated with Milwaukie light rail between downtown Portland and downtown Milwaukie including Willamette River crossing issues.

Concurrent with Phase 1, construct a Southgate Park-and-Ride lot (construction is scheduled to start in Fall 2003), and subsequently relocate the existing on-street transit center in downtown Milwaukie to the Southgate area, after resolution of design and environmental issues identified in this report.

C. Activities to be undertaken concurrently with Phase 1: Milwaukie to Oregon City Transit Improvements

Concurrent with Phase 1, implement an incremental approach for select BRT and park-and-ride improvements between Milwaukie and Oregon City with transit service continuing to the Clackamas Community College. TriMet should include improved transit service concepts for SE McLoughlin Boulevard in their *Transit Investment Plan* process.

S.3.2 Phase 2: Construct Milwaukie LRT

Following completion of the South Corridor I-205 Project FEIS, adoption of a finance plan for the Milwaukie project and the resolution of issues related to the Willamette River crossing, Metro, TriMet and partner jurisdictions would:

A. Undertake engineering and environmental studies required to seek a federal funding contract for the Milwaukie LRT Project including a Caruthers Bridge Willamette River crossing or fallback options. Metro, TriMet and partner jurisdictions will initiate the process by:

> Updating environmental and transportation analyses for the Willamette River crossing and connection to the Portland Mall through an Amended South Corridor SDEIS;
>
> Preparing New Starts rating materials and an application to FTA to advance the Milwaukie project including any segment(s) of the Portland Mall not constructed with the I-205 project into PE; and
>
> Initiating the *South Corridor Milwaukie Project Final Environmental Impact Statement* and any other environmental review required for the Willamette River crossing.

B. Complete PE, environmental analysis and construction of Portland Mall segments that were not completed as part of the I-205 LRT Project during Phase 1of the South Corridor strategy.

C. Complete the funding plan for the Milwaukie LRT Project.

The South Corridor Strategy and phasing plan are further detailed in the body of this report, including the rationale for selecting the strategy and a more specific accounting of issues requiring further analysis.

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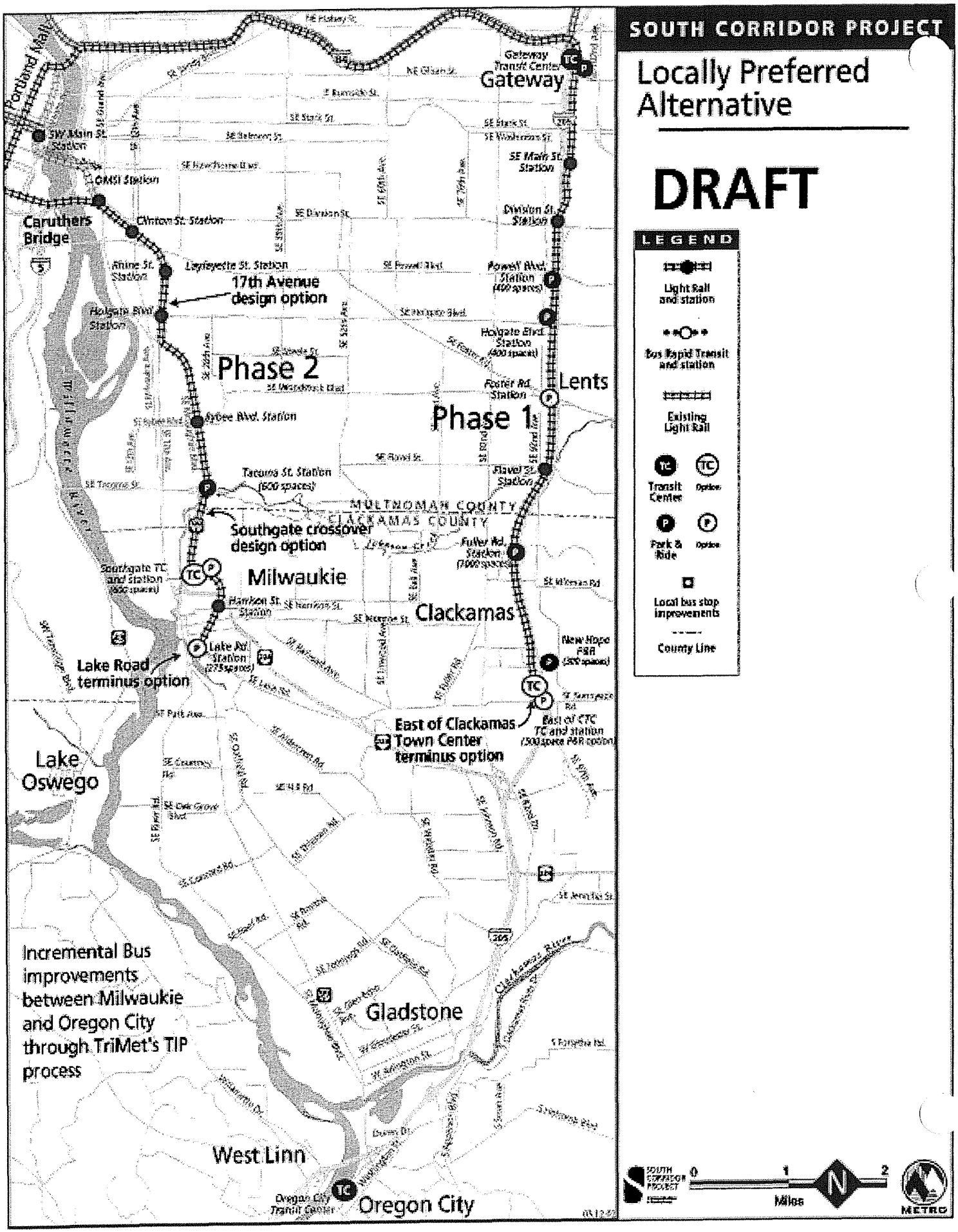
SOUTH CORRIDOR PROJECT
Locally Preferred Alternative
DRAFT
LEGEND
Light Rail and station
Bus Rapid Transit and station
Existing Light Rail
Transit Center
Park & Ride
Local bus stop improvements
County Line
Gateway
Lents
Caruthers Bridge
17th Avenue design option
Phase 2
Phase 1
Southgate crossover design option
Milwaukie
Clackamas
Lake Road terminus option
East of Clackamas Town Center terminus option
Lake Oswego
Incremental Bus improvements between Milwaukie and Oregon City through TriMet's TIP process
Gladstone
West Linn
Oregon City
MULTNOMAH COUNTY
CLACKAMAS COUNTY
Miles
METRO

1. INTRODUCTION

1.1 Locally Preferred Alternative Report Purpose

The purpose of the Locally Preferred Alternative report is to provide documentation for the South Corridor major transit investment strategy including the choice of a Locally Preferred Alternative (LPA) and design options that will be moved forward by the region into the next phases of project development. The LPA is the basis of subsequent project activities such as development of Preliminary Engineering, the preparation of the South Corridor Project Final Environmental Impact Statement (FEIS), preparation of the project finance plan and amendment of the South/North Project Land Use Final Order (LUFO).

1.2 Project History

The *South Corridor Project Supplemental Draft Environmental Impact Statement (SDEIS)* is a supplement to the original *South/North Corridor Project DEIS.* A brief history is included here, to provide context for the current LPA decision. In July 1998, the Metro Council adopted the Locally Preferred Strategy (LPS) for the South/North Corridor Project that included a light rail line between Clackamas Regional Center, Milwaukie, and Downtown and the Portland Mall via a new Caruthers Bridge. The LPS alignment would then cross the Steel Bridge and travel through North Portland, then over the Columbia River into Vancouver. In November 1998, local voters did not re-approve a 1994 funding measure that would have provided local funding for the project. In early 1999, community and business leaders requested that TriMet and Metro evaluate a new light rail alignment on Interstate Avenue in the north part of the Corridor which is documented in the *North Corridor Interstate MAX Supplemental Draft and Final Environmental Impact Statements.* The South/North LPS was amended to reflect the changes for the Interstate Max Project.

In the southern portion of the corridor, from 1999 to 2000, the South Corridor Transportation Alternatives Study (SCTAS) examined eight alternatives that intentionally did not include light rail in the South Corridor. Based on the findings in the *South Corridor Project Evaluation Report* (Metro: October 2000), the South Corridor Study Policy Committee (a committee of elected and appointed officials from jurisdictions within the corridor) narrowed the list of alternatives to be studied further in the South Corridor Project SDEIS. Most notably, after hearing from citizen groups from southeast Portland, Milwaukie and Clackamas County, the Policy Committee decided that the SDEIS should examine both a reduced cost Milwaukie Light Rail Alternative and an I-205 Light Rail Alternative. At the same time, the South Corridor Policy Committee directed staff to examine other potential river crossing options with the Milwaukie Light Rail Alternative and other downtown Portland alignments for both the Milwaukie and I-205 light rail alternatives. This analysis was documented in the *Downtown Light Rail System Analysis* (TriMet and Metro: December 2002).

1.3 South Corridor SDEIS Distribution and Public Comment

The *South Corridor Project Supplemental Draft Environmental Impact Statement* was distributed on December 13, 2002, and notice of availability was published in the *Federal Register* on December 20, 2002. Early results of this document were also circulated and discussed at three community open houses (December 9, 10, 11, 2002). The 61-day local public comment period ended on February 7, 2003 and included numerous neighborhood meetings and two public hearings. The South Corridor Project Policy Committee has made the initial recommendation for the Locally Preferred Alternative

(LPA) for the South Corridor. This *South Corridor Project Locally Preferred Alternative Report* documents the amendment to the South/North Project LPS. It documents the decision defining the I-205 Project as the Locally Preferred Alternative and the first construction segment, to be followed by the Milwaukie Light Rail Project.

1.4 South Corridor LPA Decision Process

The South Corridor LPA recommendation was made by the South Corridor Project Policy Committee on February 13, 2003. It will be considered by local jurisdictions, ODOT and TriMet, the Joint Policy Advisory Committee on Transportation (JPACT) and by the Metro Council (See Figure 1.4-1). The final LPA decision will be made by the Metro Council after consideration of:

A) Public comments on the South Corridor SDEIS made during the public hearings and as documented in the *South Corridor Project Public Comment Report* (Metro, February 2003);

B) Data and analysis included in the *South Corridor Project Supplemental Draft Environmental Impact Statement* (Metro, December 2002) and the *Downtown Light Rail System Analysis* (TriMet and Metro, December 2002);

C) Consistency with the study purpose and need and the project's adopted goals and objectives, and

D) Consideration of recommendations from the following committees and jurisdictions, scheduled on the following dates:

The Clackamas County Board of Commissioners on March 19, 2003
The City of Oregon City Commission March 19, 2003
The Multnomah County Board of Commissioners on March 20, 2003
The TriMet Board of Directors on March 26, 2003.
The Milwaukie City Council on April 1, 2003
The City of Portland Council on March 19, 2003
The Joint Policy Advisory Committee on Transportation on April 10, 2003.
Metro Council on April 17, 2003.

The resolutions adopted by the bodies listed above are contained in Appendices B – J of this report.

South Corridor Project
Locally Preferred Alternative Process

SDEIS Public Comment Period	Project Recommendation	Jurisdictional Recommendations	Adoption
Dec 9 – Feb 7	Feb 13	March	
Open Houses 12/9, 12/10, 12/11 Public Hearings 1/29, 2/4	Policy Committee Draft recommendation 2/13	Multnomah County 3/20 Clackamas County 3/19 City of Milwaukie 4/ Oregon City 3/19 City of Portland 3/19 TriMet Board 3/27	TPAC 3/28 JPACT 4/10 Metro Council ★ 4/17

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2. ALTERNATIVES CONSIDERED

The purpose of this section is to provide a brief description of the six alternatives that were examined in the *South Corridor Project Supplemental Draft Environmental Impact Statement (SDEIS)*(Metro: December, 2002) and the Willamette River crossing options and downtown Portland light rail alignments studied in the *Downtown Light Rail Systems Analysis* (Metro and TriMet: December, 2002). For a complete description of these alternatives, please see the *South Corridor SDEIS*, Chapter 2 Alternatives Considered and the *Downtown Light Rail Systems Analysis* report.

2.1 South Corridor Project SDEIS Alternatives

Except for the No-Build Alternative, each of the alternatives includes design options, which are relatively small variations in the proposed alignment and/or other characteristic of an alternative (e.g., park-and-ride lots).

A. No-Build Alternative The transit service network, related transit facilities and roadway improvements included in the No-Build Alternative are consistent with the *2000 Regional Transportation Plan* (RTP) 2020 financially constrained transit and road network (Metro: adopted August 2000). The transit capital improvements in the No-Build Alternative would be included in all other alternatives.

B. Bus Rapid Transit (BRT) Alternative would provide improved bus operations, reliability and travel time for a modest capital investment. BRT would operate between Downtown Portland, Milwaukie, and Oregon City, as well as between Milwaukie and the Clackamas Regional Center.

C. Busway Alternative provides higher level of reliability and improved travel times through primarily exclusive bus operations in a separate guideway from downtown Portland to Milwaukie and the Clackamas regional center. A BRT connection from Oregon City would enter the busway in Milwaukie.

D. Milwaukie Light Rail Alternative provides a direct high-capacity rail transit connection between downtown Portland and Milwaukie on exclusive right-of-way. BRT would connect from Oregon City and the Clackamas regional center and transfer to light rail at the Milwaukie Transit Center.

E. I-205 Light Rail Alternative provides a direct high-capacity rail transit connection between Downtown Portland and the Gateway and Clackamas regional centers via the existing east-west light rail alignment to Gateway and an extension primarily along existing reserved right-of-way on I-205 from Gateway to the Clackamas regional center. BRT would connect Downtown Portland to Milwaukie and Oregon City.

F. Combined Light Rail Alternative provides direct high-capacity rail transit connections between Downtown Portland and Milwaukie and between Downtown Portland and Clackamas regional center via the Gateway regional center. BRT would connect Milwaukie with Oregon City.

2.2 Downtown Portland River Crossing and Alignment Options

The South Corridor Project Policy Committee directed staff to examine other potential river crossing alignments and downtown rail alignments, and assess the train capacity and system reliability of the current Cross Mall alignment. The results are documented in the *Downtown Light Rail Systems Analysis* report. The alignments analyzed in this study are listed below:

A. River Crossings and Downtown Alignment Combinations with Milwaukie LRT:

Hawthorne Bridge with 1st Avenue alignment to the Steel Bridge (SDEIS option);
Hawthorne Bridge with a SW Main/Madison alignment to the Portland Mall alignment and to the Steel Bridge;
Hawthorne Bridge with a 1st Avenue alignment to the Cross Mall;
Caruthers Bridge with a Harrison alignment to the Portland Mall;
Caruthers Bridge with a Lincoln alignment to the Portland Mall with or without grade separation over SW Harbor Way; and
Ross Island Bridge alignments to the Portland Mall.

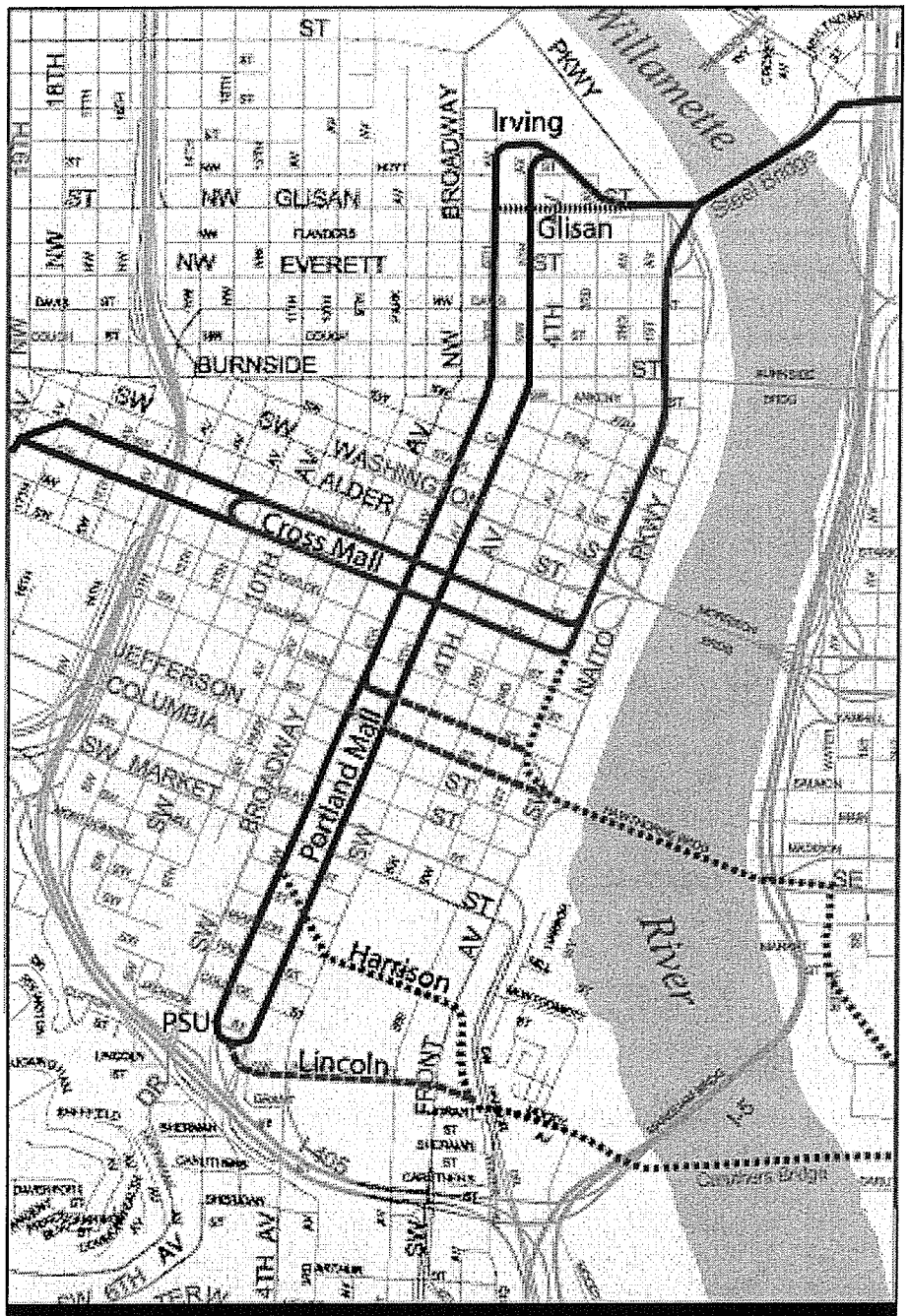
B. Downtown Alignment Combinations with I-205 LRT Alternative:

I-205 with the Cross Mall alignment;
I-205 with a Portland Mall alignment to Main Street; and
I-205 LRT Alternative with Portland Mall alignment to PSU.

2.3 Downtown Portland Light Rail Operations and Capacity Analysis

The Policy Committee directed staff to evaluate the long-term capacity and operating reliability of the existing Cross Mall LRT alignment (SW 1st Avenue, SW Morrison and SW Yamhill streets) and to develop measures to improve reliability and increase capacity. The *Downtown Light Rail Systems Analysis* report documents the analysis and found that that there is a limit of 30 trains that can operate per hour in each direction on the existing Cross Mall alignment without significant modifications. In the year 2020, the I-205 Light Rail Alternative operating on the Cross Mall in combination with the existing lines and service growth would equal 33 trains per hour.

Operations on the track section between SW 1st and SW 11th Avenues on SW Yamhill and Morrison streets would create the most significant constraint on system capacity. As volumes approached the limit, delays and service quality reductions could be expected. A delayed train could affect other trains that are following and the system would have less ability to recover. To mitigate for this potential impact, five system modifications were examined. Although one of these (signal timing modifications) held promise to increase capacity to allow for the additional trains associated with the I-205 project, service quality on the Cross Mall would still be reduced as the number of trains per hour approaches the theoretical limit of 30 trains per hour. Therefore, an additional alignment in downtown Portland should be considered for the long-term growth of the system.



South Corridor Downtown Light Rail Alignments

- Transit Mall Alignment
- Cross Mall Alignment
- Caruthers Alignments
- Harrison
- Lincoln
- Hawthorne Bridge
- SDEIS Option
- Main and Madison

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3. DESCRIPTION OF THE LOCALLY PREFERRED ALTERNATIVE

3.1 Clackamas to Gateway: I-205 Light Rail Alternative

A. Phasing

The I-205 LRT Project would be implemented as Phase 1 of the South Corridor major transit investment strategy.

B. Rationale for Selection

The I-205 Alternative would have the highest transit ridership of all the Alternatives for this segment, and would carry over 33,000 trips in 2020, the highest of any individual alternative considered in the SDEIS;
I-205 LRT Alternative would save transit travel time; 12 minutes between the Rose Quarter Transit Center and the Clackamas Town Center Transit Center compared to the No-Build Alternative;
I-205 LRT would support the 2040 growth concept by offering high capacity transit connections between the Gateway regional center and the Clackamas regional center while serving the Lents town center as well as connecting directly to the Central City;
The I-205 LRT Alternative would provide excellent opportunities for transit oriented development in support of the Region 2040 Plan in the Gateway regional center, Lents Town Center and at the Clackamas Regional Center;
With construction of I-205 in the late 1970s, right-of-way was established for a high capacity transit improvement for much of the alignment. Because of the existing right-of-way, I-205 LRT could be constructed with minimal residential and business displacements, property acquisition and related costs; and
I-205 LRT would provide regional connections to the airport, Gresham, downtown Portland, the Lloyd District, Beaverton, Hillsboro and other areas served by the regional light rail system.

C. Issues to be Addressed by Staff

Foster Road/Lents Town Center design issues. Based on input from the Federal Highway Administration, the potential 150-space surface park-and-ride lot under I-205 at SE Foster Road was eliminated from the I-205 Alternative. Prior to and during the PE/FEIS phase, staff should continue to work with the Lents neighborhood and the Lents Urban Renewal Advisory Committee to determine a location for the station and park-and-ride that supports the community vision of the Lents Town Center while maintaining good station access and bus connections. Staff should continue to coordinate with the City of Portland, Portland Development Commission (PDC) and the Lents community on potential design refinements in the Lents Town Center. These design refinements could include a relocated station, joint-use parking structures and improved pedestrian facilities.
Holgate Boulevard Station. Staff should continue to consult with the City of Portland and the Lents community to determine if a park-and-ride at Holgate is compatible with the surrounding land uses and is acceptable to neighbors.
Flavel Street Station. Staff should work with the City of Portland Parks Bureau and Bureau of Environmental Services (BES) to resolve issues related to the Johnson Creek floodplain and the

at-grade crossing of the Springwater Trail. Appropriate mitigation or engineering changes including moving or redesigning stations should be considered in balance with project costs.

Fuller Road/Johnson Creek Boulevard Design Issues. The Fuller Road park-and-ride and station may need to be refined to address concerns related to intersection access at Johnson Creek Boulevard. Alternative park-and-ride and station locations should be investigated. Staff should work with Clackamas County and neighborhoods in refining the light rail alignment and park-and-ride lot design in this vicinity prior to and during the PE/FEIS phase. Both the LRT alignment and the park-and-ride facility should be located to minimize the potential impact to future I-205/Johnson Creek Boulevard interchange improvements. TriMet should work with ODOT and Clackamas County to ensure that the light rail design is compatible with a variety of potential interchange configurations and with economic development opportunities in the area under the Clackamas Urban Renewal plans.

Continue to Allow for Future Highway Expansion. Staff should continue to work with ODOT to refine the current I-205 Light Rail alignment design to make minor modifications necessary to address FHWA/ODOT concerns about future expansion of the freeway.

LRV and Ruby Junction Expansion Financing. Staff should develop long-term plan and funding strategy to purchase light rail vehicles and expand Ruby Junction to address the future fleet needs of the I-205 alignment.

Noise and vibration. Staff should undertake further detailed noise and vibration analysis for the I-205 alignment with specific attention to the area between SE Foster Road and SE Johnson Creek Boulevard. This work should be coordinated with ODOT to ensure that construction of the LRT line would not lessen the effectiveness of the ODOT existing or planned noise mitigation.

Identify Potential Cost Reductions. Staff should analyze ways to lower cost of the I-205 Alternative by eliminating or postponing project elements. These items could include park-and-ride lots, park-and-ride capacity and types, stations, cost efficient engineering methods, vehicles or the expansion of the Ruby Junction maintenance and storage facility. These potential cost reductions should be sensitive to community needs and the project's objectives.

Address community concerns. Neighborhood, community and urban renewal groups along the I-205 alignment have raised concerns about noise and vibration impacts, traffic, safety and security, property acquisition, visual screen and landscaping. Staff and community members should seek to find solutions that can be funded with the project budget while meeting community needs and as justified by more detailed environmental analysis during the FEIS process.

3.1.1 Preferred Clackamas Town Center Terminus design option: East of the Clackamas Town Center.

A. Alternatives Considered

Two design options were considered for the terminus of the I-205 LRT alignment:
North of Clackamas Town Center, along Monterey Avenue, and
East of the Clackamas Town Center, parallel to and west of the I-205 Freeway.

B. Rationale for Selection

Better park-and-ride access. The East of the Town Center Terminus Option could provide 500 to 1,000 park-and-ride space capacity at the station;

Better access to jobs. This option would result in 1,490 more employees located within a quarter mile of a light rail station;
This option would create a more direct future alignment if light rail were to be extended to the east or south from the Clackamas Town Center;
East option favored by Clackamas Town Center. As owner of the site of either transit center, the Clackamas Town Center management supports this option as it fits well with future mall expansion plans; and
This option would affect fewer prime commercial parking spaces at the Clackamas Town Center while increasing overall accessibility.

C. Issues to be Addressed by Staff

Pedestrian connection. A clear and protected pedestrian connection from the transit center to the mall entrance should be developed;
Clarify bus access. Bus access to the transit center that minimizes bus delay and increases bus reliability from SE Monterey and SE Sunnyside Road should be developed;
Transit supportive development. Clackamas County should re-examine the adopted Clackamas Regional Center Plan and make changes that acknowledge and maximize the benefit of the new transit center location for active transit supportive uses around the station and supports the area's designation as a regional center in the Region 2040 growth concept; and
Auto and bus access. Staff should work with Clackamas County and the Clackamas Town Center management to develop plans for auto and bus access to and from the transit center and park-and-ride site.

3.1.2 Preliminary Preferred Downtown Portland Light Rail Alignment: Portland Mall from Steel Bridge to Portland State University

The LPA decision on the Portland Mall LRT alignment should be referred to as a Preliminary Locally Preferred Alternative (PLPA). The FTA makes this distinction because the Portland Mall alignment was not included in the *South Corridor SDEIS* alternatives, and the previous federal environmental document that evaluated a Portland Mall light rail alignment (South/North DEIS) is over five years old and in need of updating. Rather than proceeding directly into the FEIS, the Portland Mall alignment will be documented and evaluated in an amendment to the SDEIS. At the completion of the amended SDEIS for the Portland Mall alignment, a final LPA decision will be made.

A. Alignments Considered

Two alignments were developed for the I-205 Light Rail Alternative in Downtown Portland. These alignments include service either on the existing Cross Mall or on the Portland Mall. The Cross Mall alignment was examined in the SDEIS while the Portland Mall alignment was selected as the LPA in 1998 after study in the South/North Project DEIS. Issues related to the Portland Mall alignment were also documented in the *Downtown Light Rail Systems Analysis* (TriMet and Metro: December 2002).

With the I-205 Cross Mall alignment, trains would enter downtown Portland over the Steel Bridge and would use the existing tracks on SW First Avenue and SW Morrison streets with trains turning around on SW 11th Avenue and returning on SW Yamhill Street. With the Portland Mall alignment,

trains would enter using the Steel Bridge and would require new tracks on either NW Glisan or NW Irving streets to access 5th and 6th avenues. This alignment would extend to either PSU at SW Jackson Street or SW Main Street depending on the results of the finance plan.

B. Rationale for Preliminary Preference

The Portland Mall alignment would ensure improved service quality on both downtown LRT alignments by providing greater capacity and reliability on second alignment in downtown Portland in addition to the Cross Mall.
Light rail on the Portland Mall reinforces 30 years of transportation and land use policy. Since the adoption of the 1972 Downtown Plan, the Portland City Council has continuously reaffirmed that the Portland Mall is the preferred location for a light rail alignment. Public and private investment decisions have been made in downtown over the last 30 years that support transit access on SW 5th and 6th avenues and auto and truck access along SW 4th and SW Broadway.
The Portland Mall alignment would directly serve important Downtown destinations alignment including Union Station and Portland State University;
The Cross Mall Alignment would limit service expansion ability and would eventually decrease service quality with the addition of trains needed for system growth;
The Portland Mall was selected as the South/North Corridor Project LPA in 1998 after significant public and technical analysis;
The Portland Mall alignment received considerable public support during the South Corridor public comment period, especially from the downtown community; and
Construction of light rail on the Portland Mall would be concurrent with the Mall Rehabilitation Project, which is needed to facilitate the City of Portland's desired retail strategy.

C. Caveat

If financial resources are not available for a Portland Mall Alignment with a terminus at Portland State University, then a shorter terminus at SW Main Street should be considered. If there is a greater financial shortfall, then the SDEIS option using SW First Avenue and SW Morrison and Yamhill streets should be considered.

The selection of the Portland Mall Alignment will be dependent upon additional environmental work and public process.

D. Issues to be Addressed by Staff

Update environmental analysis. Staff will update environmental and transportation analyses for the Portland Mall Preliminary LPA alignment by preparing an *Amended South Corridor SDEIS* as required by FTA, to be followed by a final LPA decision,
North Entry Study. There are two routes that could connect the Steel Bridge to the Portland Mall. The Glisan Option would use the off-ramp from the Steel Bridge to NW 5th and 6th avenues with a common station located between NW 2nd and 3rd avenues. The Irving option, which was included in the 1998 LPS, would require a new ramp from the Steel Bridge parallel to the railroad tracks that lead to Union Station. This option would proceed to Union Station and turn on NW Irving Street where the alignment would connect onto the Portland Mall. Staff

should work with the business, residential and non-profit communities to determine the best alignment in the North Entry to downtown Portland that balances cost, travel times and property impacts with the benefit of serving Union Station.

Configuration of the Portland Mall. The Portland Business Alliance and others have called for continuous auto access (an auto through-lane) along SW 5th and 6th avenues as part of a strategy to revitalize the retail environment. This configuration along with the adopted Portland Mall configuration of light rail and buses sharing the center lane will be examined. Staff should continue to work with the City of Portland, downtown businesses, residents and transit riders to determine the best configuration of the Portland Mall considering the needs of retail establishments, pedestrians, auto circulation and transit (bus and light rail).

Terminus in Downtown Portland. There are two potential termini options in downtown Portland with the I-205 LRT Alternative with the Portland Mall Design Option. One option is to extend to Portland State University at SW Jackson Street and the other option is to turn trains around at SW Main Street. Providing service to PSU and it's 25,000 students would allow direct light rail access to one of the region's largest attractor of transit trips and would allow TriMet the flexibility to store trains in downtown Portland for special events and to service heavy loadings during peak periods. The Main Street terminus would save approximately $51 million (2006$) and should be considered if the financial plan does not identify adequate funding for the alignment to PSU.

3.2 Portland to Milwaukie: Milwaukie Light Rail

A. Phasing

Milwaukie LRT Project will be implemented in Phase 2 of the South Corridor major transit investment strategy. As a part of Phase 1, the construction of a Southgate park-and-ride lot (to begin in Fall 2003) and the relocation of the existing on-street Milwaukie transit center to the Southgate area will begin as early as practical pending resolution of environmental and design issues.

B. Rationale for Selection

In 2020, Milwaukie LRT would have the highest number of transit trips in this segment of any alternative, adding over 20,000 light rail trips in addition to I-205 light rail for a combined total of over 53,000 daily light rail trips in the South Corridor;

The Milwaukie LRT Alternative would provide the fastest travel time of any of the Alternatives between Milwaukie and downtown Portland;

LRT station areas would provide excellent opportunities for transit oriented development in southeast Portland and in downtown Milwaukie;

Milwaukie LRT would provide better neighborhood transit service than the BRT or Busway Alternatives, by providing accessible, high-capacity transit service to Southeast Portland neighborhoods, Milwaukie and downtown Portland;

The Milwaukie LRT Alternative has generated significant community support in Milwaukie, southeast Portland and downtown Portland. For example, the Milwaukie Neighborhood Leaders have actively engaged their community and City Council over a period of two years in a grass-roots effort to identify light rail alignments that fit with community goals;

The Milwaukie LRT Alternative would have fewer environmental and displacement impacts than the Busway Alternative; and

Milwaukie LRT would be compatible with and would augment the regional light rail transit system offering direct service to downtown Portland, the Rose Quarter and north Portland as well as easy transfers to the Blue and Red Lines between Hillsboro, downtown Gresham and the Portland Airport.

C. Issues to be Addressed by Staff

Update Environmental Analysis. Environmental work on the Willamette River crossing and Mall connection alignment sections of the Milwaukie LRT Alternative will need to be updated and will be the subject of a future second amendment to the South Corridor SDEIS. The Milwaukie LRT alignment, based on the current South Corridor SDEIS, meets FTA guidelines for an LPA. The Caruthers Bridge and Lincoln Street alignment recommendations should be referred to as a Preliminary LPA recommendation, requiring a second amendment to the South Corridor SDEIS and subsequent final LPA decision.
Water Quality and Hydrology. Develop detailed designs for storage and treatment of stormwater along the alignment and from the stations and park-and-ride facilities;
Park and Ride Access. Staff will continue to develop and evaluate options for increasing park and ride opportunities along the Milwaukie LRT alignment to better accommodate demand and minimize neighborhood parking impacts;
Displacements. Continue to work with potentially impacted property owners to help them to understand the process of property acquisition;
Traffic Issues. Explore modifications to SE Water Avenue (in the vicinity of SE Clay Street and OMSI) to ensure that autos queuing from the freight and passenger railroad (UP) tracks east of SE Water Avenue would not block the light rail tracks. Work with City of Portland traffic engineers to ensure that the proposed light rail crossing of SE 11th and 12th Avenues allows for adequate traffic operations; and
Truck issues. Work with Milwaukie North Industrial area business owners and jurisdiction staff to ensure that truck access, movements and loading needs for adjacent businesses are addressed.

3.2.1 Preferred Brooklyn Design Option: 17th Avenue

A. Alternatives Considered

Two design options were evaluated in this segment:
West of Union Pacific Railroad (UPRR), with the alignment located adjacent to the UPRR parallel to the Brooklyn Yards, and;
17th Avenue, with the alignment along the western edge of 17th Avenue through the Brooklyn Neighborhood.

B. Rationale for Selection

17th Avenue stations would be closer to the Brooklyn Neighborhood and provide better station environments and pedestrian access than with the West of Brooklyn Yard Design Option;
The 17th Avenue Design Option would serve more transit supportive land uses located along SE 17th Avenue compared to the West of Brooklyn Yard Design Option;
The 17th Avenue Option would avoid displacements to large employers;
The 17th Avenue Option would avoid railroad property which would otherwise be an impediment to timely and cost-effective implementation; and

The 17th Avenue Option is strongly supported by the Brooklyn neighborhood.

C. Issues to be Addressed by Staff

Displacements and property impacts. Work diligently to minimize potential displacements and property impacts with this design option.
Truck movements. Continue to work with businesses and property owners to refine designs to allow for truck turning movements necessary to serve adjacent businesses.
Center Street Bus Operations Facility. Work to identify solutions to parking loss and impacts to bus storage and operations at the TriMet's Center Street facility.

3.2.2 Preferred Milwaukie Design Option: Southgate Crossover

A. Alternatives Considered

Two design options were considered for Milwaukie:
Tillamook Branch Design Option, which would locate light rail adjacent to the Tillamook Branch railroad from the Tacoma Station to a transit center and LRT station located at the Waldorf School. This option would have no Southgate park-and-ride, transit center or LRT station.
Southgate Crossover Design Option, which would follow McLoughlin Blvd south from the Tacoma LRT Station to a 600-space Southgate Park and Ride, Transit Center and LRT station. The alignment would then cross to the east to join with the Tillamook Branch alignment.

B. Rationale for Selection

Impacts to the Waldorf School site and a limited capacity for transit operations are drawbacks of Tillamook Branch Design Option. The Milwaukie Transit Center would be located at the Southgate site with the Southgate Crossover Design Option. The Southgate Transit Center site is a preferred location over the Waldorf School Transit Center site with the Tillamook Branch Line Design Option.
The Southgate Crossover alignment would result in more transit ridership due to an additional station and park-and-ride and a more convenient transit center location that could better accommodate increases in transit service than the other options.
The Southgate Crossover would provide better access to jobs and residents, providing access to 1,500 more jobs and 50 more residents within a quarter-mile of a light rail station than the Tillamook Branch design option.
The Southgate Crossover would allow for additional park-and-ride capacity (600-space structured lot at Southgate) compared to the Tillamook Branch design option.

C. Issues to be Addressed by Staff

Relocate the on-street Milwaukie Transit Center to the Southgate site as early as practical during Phase 1. In order for the this project to proceed in phase 1, the following issues need to be resolved:

- *Environmental Review:* additional environmental review as may be required by the FTA. TriMet has received environmental clearance for a park-and-ride lot at this location and will proceed initially with this project.

- *Bus Routing and Transit Operations*: Review with involved communities and constituents required bus rerouting and identify changes in bus operations necessary to cost-effectively implement the new transit center site.
- *Capital Funding:* Identify the capital funding sources to fund the transit center component.

Traffic and Freight Mobility. Work to address traffic and truck access issues along the Southgate Crossover, especially on SE Main Street, SE Milport Street and SE Mailwell Drive and the SE Milport intersection with SE McLoughlin Boulevard.
Waldorf School. Work with the Waldorf School to ensure safety at the station and for the alignment in the vicinity of the school.
Displacements and property impacts. Work to minimize displacements and property impacts with this design option.

3.2.3 Preferred Milwaukie Terminus Design Option: Lake Road Terminus

A. Alternatives Considered

Two termini locations were evaluated for the Milwaukie LRT Alternative:
Waldorf School Terminus (formerly known as Milwaukie Middle School Terminus), with a station and transit center on the Tillamook Branch railroad alignment located south of Harrison Street and east of the school, and;
Lake Road Terminus, with a station and park and ride structure further south along the Tillamook Branch railroad alignment at the intersection with Lake Road.

B. Rationale for Selection

The Lake Road Terminus Option provides an additional station in downtown Milwaukie serving the southern portion of the downtown with access to Milwaukie High School.
The Lake Road Terminus Option provides an additional 275 structured park-and-ride spaces that would capture auto trips prior to going through downtown Milwaukie.
The Lake Road Terminus Option would provide better access to jobs and residents, resulting in 1,710 more residents and 1,410 employees located within a quarter mile of a light rail station than the Waldorf School Terminus option.

C. Issues to be Addressed by Staff

Interim terminus option. Consider a shorter interim terminus at the Waldorf School if financial plans are not adequate to fund the extension of light rail to the Lake Road terminus. A bus transit center would not be located at the Waldorf School with this interim terminus option.
Bus access. Refine bus service and access to the SE Lake Road light rail station during the PE/FEIS phase of the project.
Displacements. Work with property and business owners at the site of the park-and-ride garage to help them understand the acquisition process.
Access to Lake Road Park-and-Ride Lot. Consider an alternative garage access point for the Lake Road Station Park-and-Ride lot.

3.2.4 Preliminary Preferred Willamette River Crossing: Caruthers Bridge

A. Alternatives Considered

The South Corridor Policy Committee directed that a low cost Milwaukie Light Rail Alternative be studied in the SDEIS and that other potential river crossing alignments for the Milwaukie Alternative be studied in a parallel study, the *Downtown Light Rail Systems Analysis* (TriMet and Metro, December 2002).

Three Willamette River Crossing locations were examined during these processes: the existing Hawthorne Bridge, a new Caruthers Bridge and a new Ross Island Bridge.

The Hawthorne Bridge alignment would require inbound trains to use the SW Water Avenue ramp on the east side and cross from the inside lanes to the outside lanes of the Hawthorne Bridge where trains would operate in mixed traffic across the bridge. On the west side of the bridge, inbound trains would cross back to the center lanes and would turn onto SW First Avenue and continue north connecting to the Interstate Max line. New traffic signals on both ends of the Hawthorne Bridge would impact traffic. The frequent lifts of the Hawthorne Bridge would cause transit reliability issues. Downtown Portland businesses do not support this alignment because riders would be required to transfer or walk to get to the Portland Mall and many downtown Portland destinations.

Additional alignments with the Hawthorne Bridge crossing were also examined. These alignments include the Hawthorne Bridge with a Main and Madison connection to the Portland Mall and the Hawthorne Bridge with a connection via First Avenue to the Cross Mall.

The Caruthers Bridge alignment would be located directly south of the Marquam Bridge and would connect OMSI to SW River Parkway on the west bank. This alignment was selected as part of the Locally Preferred Alternative in 1998. This bridge would be a fixed span bridge to eliminate reliability issues due to bridge openings and would be constructed to allow for bike and pedestrian connections from the greenways on both banks of the Willamette. Connections from the Caruthers Bridge to the Portland Mall would be via either SW Lincoln or Harrison streets.

A new bridge located north or south of the existing Ross Island Bridge would impact a number of historic resources, would not serve OMSI and the Central Eastside Industrial District and would impact the Corbett-Terwilliger-Lair Hill Neighborhood

B. Rationale for Preferred Preference

The Caruthers Bridge alignment would provide better access to PSU, South Auditorium and South Waterfront areas than the Hawthorne Bridge Alignment
The Caruthers Bridge would provide more reliable service. The frequent openings of the Hawthorne Bridge would affect light rail service reliability where the Caruthers would be a fixed span bridge.
Delays to traffic and buses would occur on Hawthorne Bridge. Light rail trains would have to cross from the outside lanes to the inside on both ends of the bridge.
The Hawthorne Bridge would require significant modifications that could result in closures of the bridge, which would affect auto commuters and Hawthorne area businesses.
Traffic on the Hawthorne Bridge could delay light rail and bus service.
The Caruthers Bridge was selected as part of the South/North DEIS Locally Preferred Alternative in 1998 after significant public discussion.

Many groups have opposed the Hawthorne Bridge alignment during the South Corridor public comment period.
The Caruthers Bridge has been supported during the South Corridor public comment period.

C. Caveat

If the financial plan cannot accommodate the Caruthers Bridge Alignment, then the Hawthorne Bridge with a Main/Madison Street Alignment to the Transit Mall should be moved forward. If the financial resources are not available for the Hawthorne Bridge with the Main and Madison alignment, then the alignment studied in the SDEIS on SW First Avenue should be moved forward.

3.2.5 Preferred Alignment Connecting Caruthers Bridge to Portland Mall: Lincoln Alignment

A. Alternatives Considered

The **Harrison Alignment** was selected in 1998 as the South/North LPA alignment due to cost, travel time, ridership and public input. Currently, Portland Streetcar Inc. is in Preliminary Engineering for the extension of streetcar service from PSU to the North Macadam area via SW Harrison Street. The compatibility of operating streetcar and light rail on the same alignment was investigated, as were the differences between construction methods. The conclusions were that operating streetcar and light rail on the same tracks would negatively impact both modes. In addition, since light rail has more restrictive grade requirements and different station clearances than the streetcar, modifications to the tracks and stations would be required, disrupting streetcar service. Finally, if both modes were operating on the same tracks both modes would need to pre-empt traffic signals resulting in significant traffic delays at SW Naito Parkway. Finally, if both modes operate on the same tracks with stations and signals, the ultimate capacity of each is significantly reduced.

The **Lincoln Alignment** for light rail would avoid the issues with the Harrison Alignment. This alignment would cross over the intersection of SW River Parkway and SW River Drive at grade and would cross over SW Harbor Drive and the Harrison Street Extension on new structure. The alignment would cross SW Naito Parkway and SW First Avenue at-grade as the alignment continues up SW Lincoln Street. A station could be located between SW 2nd and 3rd avenues. The alignment would continue to SW 5th and 6th avenues where it would tie into the Portland Mall LRT alignment.

B. Rationale for Selection

Combining light rail and streetcar on Harrison could create operational difficulties. The Portland Streetcar will likely use the Harrison Alignment and analysis has shown that operations could be difficult on a shared alignment. Either modifying Harrison streetcar tracks to accommodate light rail or building the streetcar to light rail standards would be expensive, and could result in a non-optimal shared LRT/Streetcar alignment.
The Lincoln Alignment could allow for a better station in the South Auditorium Area.

C. Caveat

Additional engineering and design work is needed to ensure that the Lincoln Alignment will not effect I-405 exit and entrance ramps. If Lincoln Street proves not to be a viable option, then the Harrison Alignment should remain as a fallback option.

D. Issues to be Addressed by Staff

Update Environmental Analysis. As noted above, the selection of the Caruthers Bridge with the Lincoln Street Alignment would likely require additional environmental work on the Willamette River crossing and will be the subject of a future second amendment to the South Corridor SDEIS.

Connection from the Caruthers Bridge to PSU. Finalize the alignment from the west end of the Caruthers Bridge to PSU. Proceed with additional work needed on the Lincoln Alignment at 1) SW 5th and 6th avenues and 2) at SW River Parkway and SE River Drive where the alignment would ramp to cross SW Harbor Drive. Staff should work with ODOT and FHWA to ensure that access to and from the I-405 is not impeded.

Financial plan. Continue to develop plans for the Caruthers Bridge for inclusion in the project. The Harrison Street alignment should be retained as a fallback option until a financial plan is adopted that accommodates the Caruthers Bridge.

3.3 Milwaukie to Oregon City: Develop Incremental BRT-type Improvements

A. Phasing

Concurrent with Phase 1, implement an incremental approach for select BRT and park-and-ride improvements between Milwaukie and Oregon City with transit service continuing to the Clackamas Community College. TriMet should include improved transit service concepts for SE McLoughlin Boulevard in their *Transit Investment Plan* process.

B. Rationale

It is recommended to proceed with incremental implementation of bus service and BRT-type elements in this segment. TriMet should include improved transit service concepts for McLoughlin Boulevard in their Transit Investment Plan process. This process should evaluate park-and-ride sites, bus stop improvements, pedestrian facilities and other service enhancements for implementation in cooperation with Milwaukie, Clackamas County and Oregon City. Service improvements to the Clackamas Community College southeast of Oregon City should also be considered. When light rail is implemented between Portland and Milwaukie, additional bus service improvements between Milwaukie, Oregon City and Clackamas Community College should be evaluated.

3.4 Milwaukie to Clackamas: No-Build - Maintain Local Bus Service

A. Rationale

With both I-205 and Milwaukie LRT lines implemented in the corridor, local bus service would be maintained or improved in this segment. The trips in this segment traveling through to central Portland would either travel east to access I-205 Light Rail or travel west to access Milwaukie Light Rail. With this service concept, BRT-type treatments, which facilitate transit travel through this segment, would not be needed.

As the I-205 and Milwaukie LRT alignments move toward implementation, TriMet should work with the neighborhoods in this segment (along with the City of Milwaukie and Clackamas County) to explore improvements to the local bus service in this segment. Improvements could include new routes, route modifications and improved service frequency.

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4. PROJECT PHASING

While the previous sections of this report document the merits of implementing the I-205 LRT and Milwaukie LRT extensions along with the Portland Mall, this section addresses the need to phase implementation of the alignments and defines the proper sequencing for doing so.

4.1 Funding Considerations

4.1.1 Funding Context

The need for sequencing the two LRT extensions is addressed by assessing the viability of implementing the Combined LRT Alternative, which presumes that the I-205 LRT and Milwaukie LRT extensions would be concurrently implemented. As reported in the SDEIS, the "Fixed Guideway Opening Day" capital cost in year of expenditure dollars (YOE$) for the Combined LRT Alternative would be approximately $800 million. The inclusion of the Caruthers Bridge/Mall LRT alignment in downtown Portland (per the LPA) would increase the capital cost of the Combined LRT Alternative by and additional $249. In addition, the annual LRT operating cost of the Combined LRT alternative is estimated to be $13.3 million (2002$) in the year 2020.

4.1.2 FTA Statutory Requirements

FTA administers a discretionary federal funding program for LRT projects (alternatively called Section 5309 funds or New Start funds). FTA only permits light rail extensions to proceed to Final Design and to receive a Full Funding Grant Agreement if they are determined to be consistent with FTA's financial capacity policy. Section 5309(e)(1)(C) of the federal transit code requires that a grantee receiving a New Start funding grant must demonstrate that the project is "supported by an acceptable degree of local financial commitment, including evidence of stable and dependable financing resources to construct, maintain and operate the system or extension."

Pursuant to FTA policy promulgated in response to the above statute, each South Corridor Project must meet two financial criteria to be eligible for a New Start funding grant:

Financial Condition. Satisfactory financial condition means that the grantee (i.e. TriMet) can pay its current operations, capital and vehicle/facility replacement program costs from existing revenues.

Financial Capability. Satisfactory financial capability means the grantee's ability to meet its expansion costs in addition to its existing operations from project revenues.

4.1.3 Implications of Concurrent Construction of Milwaukie and I-205 LRT Projects

The Combined LRT Alternative could not comply with the above criteria and, therefore, cannot be eligible for a federal New Start grant because:

The Region could not commit an amount of local funding sufficient for the Combined LRT Alternative within the schedule required to secure a federal funding contract by March 2005. An LRT project must have completed at least 60 percent of its Final Design in order to be eligible for a federal funding contract. For a project the size of the Combined LRT Alternative, it

could easily take a year from the start of Final Design to achieve the 60 percent threshold. However, FTA will not permit an LRT project to commence Final Design, unless the local funds for building and operating the project are fully committed.

By approximately February 2004 the region would have to demonstrate to FTA a fully committed, dependable source of $419.0 million to $524.5 million of non-Section 5309 funds (i.e. local and federal formula funds); depending on whether a 60% or 50% "New Start" share was to be pursued. Based on financial capacity analyses, it currently appears that the region may be able to secure commitments for up to $180 million of local and locally controlled federal formula funds by the time required. This is well under the amount required for the full Combined Alternative.

The region could not reasonably expect to secure sufficient federal funds within the 4 to 5 year construction period to ensure judicious financial management. The federal share of the Combined LRT Alternative would be $524.5 million to $629.4 million in Section 5309 New Start funds, depending on whether a 50% or 60% "New Start" share was to be pursued. Assuming it would take five years to receive the federal funds, the Combined LRT Alternative would have to receive, on average, $104.9 to $125.9 million per year in Section 5309 New Start funds to secure its entire federal allotment. Based on past experience, it appears reasonable that TriMet could receive about $80 million per year in federal New Start funding for all of the projects under contract. TriMet could not implement an interim borrowing program to accommodate this degree of deferred federal funding without seriously jeopardizing the remainder of its program.

TriMet could not accommodate the increased operating funds required to implement the Combined LRT Alternative in one phase, while continuing to operate and maintain the remainder of the transit system. Cash flow analyses of TriMet's operating budget prepared for the SDEIS indicated that the entirety of TriMet's proposed payroll tax would have to be dedicated to the Combined LRT Alternative for about a decade to meet this requirement if the full Combined Light Rail Alternative were built in one phase without further resources. This would be inconsistent with the Transit Improvement Plan that underlies the proposal for the payroll tax increase.

For the reasons stated above, the Region could not demonstrate to FTA the financial capability to construct and operate the Combined LRT Alternative in one phase. Consequently, it is recommended that a two-phase implementation strategy be undertaken. While some minor overlapping may be possible, these two phases would generally be sequential.

4.2 Phase 1 of the South Corridor Major Transit Investment Strategy: I-205 LRT Project including the Portland Mall and Transit Improvements in the McLoughlin Corridor

With the project savings to be identified during Preliminary Engineering, it is estimated that an I-205 LRT Project that includes a Mall alignment in downtown Portland between the Steel Bridge and Portland State University (PSU) would cost $450 million (in YOE$). Assuming a 60% New Start share, the maximum practical share given current FTA practice, this would require $180 million in non-New Start funds. This is an amount that the region potentially will be able to commit by early 2004 (of that total, $35 million is uniquely available for the I-205 LRT Project and $25 million for the Portland Mall alignment due to the sources of these funds).

The required $270 million of New Start funds, assuming a 60% share, would be reasonably obtainable over a 4-5 year period in increments of $80m or less per year, and would not require an excessive interim borrowing program. In addition, with the proposed payroll tax increase, the operating costs of the I-205 LRT Project can be met while implementing the remainder of TriMet's Transit Improvement Program. Consequently, it appears that an I-205 LRT (with Portland Mall) Project could comply with FTA's financial capacity policy.

The greater the length of the Portland Mall Alignment that is constructed as part of the I-205 LRT Project, the easier it will be to implement the Milwaukie LRT Project. The Steel Bridge to PSU mall alignment discussed above represents the longest mall alignment possible with the I-205 LRT Project. However, it requires substantial local match that may not be possible to secure within the project schedule. While all reasonable efforts should be undertaken to secure sufficient funds for the Portland Mall alignment to PSU, a secondary, less expensive, option should be maintained that incorporates a Portland Mall alignment between the Steel Bridge and SW Main Street as part of the I-205 LRT Project. If this secondary option is pursued, the Portland Mall alignment between SW Main Street and PSU may be incorporated in the Milwaukie LRT Project, in the second phase of the project. In addition, if dictated by a larger local funding shortfall, a tertiary, least expensive option should be maintained that defers the entire Portland Mall alignment to the second phase of the project.

Construction of a Southgate park and ride lot in Milwaukie and relocation of the on-street transit center in downtown Milwaukie to the Southgate area is anticipated to use a mix of local and federal funds other than Section 5309 New Starts funds. Pending programming in TriMet's *Transit Investment Plan,* incremental implementation of BRT-style improvements between Milwaukie and Oregon City would be funded with a mix of local and federal funds other than Section 5309 New Starts funds.

4.3 Phase 2 of the South Corridor major transit investment strategy: Milwaukie LRT Project

Without a Mall alignment (as reported in the SDEIS), the Milwaukie LRT Project would cost approximately $418 million (in YOE$), if constructed as the first phase (i.e. between 2004 and 2008). Assuming a 60% New Start share, the amount of local funds (including formula federal funds) required to be committed to the Project by early 2004 would be approximately $167.2 million. Based on analyses to date, this is almost $50 million more than is currently available or the maximum that may be obtainable for a Milwaukie LRT (and no mall alignment) Project within the project schedule.

If constructed as the first phase of the project, a Milwaukie LRT Project that uses the Hawthorne Bridge and includes a Portland Mall alignment to the Steel Bridge would cost $578 million. The costs would rise to $666 million if it included the desired Caruthers Bridge to Steel Bridge alignment. These mall alignment options add between $44 million and $103 million to the local share deficit.

Consequently, a new funding source would be required for the Project. The Metro Transportation Investment Task Force has proposed a funding measure that incorporates GO bond funds for the Milwaukie LRT Project. Given the Oregon constitutional requirement for 50% voter turnout, such an election would only be practical during a general election (i.e. November 2004 or 2006). If

successful, the ability to commit these funds to the project would occur from one to three years after the time such a commitment would be required to start Final Design (early 2004).

With Milwaukie LRT being pursued as a second phase, the capital cost of the Milwaukie LRT Project depends on (i) the added inflationary costs associated with the later construction date and (ii) the extent of the downtown Portland alignment incorporated in the I-205 LRT Project:

If the I-205 LRT Project incorporates a Portland Mall alignment to PSU, as desired, the Milwaukie LRT Project would cost $514 million including the desired Caruthers Bridge to PSU alignment.

If the I-205 LRT Project incorporates a Portland Mall alignment to SW Main Street, the Milwaukie LRT Project would cost $ 566 million including the desired Caruthers Bridge to SW Main Street alignment, or, if sufficient funds are not available for the Caruthers Bridge alignment, $478 million for the Hawthorne Bridge to SW Main Street to Portland Mall alignment.

If the I-205 LRT Project does not incorporate any Portland Mall improvements, the Milwaukie LRT Project would cost $666 million for the desired Caruthers Bridge to Steel Bridge alignment, or, if sufficient funds are not available for the Caruthers Bridge alignment, $578 million for the secondary option of Hawthorne Bridge to SW Main/Madison Street to Mall to Steel Bridge alignment, or, if no funds are available for a Mall alignment, $418 million for the tertiary option of not having any mall alignment (as in the SDEIS).

Depending on the amount of funding incorporated in a General Obligation (G.O.) bond election for the project, each of the above options and sub-options could be feasible. Moreover, reasonable design options exist if a lower amount of local funding is secured.

To maximize the opportunity for the Milwaukie LRT Project, steps should be undertaken in Phase 1 to begin to implement capital and transit service improvements in the Milwaukie corridor. In particular, the park-and-ride at the old Southgate Theater site should be implemented in Phase 1, followed by the relocation of the current on-street transit center to the Southgate area as early as practical pending resolution of environmental and design issues.

4.4 Overall Phasing Recommendation

Given the findings reported above, the following phased implementation plan is proposed for the South Corridor major transit investment strategy:

Implement the I-205 LRT Project as the first phase of the South Corridor major transit investment strategy using existing local funds, including locally controlled federal formula funds, and federal discretionary "New Start" funds.

As part of the I-205 LRT Project, incorporate the maximum affordable Portland Mall alignment in downtown Portland. The desired alignment would run from the Steel Bridge to PSU. If sufficient local funding is not available, implement a Steel Bridge to S.W. Main Street alignment as a secondary option, and no Mall alignment (as set forth in the SDEIS) as the tertiary option.

During Phase 1, Implement Transit Improvements in Milwaukie. In Phase 1, construct a Southgate Park-and-Ride lot (construction is scheduled to start in Fall 2003), and relocate the existing on-street transit center in downtown Milwaukie to the Southgate area, pending resolution of environmental and design issues.

Implement the Milwaukie LRT Project as the second phase of the South Corridor major transit investment strategy, using GO Bond funds (requiring voter approval) and federal discretionary "New Start" funds.

The downtown alignment component of the Milwaukie LRT Project depends on the downtown alignment incorporated in the I-205 LRT Project. However, the downtown component should be based on the following priorities: (a) the Caruthers Bridge, which is most desired, (b) the Hawthorne Bridge to SW Main Street to Mall alignment, as the secondary option, and (b) no Mall alignment (as set forth in the SDEIS) as the tertiary option; depending on the amount of local funds secured for the Project.

Continue to address transit issues between Milwaukie and Oregon City. During Phase 1, subject to evaluation in TriMet's *Transit Investment Plan*, begin incremental implementation of limited Bus Rapid Transit (BRT) and park-and-ride improvements from Milwaukie to Oregon City.

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ATTACHMENT 4

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V. B. 46

CITY OF MILWAUKIE
PLANNING COMMISSION MINUTES
TUESDAY, MARCH 11, 2003

COMMISSIONERS PRESENT
Donald Hammang, Chair
Teresa Bresaw
Judith Borden
Brent Carter
Rosemary Crites
Howard Steward
Mike Miller

COMMISSIONERS ABSENT

None

STAFF PRESENT
John Gessner,
Planning Director
Alice Rouyer,
CD/PW Director
Michelle Gregory,
Neighborhood Services D
Gary Firestone,
Legal Council
Shirley Richardson,
Hearings Reporter

1.0 CALL TO ORDER

The meeting was called to order at 6:35 .m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 PLANNING COMMISSION MINUTES -- February 11 and February 25, 2003

Teresa Bresaw moved to approve the Planning Commission minutes of February 11, 2003 as presented. **Brent Carter** seconded the motion. MOTION CARRIED 4-0. Ayes: Bresaw, Carter, Crites, Hammang; Abstention: Steward; Nays: None.

Teresa Bresaw moved to approve the Planning Commission minutes of February 28, 2003 as presented. **Howard Steward** seconded the motion. MOTION CARRIED 4-0. Ayes: Bresaw, Carter, Crites, Hammang; Abstention: Steward; Nays: None.

4.0 INFORMATION ITEMS
4.1 City Council Work Session Minutes
4.2 City Council Minutes

5.0 PUBLIC COMMENT -- None.

6.0 PUBLIC HEARING -- None.

Mike Miller voiced concern of letters requesting a public hearing on the South Corridor Transit Recommendation. **Alice Rouyer** stated that there will be a public hearing with the City Council hearing.

7.0 WORK SESSION ITEMS
7.1 South Corridor Transit Recommendation

Chair Hammang reported that the South Corridor Policy Committee has issued a recommendation on the locally preferred transit alternative which includes light rail projects in Portland, Clackamas County, and Milwaukie. This evening City, Metro staff, and the public will have an opportunity to give input for consideration of a recommendation to be forwarded to City Council. City Council will take up this matter on April 1, 2003.

Staff has recommended that the Planning Commission support the locally preferred alternative subject to a number of conditions of future design and mitigation along the light-rail segment.

Metro Presentation

Speaking: Kristin Hull, Public Involvement Planner, Metro, 600 NE Grand Avenue, Portland

Ms. Hull gave a presentation that gives an idea of what the South Corridor Project is looking at, the key decisions and the next steps. This South Corridor project is an outgrowth of the South/North Project. The South Corridor study began with some listing posts held by elected officials throughout the region. One thing that came from the citizens was to look at some other options besides light rail. Light rail was added later as a result of significant community support and a lot of that support was from neighborhood leaders here in Milwaukie.

Alternatives studied were river transit, commuter rail, passing lanes, bus-ways, and bus rapid transit. These alternatives were narrowed to bus-way and bus rapid transit. During the public process, southeast Portland and Milwaukie leaders repeatedly asked for light rail. Light rail was added again to the study process and analyzed in the environmental impact statement along with the bus rapid transit and bus-way options.

In 2001/02, Metro staff and Tri-Met prepared a Supplemental Draft Environmental Impact Statement. This statement analyzes the costs, benefits and impact of each of the transit alternatives. This kicked off the public process that has continued to date. Three open houses were held in Milwaukie and two public hearings. Many newsletters were sent out, went to as many as 8,000 households and businesses. During this public comment period they heard from about 300 members of the community. The comments were supportive of both Milwaukie and I-205 light rail lines. There was strong support for the Caruthers Bridge and Portland Mall alignment. There was little support for the bus-way and bus rapid transit options.

The Policy Committee recommended the preferred alternative based on technical analysis SDEIS and public comments. This committee is chaired by Metro Councilor Brian Newman, and includes Milwaukie Mayor Jim Barnard, and other elected officials from other partner jurisdictions.

The locally preferred alternative is the name for the strategy to move forward in the corridor. This includes a two-phase project that includes (1) construct I-205 light rail between Milwaukie and Clackamas (plus a section on the Portland Mall terminating at Portland State University) and construction of the Southgate park-and-ride lot and (2) construction of the Milwaukie light rail with a Lake Road terminus and a new Caruthers Bridge (continue to look at Hawthorne Bridge as a lower-cost alternative).

In Milwaukie a couple of design options were reviewed. This came out of a community process during the summer of 2001. The alignment studied came down the Tillamook Branch line, had a transit center at the Milwaukie Middle School, and a terminus at Lake Road. Another alignment was down Main Street, had a park-and-ride and transit center at the Southgate site, then crosses back over and rejoined the Tillamook Branch with a station at the Milwaukie Middle School and at 21st and Lake Road

The Policy Committee recommended that the Southgate cross-over option move forward. A comparison was shown that two options of the north industrial area. Benefits of the Southgate cross-over alignment were the 600 park-and-ride spaces and better access to jobs; however, there are truck access issues and displacement issues to resolve.

The Milwaukie terminus options were Milwaukie Middle School and the Lake Road terminus. The Lake Road terminus provides additional park-and-ride spaces and provides station access for Milwaukie.

The next step is to adopt the locally preferred alternative. The Metro Council will hear this matter on April 17, 2003 after it is considered by the local jurisdictions. Additional design and environmental work will be done to the Portland Mall, the finance plan will be completed, complete engineering and final environmental impact statements and begin construction in 2006 on the I-205 alignment to be operational in 2008/09.

The next steps for Milwaukie are to begin the construction of the park-and-ride at Southgate this fall, relocate the Milwaukie Transit Center, complete the finance plan, and begin construction.

Project timelines include final EIS and preliminary engineering in 2004, signing a full-funding grant agreement in 2005 and opening in 2008.

As part of the next steps, Metro has in their work plan to revisit the Southgate Cinema design to better preserve the business and truck access in this area. Issues at this site included major traffic issues; the design and supplemental draft environmental statement doesn't work and will have to be re-evaluated.

Mike Miller asked if the transit center would not be moved until after the I-205 segment is complete? **Ms. Hull** stated that the transit center is recommended to advance as part of the first phase of the project. It will be moved as soon as possible.

Teresa Bresaw asked if there has been a vote from the businesses in that area for which option they prefer? **Ms. Hull** stated that there is hope that the businesses will organize and come to the table as part of the neighborhood leadership.

Chair Hammang quoted from Mr. Monson's letter, "...no one in the north side industrial area was notified of the proposed changes or the planning process. We were left to stumble upon it." He asked that Ms. Hull address this statement. **Ms. Hull** stated that a lot of the public process was coordinated with the City of Milwaukie neighborhood leadership.

Milwaukie Staff Presentation

John Gessner displayed overheads and reviewed with the audience each of the segments of the preferred options. Staff recommends that the Planning Commission recommend to City Council support or the locally preferred alternative (LPA) and adopt the recommended considerations for design and mitigation.

Michelle Gregory reported that a memo that has been prepared on behalf of the neighborhood leadership details their concerns at this point in the process. The organized neighborhoods in Milwaukie have been very involved since the inception of this project. Neighborhood associations have been discussing South Corridor project for some time now (last two years). It has been a regular agenda item on their leadership meetings (six times a year).

About a year ago the neighborhoods came out with 14-points (criteria) that if met would support light rail in Milwaukie. The neighborhoods feel that Metro and staff have done a great job working with them and helping them understand the issues. There are concerns with the alternatives as proposed by the Policy Group:

1. The neighborhoods feel strongly about there being an interim location and operating design for the Transit Center. They feel the transit center needs to leave the streets of downtown and go to a different location. They suggest that Tri-Met and Metro form a working group upon which they can be seated to help make sure that the process is moving forward as soon as funds are available.
2. Support final design for the area that accommodates all vehicle access. There was concern that light rail and buses being at a regional bus center would interface with truck access and cars going in and out of that area already.
3. The neighborhoods support an alignment (transit center and a park-and-ride) design that will preserve and support historic resources in that area (ODOT building).

4. Concern since the beginning of the project that this area organizes and develops as a public group (bylaws and organization). Something with same degree with public accountability as a neighborhood association.

These citizens have been attending these meetings so they are informed about the project.

Chair Hammang asked if there was outreach to the businesses by staff? **Ms. Gregory** stated that when the project began, City of Milwaukie and other agencies involved in the project got together to talk about public involvement. There was agreement property acquisition and displacement issues would be handled by Tri-Met staff. There was still a local concern that people be aware of the project and what is going on. Discussions are currently going on with staff about ways to reach people in the north industrial area. There has been general outreach to everyone in the community and there have been people coming from the north industrial area. Staff does not have a full inventory of who are in the area and targeted outreach has not yet been done.

Rosemary Crites noted that a businessman purchased a building in the north industrial area a couple of years ago for $300,000 and put $250,000 into it. According to this plan, this building will be demolished. How this is addressed for such property owners? **Ms. Gregory** stated that this would be a matter for Tri-Met because they would be the ones acquiring the property. **Chair Hammang** stated that the regional agencies should be responsible for outreach, however local entities should follow up.

Rosemary Crites stated that these property owners need to know what is going on since it is their dollars that are being affected. Some of these people are elderly and are making plans for their property. They do not know they are in the pathway of redevelopment. **Brent Carter** stated that he feels that businesses need to know and it is a local responsibility to inform the citizens. **Chair Hammang** voiced concern about business losses in this area. Milwaukie has proprietary interest in making sure there is the best outreach possible. They have a lot at steak in the industrial land up north. To disenfranchise someone is not positive.

John Gessner explained that there would be additional design on the Milwaukie segment because it is a two-phased design. **Kristin Hull** stated that some sort of process for public involvement and outreach to the north industrial area will follow after the first phase of the project. Discussions will be held on traffic concerns and land use with the businesses and the neighborhood.

Mike Miller asked what process will be used to see that the Transit Center be moved out of Milwaukie as soon as possible? **Ms. Hull** stated that negotiations with Tri-Met and the County will work on solutions to this situation.

John Gessner stated that the park-and-ride is being funded by a portion of $6.7 million in advance funds as part of the South Corridor project. Some of these funds were allocated for the park-and-ride. There are other funds that might be a possible funding source; however, no one knows at this time whether this is feasible or will actually

happen. **Ms. Hull** stated that the park-and-ride and transit center is recommended in the first phase. There is intent to find the money to move the transit center in addition to finding funds for the park-and-ride. **Michelle Gregory** stated that the request to form a working group for the north industrial area is an effective strategy to take. It puts the community volunteers in the role of monitoring and having input in the process.

Alice Rouyer stated that the Mayor and City Manager have been working on the issue of the transit center. It has come up at the Metro Policy Committee in the last 60 days as a major negotiating point for Milwaukie in phase one if the LPA is approved. The transit center discussion was an important part of the formation of the LPA out of the Policy Group. Staff is here tonight for the Planning Commission to form a good recommendation, including issues raised by the neighborhood, property owners, and residents and send it on to Council. Council has a strong voice in this process in sending on the recommendation to Metro Council. This issue will be taken up by Milwaukie City Council on April 19th. This is everyone's chance to give their input.

Michelle Gregory stated that the ultimate impact is public perception. She is concerned that there are two separate processes going on in this area: a land use study and the transportation planning process. For the resident that is not plugged into the bureaucratic process, all of this planning is one project. She feels that all of the processes should be integrated to make more sense to the public.

TESTIMONY IN FAVOR

Speaking: Ed Zumwalt, 10888 SE 29th, Milwaukie (Historic Neighborhood Association)

Mr. Zumwalt stated that one of the concerns of his neighborhood is that the transit center be moved off the street as soon as possible. The Committee recommends that Tri-Met construct a Southgate park-and-ride in Milwaukie and take steps in relocating the current on-street transit center to the Southgate area during the first phase. He would like to see a step-by-step process for this project. It is too easy to get sidetracked and he is afraid there will be no transit center in the future.

Speaking: David Aschenbrenner, 11505 SE Home Avenue, Milwaukie

Mr. Aschenbrenner stated that he is the chair of the Hector Campbell Neighborhood Association. He has been involved with this project for quite a while. When the decision was made to add light rail back into the study , that's when the neighborhoods stepped up and gave notice that they wanted to be involved in how light rail comes in. It was a southeast Portland group that requested that light rail come to Milwaukie; however, Milwaukie residents want to have input on the process.

Unfortunately the north industrial neighbors were not involved sooner in the process. Since the recommendation is two-phased with I-205 going first and the Milwaukie line following later, it will be about 2010 or later before light rail gets here. There is time to mitigate this area. How can we make this work for our community? He asked that the

Planning Commission see and hear the neighborhood's concerns and hold Tri-Met and Metro feet to the fire regarding moving the transit center and to build a park-and-ride facility that will work in the future. He would like to see a way to make light rail work for this community.

Teresa Bresaw asked why the cross-over design was chosen over the Tillamook Branch Line. **Mr. Aschenbrenner** stated that the cross-over design was chosen because the Tillamook line involved a bus transfer station at the Waldorf School. This is not a good location. This left no place for a regional transit facility. This facility will be larger than what is currently downtown. Southgate is a possibility because there is land available there and would make a better regional facility. There are rail spur issues regarding the Tillamook Branch Line.

Mike Miller asked if the Tillamook Branch Line would displace more industrial property owners than the present cross-over line? **Mr. Aschenbrenner** stated that in the way that it is written now, he does not feel it would displace more property owners. The problem is finding a way to put a regional transit center at that location. It's been stated that the cross-over design will not work; he feels there is time to design something that will work. The residents would like to be involved with that design.

QUESTIONS OR COMMENTS

Speaking: Howard Dietrich., 9701 SE McLoughlin, Milwaukie

Mr. Dietrich stated that he has quite a history with this project because his company (Mill End Store) and related companies own 40 acres of land and most of the properties that are going to be taken. They belong to a group that gave a letter to the City regarding rezoning issues and transportation issues. This group represents over 50% of the property owners in the north industrial area (Rudy Wilhelm, Oregon Transfer, Brod McClung, North Hannah, Southgate, Goodwill, etc.).

When the light rail was first proposed, the north industrial property owners came to the City and suggested a change to the Tillamook Line approach instead of Main Street. The north industrial area neighborhood prefers the Tillamook line because it does not displace industrial property.

Mr. Dietrich stated that he purchased the Southgate site because of the demand for large industrial sites to be redeveloped for employment. The site is not for sale, it is for lease. The Southgate Theatre was a community resource. He feels that they are part of the community and address community concerns. It is ridiculous to make decisions now for the next ten years. They should not have to make that decision now. No decision should be made until the transportation problems are worked out.

Mr. Dietrich stated that he did not receive a phone call about outreach. He did receive a response about his group's zoning request. He doesn't feel that Tri-Met really cares about the concerns of the neighborhood; they are just trying to approve their plan. The

Plan is flawed as he sees it. The Goodwill site will not be available in 8 years. He does not mind phase one, but he doesn't think it is good to make a decision now about phase two locations.

Rosemary Crites asked Mr. Dietrich where he thought a park-and-ride should be? **Mr. Dietrich** stated that he feels it is important to identify transportation issues before the park-and-ride can be located. The Transportation Plan should be set first. He would not locate it at Southgate until the transportation issues are resolved. If a decision has to be made now, he would arrange and lease property and then move the transit center and make decisions later.

Mr. Dietrich stated that a solution with the transportation should be worked out with ODOT and one that the Planning Commission and residents can agree with. It is putting the cart before the horse to just say that transportation issues will be taken care of. ODOT is not even at the table.

TESTIMONY IN OPPOSITION

Speaking: Bill Monson, _____ Main Street, Milwaukie

Mr. Monson stated that his building has been vacant about a year. He now has a good tenant and expects to rent for years. He received a letter from John Gessner talking about the north industrial land use planning. He called John and asked how this light rail project is going to affect his building. He was told that his building was to be demolished. He tried to participate in a neighborhood association but didn't have standing because the north industrial area is not recognized as a neighborhood.

Mr. Monson says that now there is all this information about a locally preferred alternative. He felt this was a misnomer because no one on the north side was consulted about it. He talked to others in the area and most people do not know anything about it. He has been going to meetings since he became aware of this project, but there is no opportunity for input. There are some significant issues on this project; he feels rushed and left-out.

Speaking: Peter George, c/o Holman Distribution Center, 2023 SE Bates Street, Milwaukie

Mr. George stated that he is representing Holman Distribution Center and unofficially representing Oregon Transfer. He is opposed to this proposal because of the affect it will have on their business operations. Putting light rail along Main Street will exasperate the situation. There will be severe transportation problems getting in and out of the industrial area if light rail is put in as proposed. The City of Milwaukie is trying to revitalize the downtown area and if the light rail is sandwiched between McLoughlin and Main Street, it will not be a pleasing sight, or a pleasant place to work.

V. B. 54

ADDITIONAL COMMENTS FROM METRO -- None.

ADDITIONAL COMMENTS FROM TRI-MET STAFF -- None.

ADDITIONAL COMMMENTS FROM MILWAUKIE STAFF -- None.

ADDITIONAL COMMENTS FROM AUDITUDENCE -- None.

FINAL STAFF COMMENTS

John Gessner stated that this is the Planning Commission's opportunity to send a strong message to City Council based on what was heard tonight. He asked Michelle Gregory and Alice Rouyer if they had further comments. There were no comments.

Discussion followed on recommendations from the Commissioners:

- Move transit center as soon as possible.
- Implement Public Involvement Process.
- Strongly encourage Tri-Met/Metro to work with ODOT to commit to transportation solutions: truck access, intersection stacking, cross movement on 99E, access from 99E .
- Planning Commission strongly supports creation of a North Industrial Neighborhood Association.
- Make sure outreach is adequate & thorough
- Make sure light rail does not hurt the north industrial area.
- Lack of confidence that Main Street option not best for north industrial area.
- Concerned with uncertainty about future decisions that may affect actual design.
- Get project schedule.

Brent Carter moved to forward a recommendation to the City Council in support of the South Corridor Policy Committee locally preferred alternative (LPA) and adopt the recommended considerations for design and mitigation. Further, that the amendments stated tonight be drafted into a memo to be forwarded along with the recommendation. **Mike Miller** seconded the motion.
Ayes: Bresaw, Carter, Crites, Miller, Steward, Hammang; Nays: None.
The motion carried 6-0.

7.1 Economic Development Strategy

Alice Rouyer introduced Jeff King. He has worked in economic development for many years in Clatsop County.

Speaking: Jeff King, City of Milwaukie

Mr. King stated that he is the project manager with Community Development, Public Works Department. He reviewed the staff report with the Commission. The Economic Development Policy is in response to City Council's goals promotion of economic development in Milwaukie. Staff has prepared a draft strategy outline to begin the discussion about how this service could be provided by the City. A presentation was made last night to City Council.

A lot of cities are putting together strategic plans looking at how they reorient economic development. Changes in the economy (new economy) include:

- Businesses must compete both nationally and globally.
- Knowledge has replaced oil and other natural resources as the key asset or resource for many businesses.
- The workforce must be educated and have specialized skills beyond a high school diploma.
- Economic growth and competition is based more on metropolitan regions than states or nations.
- A regional economy is built around clusters for competitive advantage.
- The increased use of technology, internet, and digital infrastructure to make productivity gains, while not all or even most companies, are high-tech. Many "old-line" companies are incorporating technology into their operations.
- Quality of life is an increasing factor needed to support and attract economic success.
- Ongoing innovation and creativity is necessary as a source of ongoing economic competitiveness.

Milwaukie is affected not only by what goes on in Milwaukie, but what goes on in the County and the region as a whole. Economic development can be looked at regionally, city-wide, and site or project specific. The long-term economic approach encompasses building and sustaining capacity, strategic plan, land use and infrastructure, business retention and expansion, business recruitment and marketing, small business and entrepreneurial development, business climate and regulatory process, downtown and waterfront commercial development, a skilled workforce, business resources, incentive and networks, and regional participation.

In terms of immediate steps to engage the business community the City has been successful in building up neighborhood associations in terms of creating a voice, creating policy for communication, and outreach. There is potential to create a public/private economic development policy that could be a task force for a short-term ad hoc committee to look into important issues that need to be addressed.

Regional participation is a two-way street participating in state, county, and regional efforts. This gives Milwaukie a seat at the table in helping create policy and economic

development and awareness that Milwaukie is here and interested in economic interests in job creation and growth of the tax base.

Outreach can be in the form of meetings and surveys to really understand other economic development issues from the business community and how to move forward. Transportation issues can be reviewed to promote and seek funding for transportation improvements, including public transit in Milwaukie.

Chair Hammang asked what department this process is most aligned with? **Mr. King** stated that there are shared responsibilities; however, right now he is most associated with Planning.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS/ UPDATES
10.1 Matters from the Planning Director -- None.
10.2 Design and Landmark Commission Report – None.

11.0 NEXT MEETING
11.1 Code Interpretation – Guest House
11.2 NILUS Update
11.3 Code Revision Project

Teresa Bresaw moved to adjourn the meeting of March 11, 2003. **Brent Carter** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:39 p.m.

Donald Hammang, Chair

Shirley Richardson, Hearings Reporter

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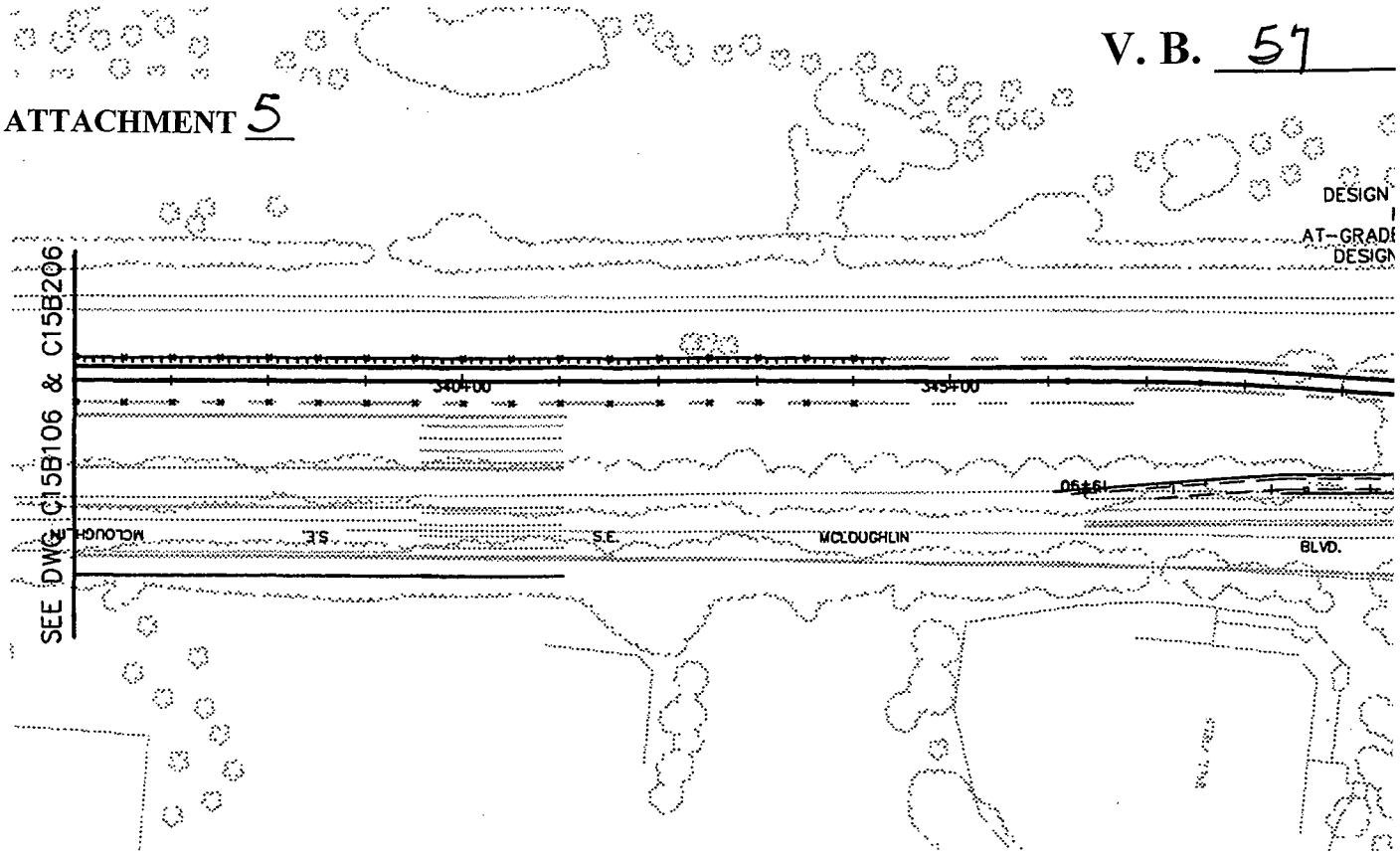
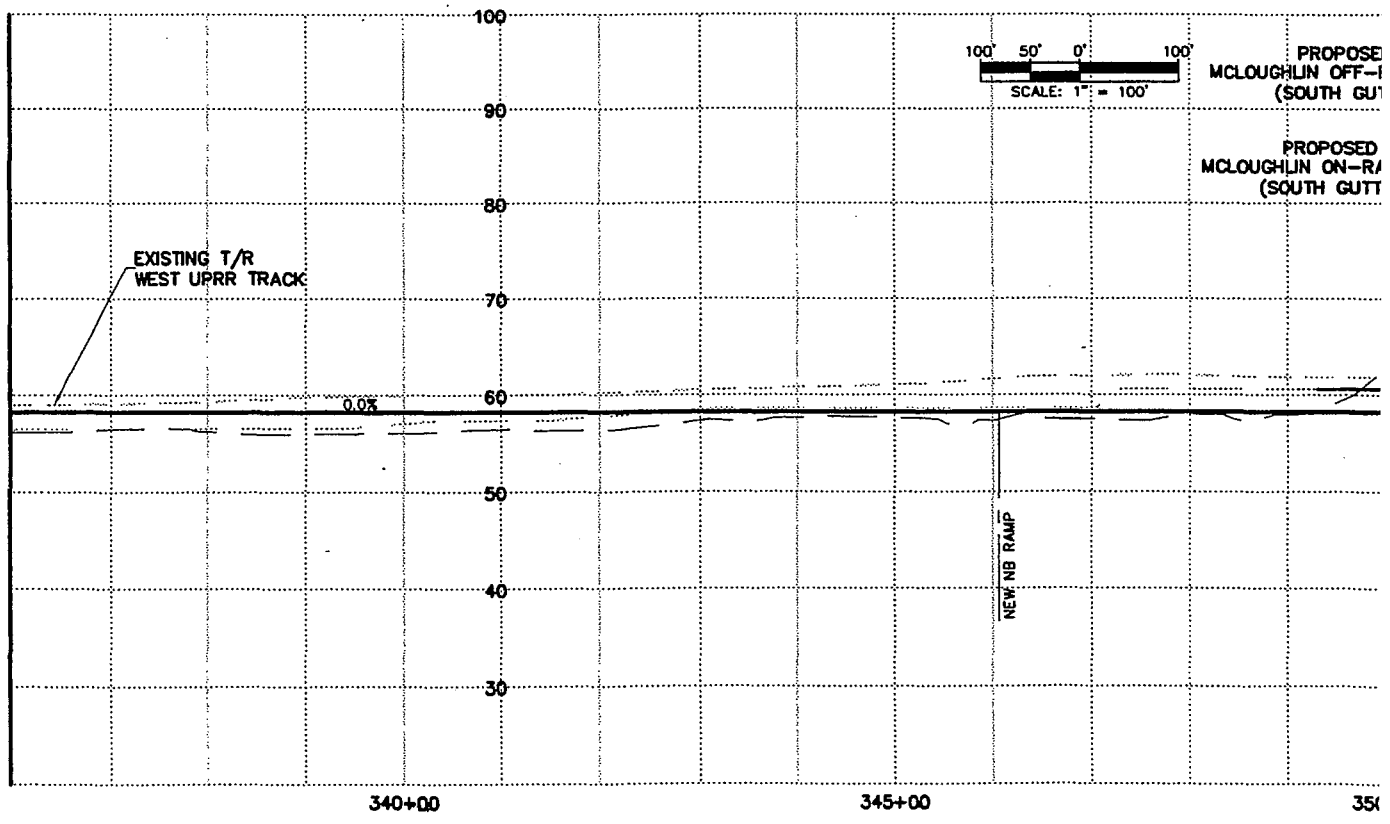
ATTACHMENT 5





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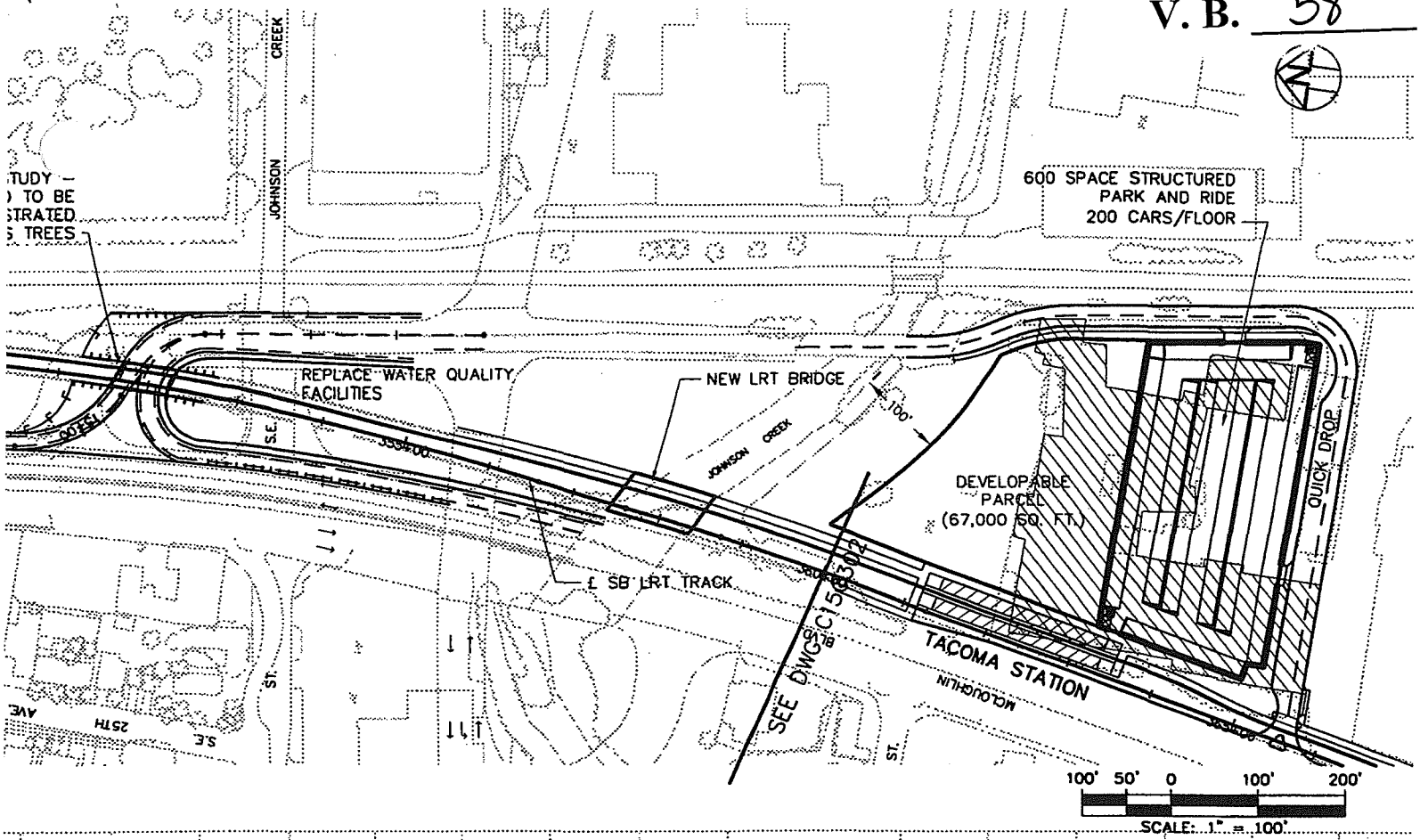

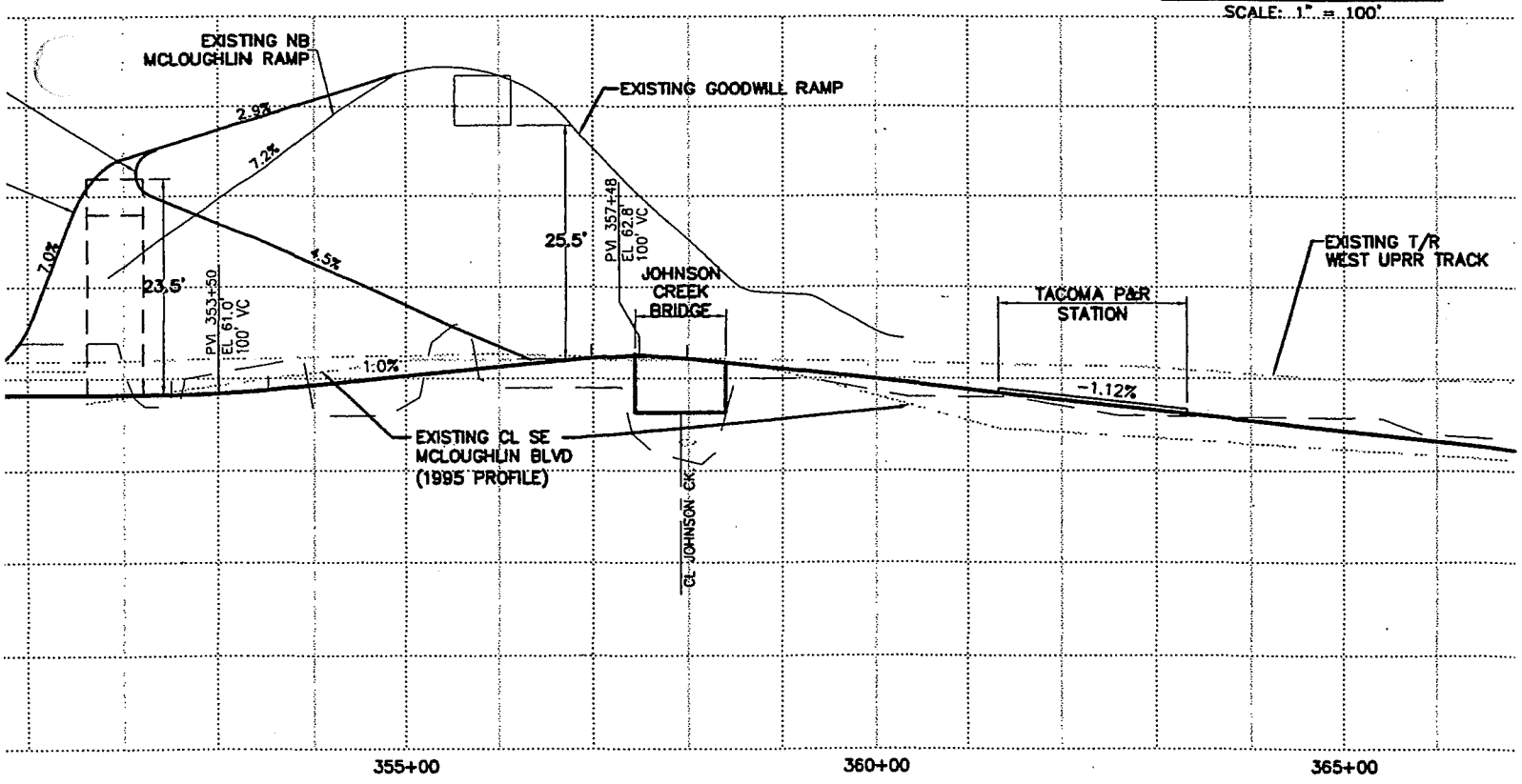

TRI-MET

METROPOLITAN TRANSPORTATION DISTRICT OF OREGON

CAPITAL PROJECTS
AND
FACILITIES DIVISION
710 N.E. HOLLADAY STREET
PORTLAND, OREGON 97232

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SOUTH CORRIDOR TRANSIT STUDY

MILWAUKIE MAX ALIGNMENT

MILWAUKIE SEGMENT
ALTERNATIVE AB.1
STA 336+00 TO STA 360+00

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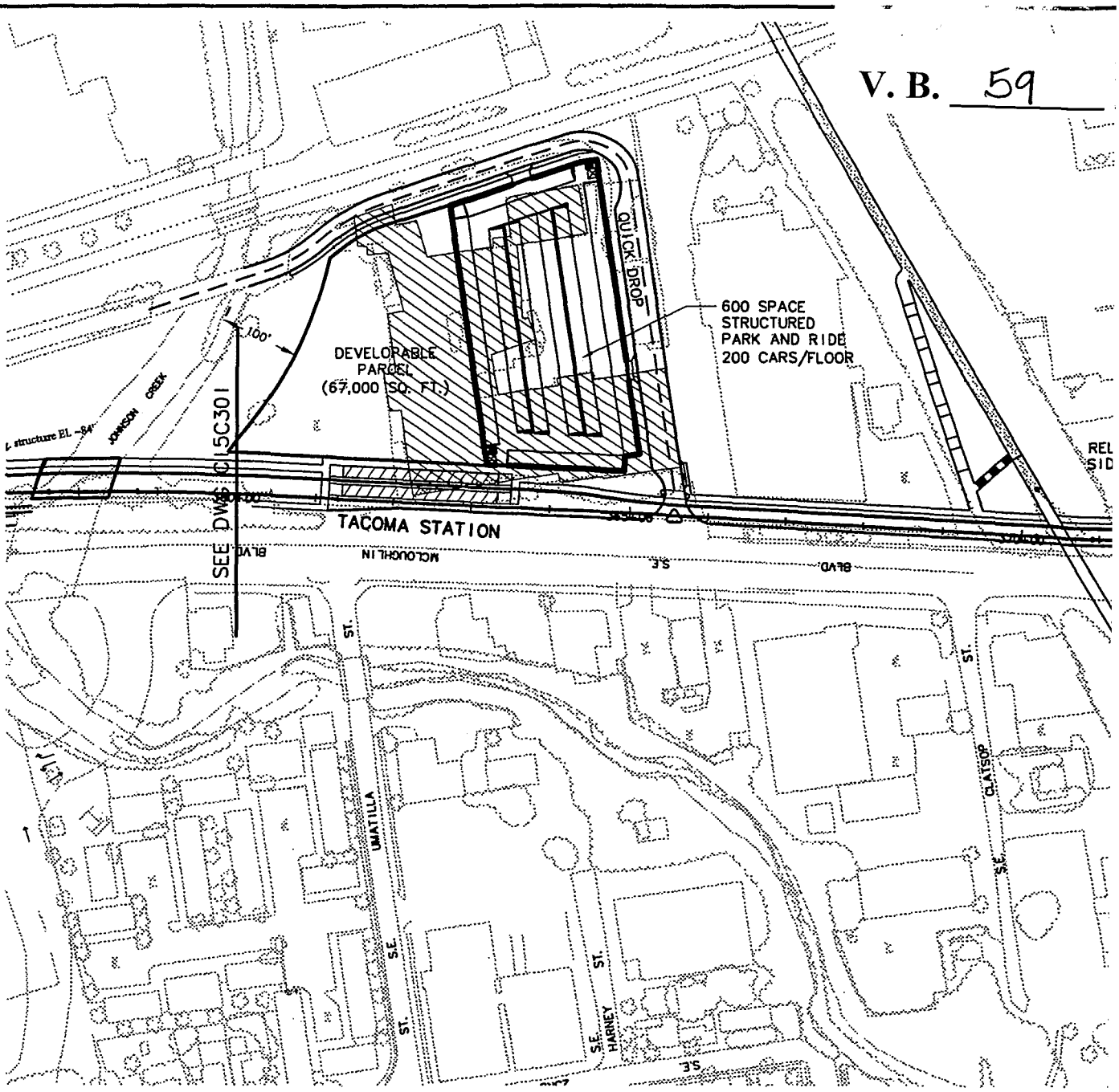

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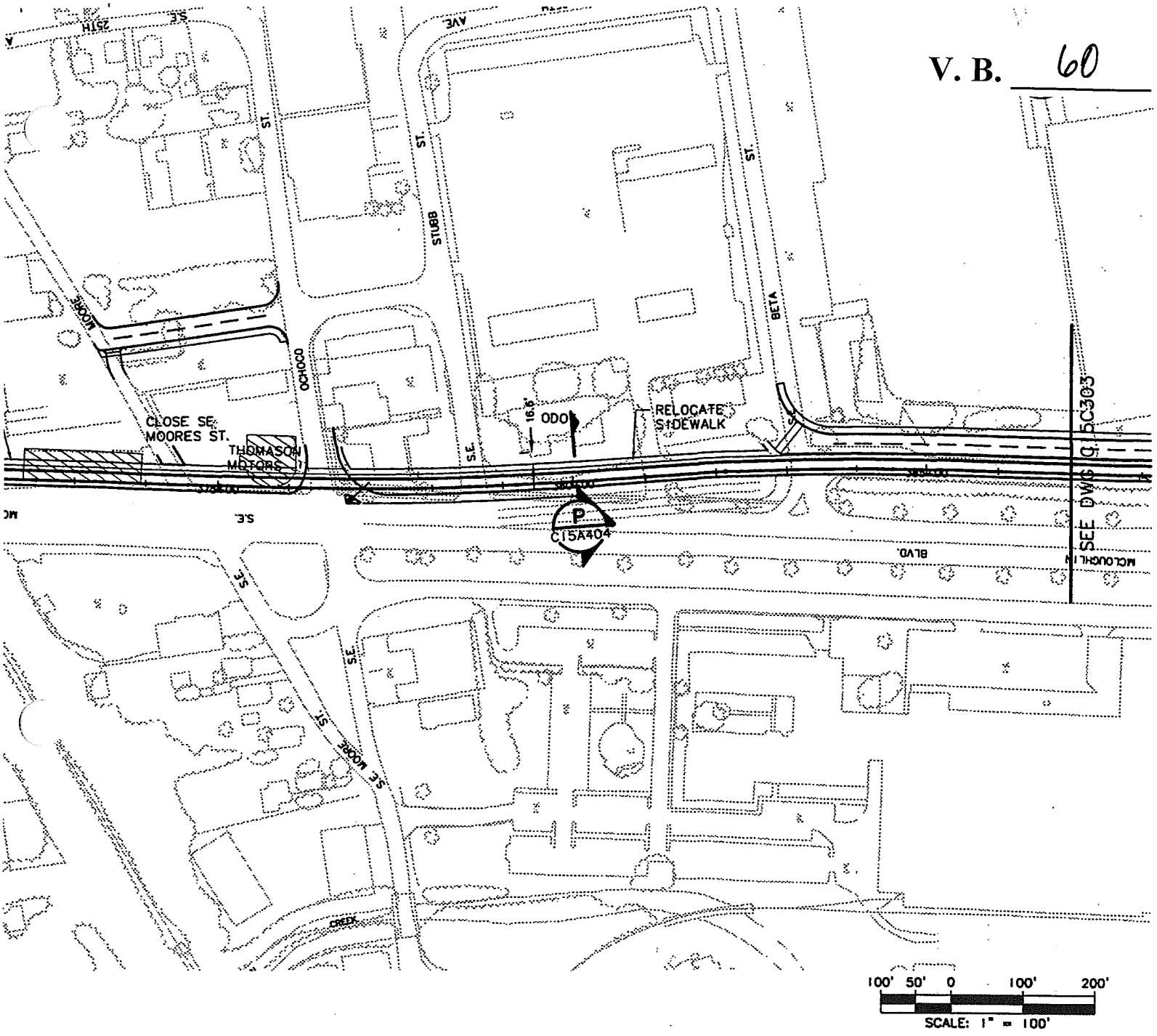

TRI-MET

METROPOLITAN TRANSPORTATION DISTRICT OF OREGON

CAPITAL PROJECTS AND FACILITIES DIVISION
710 N.E. HOLLADAY STREET
PORTLAND, OREGON 97232

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SOUTH CORRIDOR TRANSIT STUDY

MILWAUKIE MAX ALIGNMENT

MILWAUKIE SEGMENT
ALTERNATIVE AB.1
STA 360+00 TO STA 387+00

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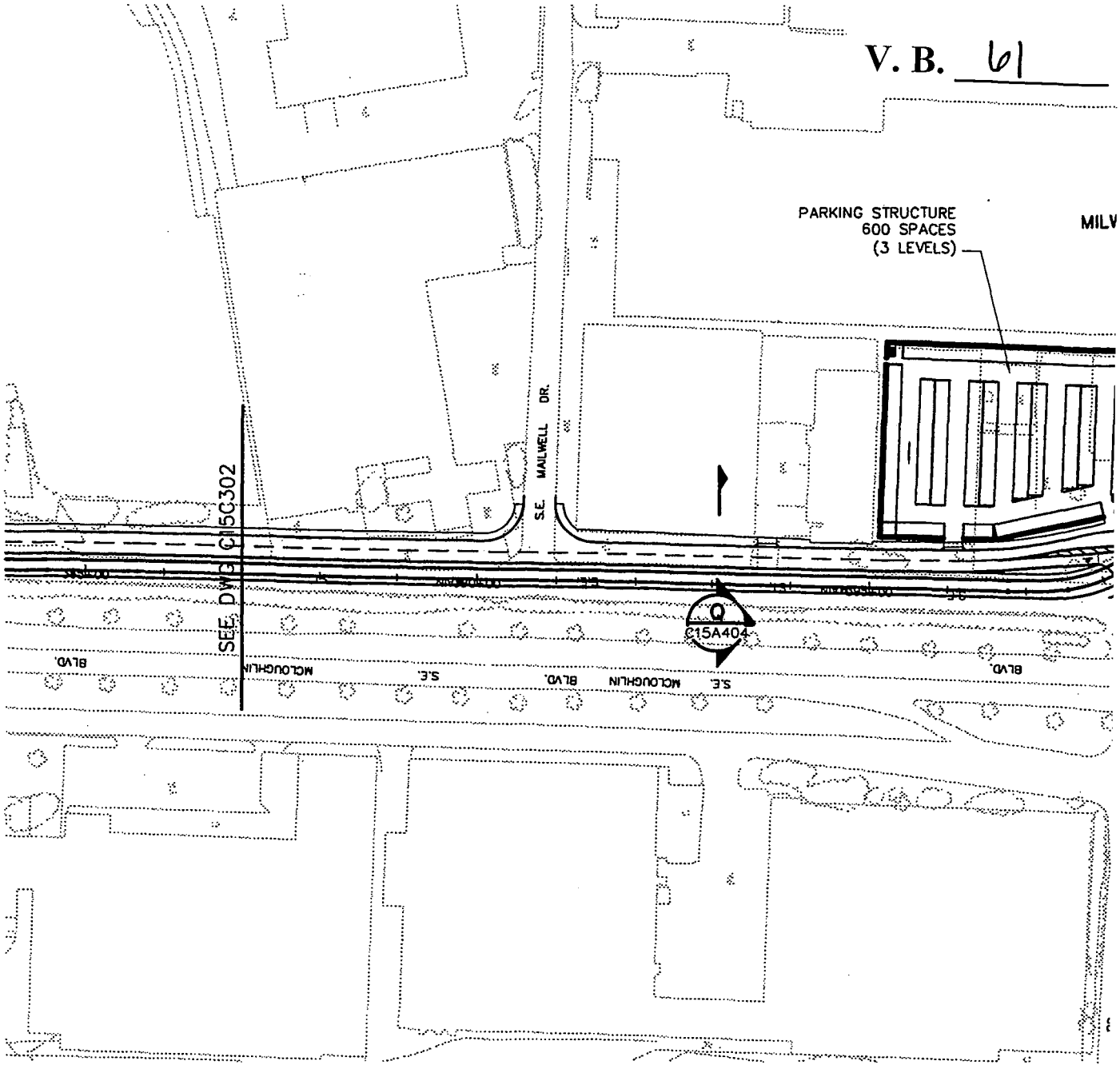

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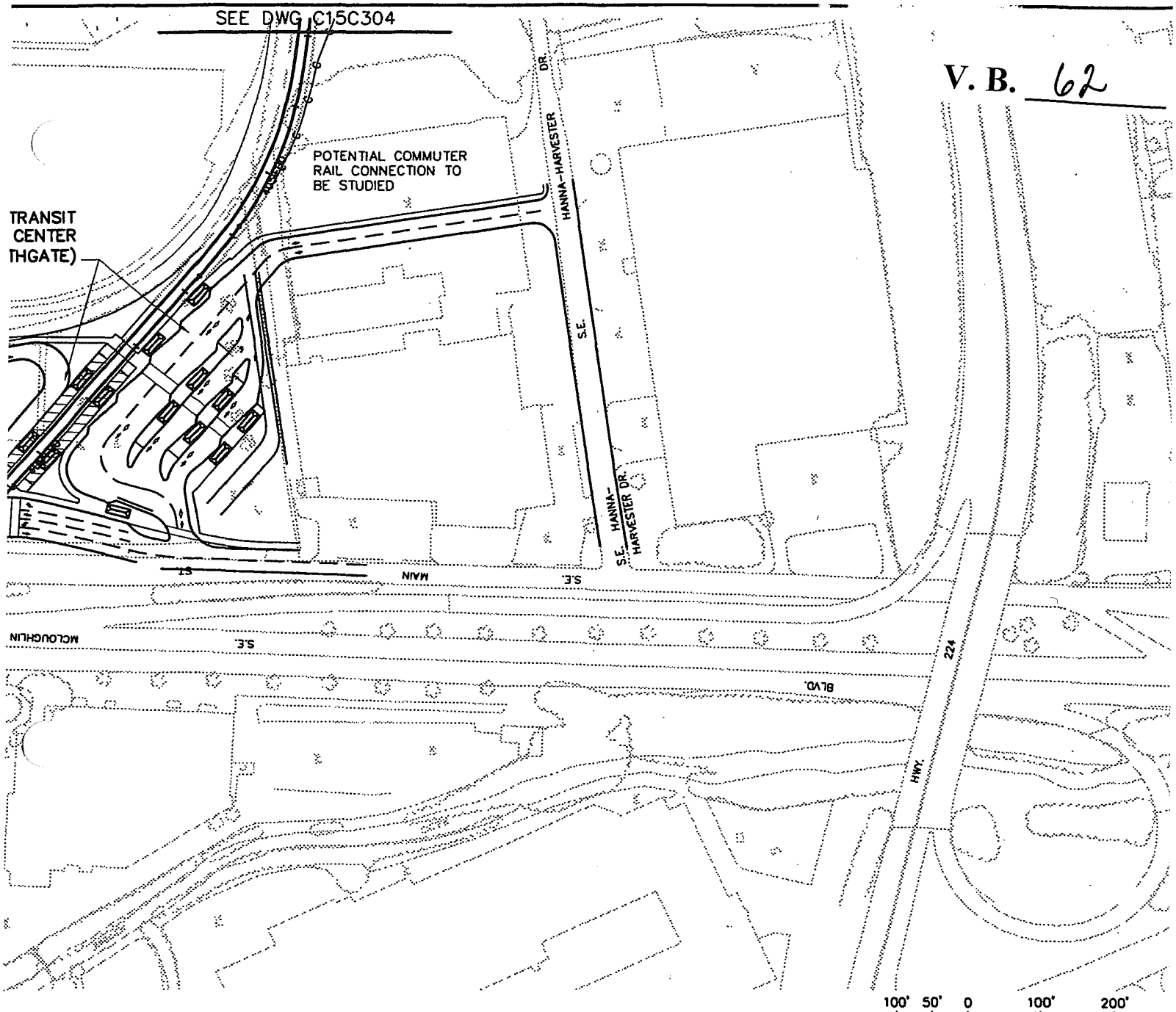

TRI-MET — METROPOLITAN TRANSPORTATION DISTRICT OF OREGON

CAPITAL PROJECTS AND FACILITIES DIVISION
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PORTLAND, OREGON 97232

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SOUTH CORRIDOR TRANSIT STUDY

MILWAUKIE MAX ALIGNMENT

MILWAUKIE SEGMENT
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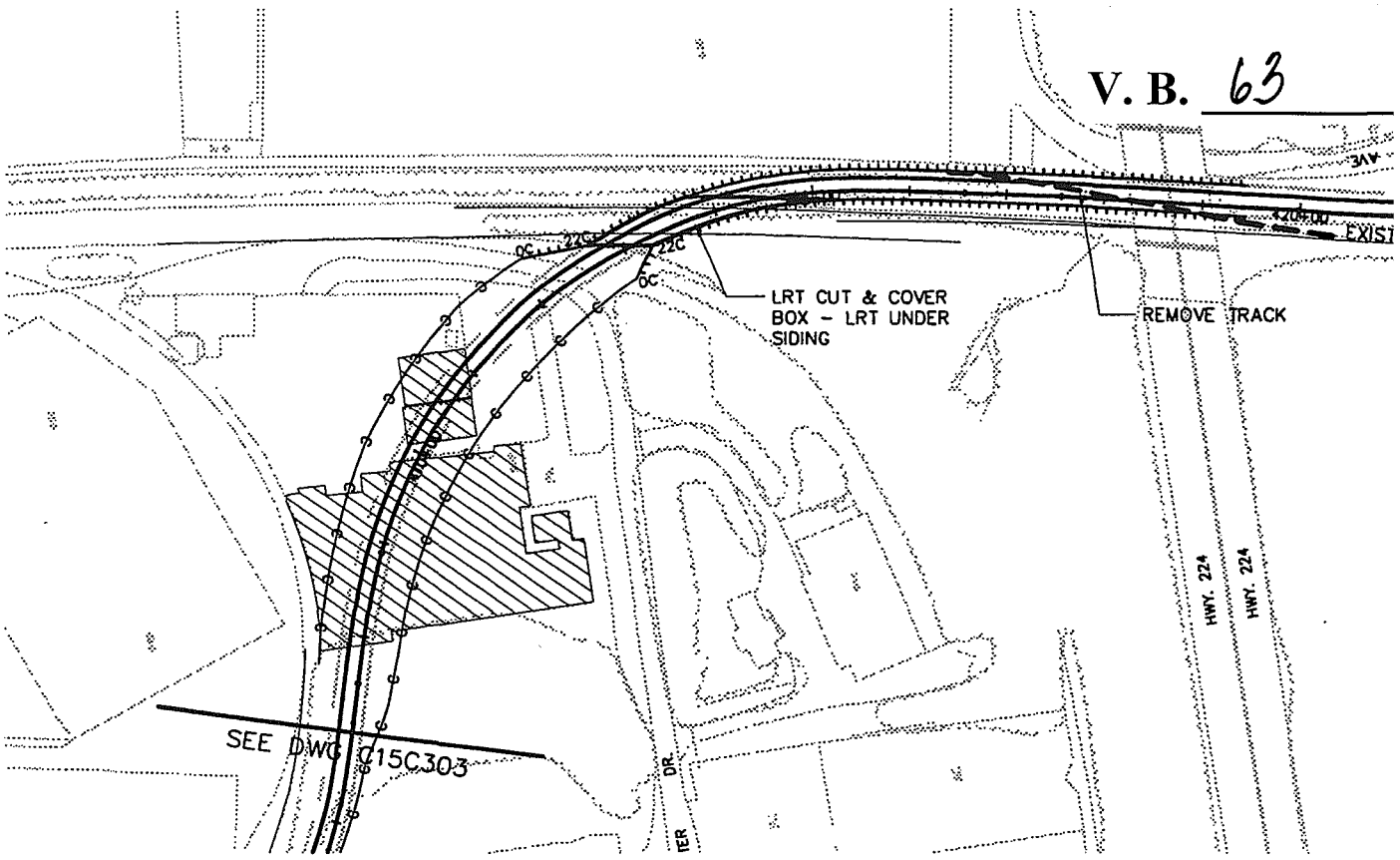

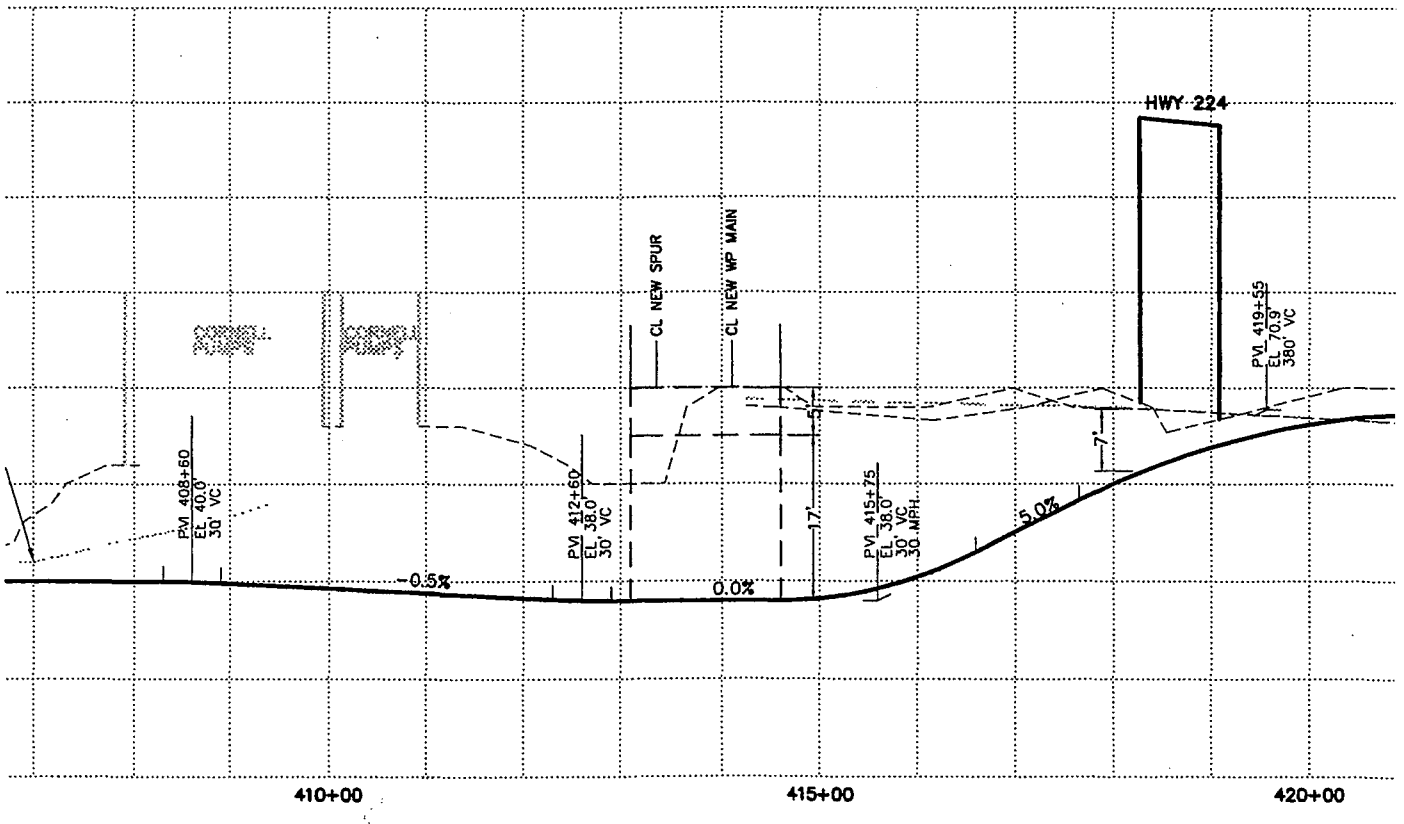

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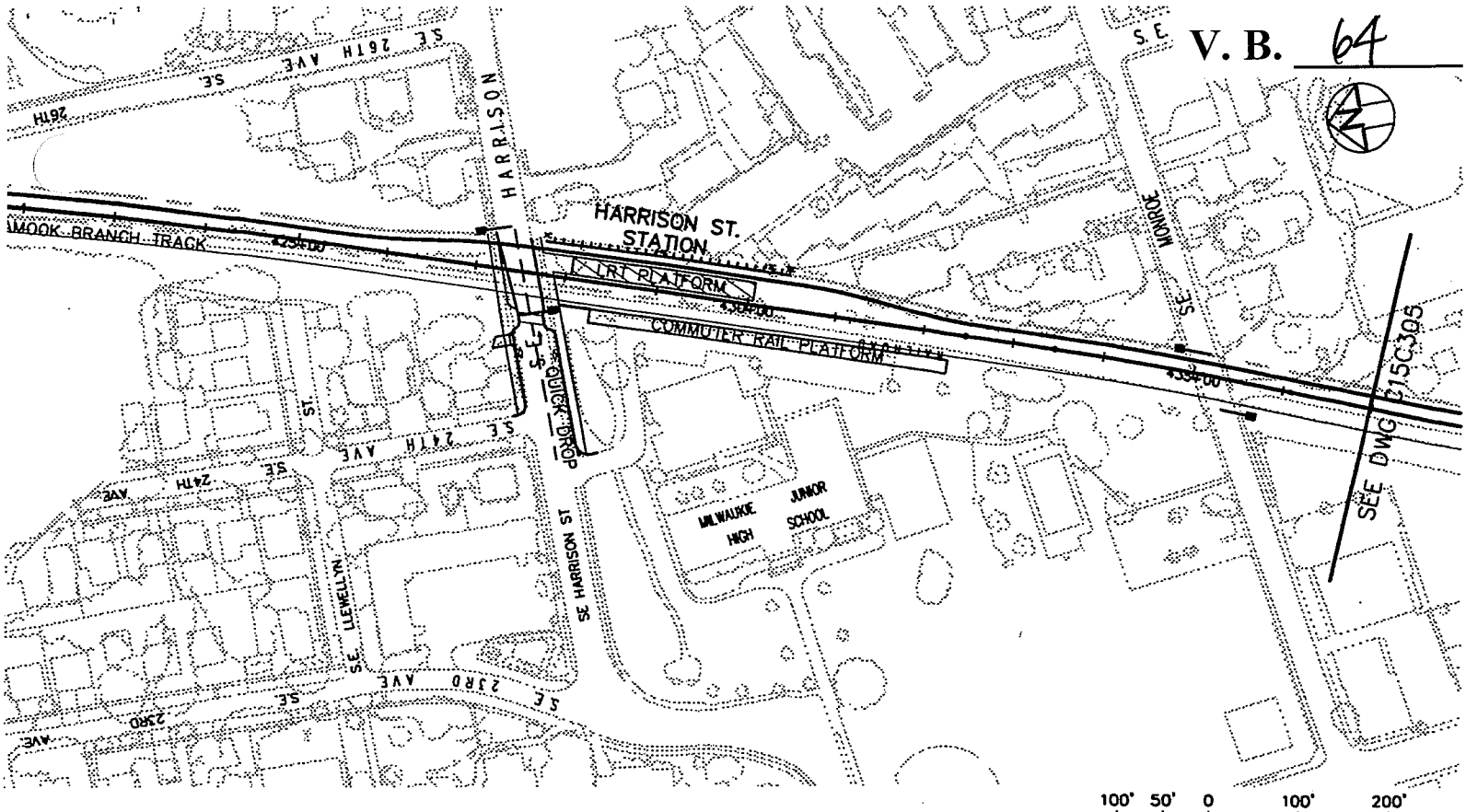

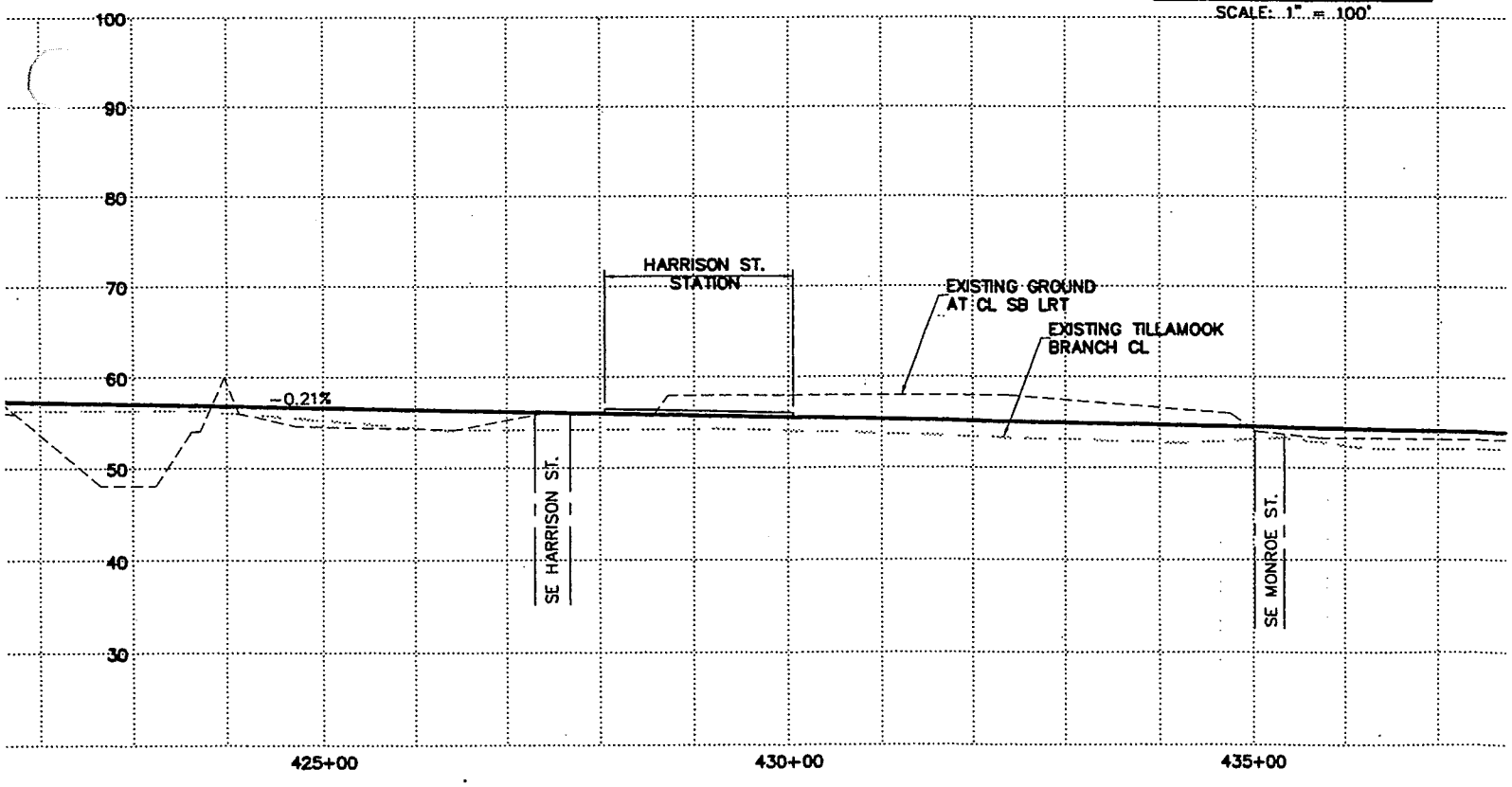

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SOUTH CORRIDOR TRANSIT STUDY

MILWAUKIE MAX ALIGNMENT

MILWAUKIE SEGMENT
ALTERNATIVE AB.1
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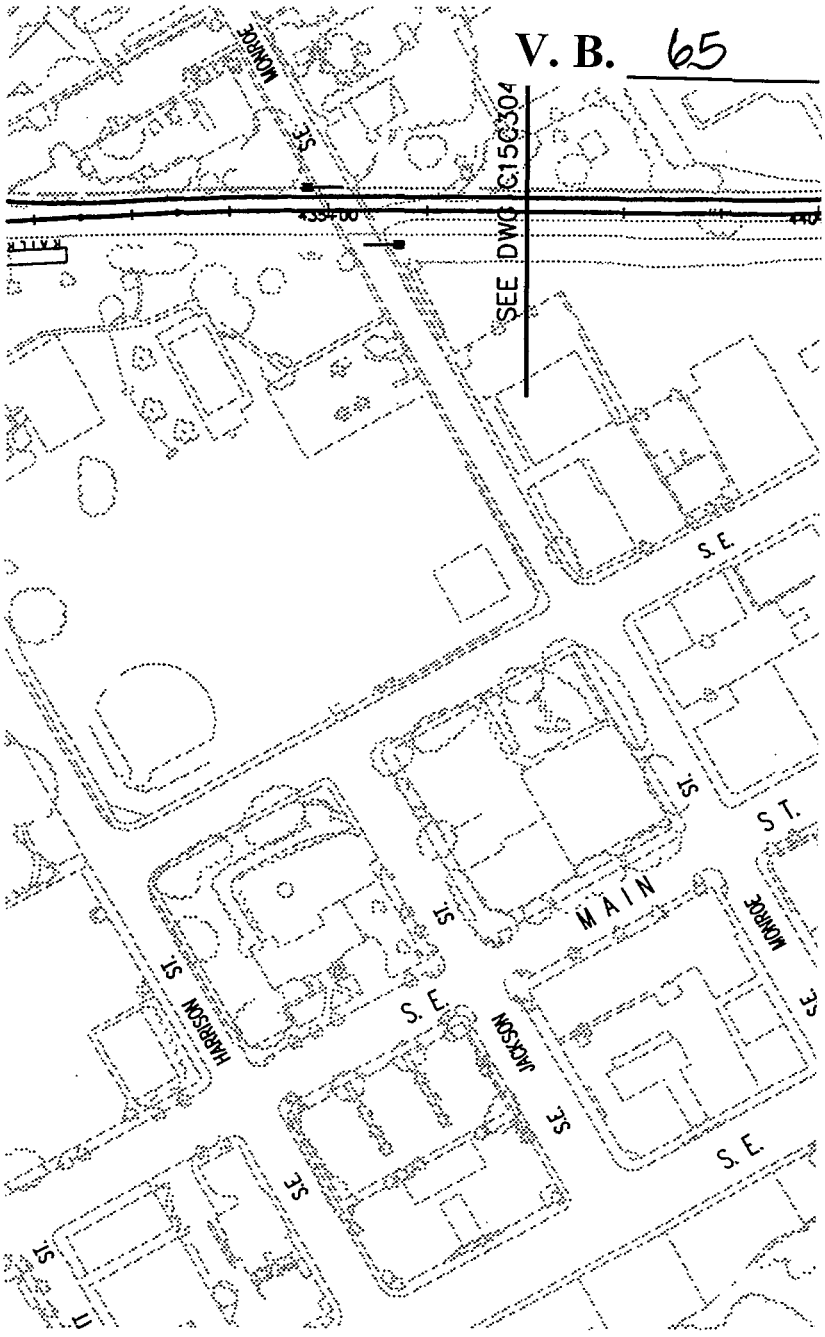

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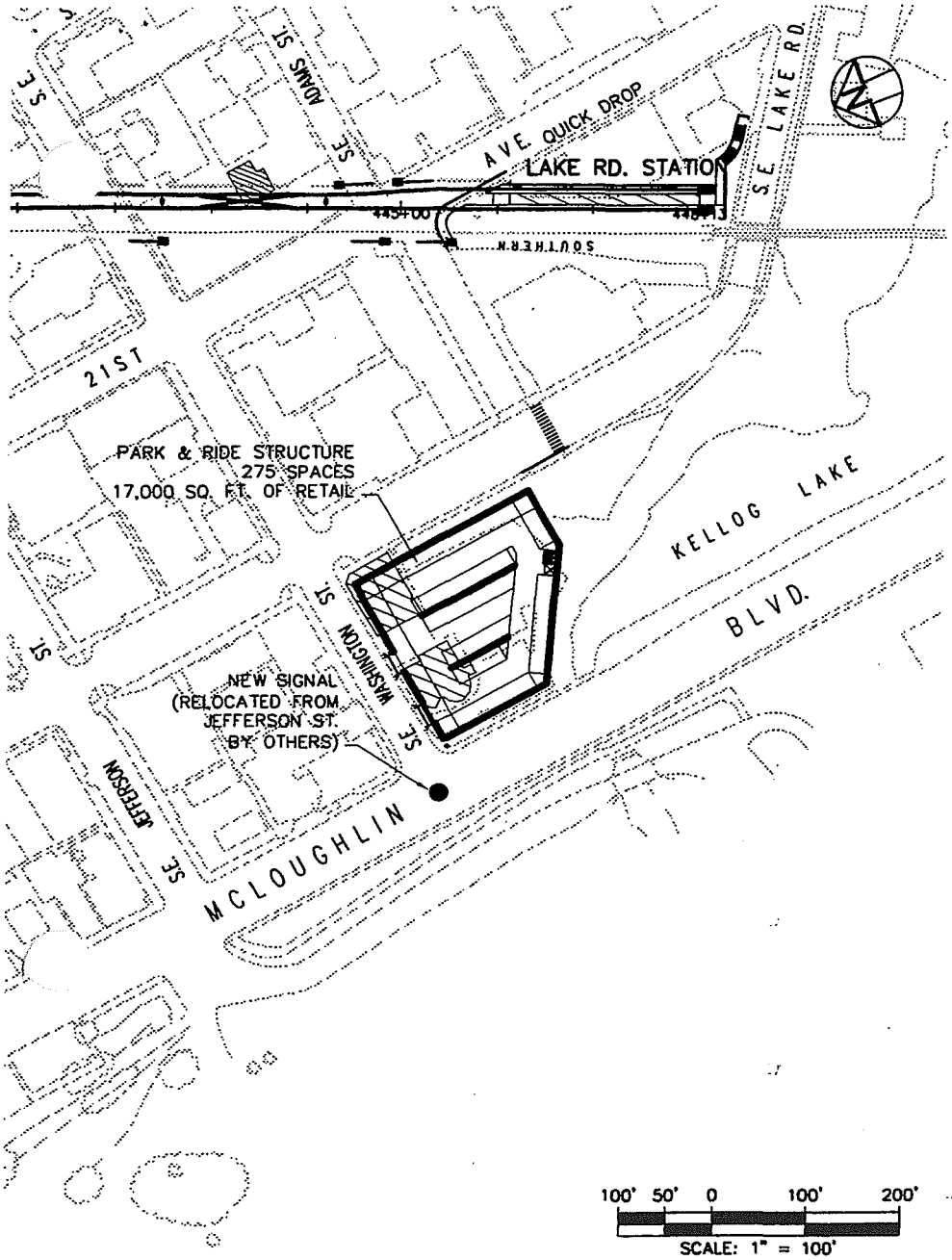

TRI-MET

CAPITAL PROJECTS AND FACILITIES DIVISION
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TRI-MET METROPOLITAN TRANSPORTATION DISTRICT OF OREGON

SOUTH CORRIDOR TRANSIT STUDY
MILWAUKIE MAX ALIGNMENT
MILWAUKIE SEGMENT
ALTERNATIVE AB.1
STA 437+00 TO STA 448+13

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RAMIS
CREW
CORRIGAN &
BACHRACH, LLP
Practicing as
Hibbard Caldwell Schultz
Ramis & Crew
in Oregon City

ATTORNEYS AT LAW

1727 N.W. Hoyt Street
Portland, Oregon 97209

(503) 222-4402
Fax: (503) 243-2944

MEMORANDUM

To: Milwaukie City Council

From: Gary Firestone, City Attorney's Office

Date: March 21, 2003

Re: Ordinance to Amend Code to Comply with Charter

Action Requested

Adopt an ordinance amending Milwaukie Municipal Code Section 2.04.300(A) to comply with Milwaukie Charter Section 25.

Background

Milwaukie Charter of 1975 Section 25 provides:

> The **concurrence of a *majority of the whole council*** shall be required to determine any matter before the council. The council does not have the power to provide by rule by rule that an extraordinary majority is required to determine any matter before the council. (Emphasis added.)

In addressing the same issue, Milwaukie Municipal Code Section 2.04.300(A) provides:

> The ***concurrence of a majority of all the council members present*** is required to determine any matter before the council. Each councilor must vote on all questions before the council unless the member has a conflict of interest which would disqualify the member from voting. If a member abstains, the reasons for the abstention shall be entered in the record. Unless a councilor abstains, the member's silence when the vote is taken shall be considered an affirmative vote. (Emphasis added.)

The Code provision is inconsistent with the Charter provision quoted above. This inconsistency was discovered at the March 18, 2003 Council meeting while analyzing how the Council could act when only three Councilors were present for a meeting. Charter provisions control, and, therefore, the conflicting provision of the Code must be brought into conformance. The proposed action will do that.

Concurrence

The City Attorney and City Manager are in concurrence with this action.

Fiscal Impact

None.

Alternatives

The Charter provision controls, and, therefore, the offending Code provision should be brought into compliance. If this action is not taken, the Code provision as it stands is not enforceable in the face of a conflicting provision in the Charter.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2.04.300A OF THE MILWAUKIE MUNICIPAL CODE RELATING TO COUNCIL VOTING

WHEREAS, Municipal Code Section 2.04.300A is inconsistent with Charter Section 25; and

WHEREAS, the Code must be consistent with the Charter; now, therefore,

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1: Milwaukie Municipal Code Section 2.04.300A is amended to read as follows:

> A. Requirement. The concurrence of a majority of the whole council shall be required to determine any matter before the council. Each councilor must vote on all questions before the council unless the member has a conflict of interest which would disqualify the member from voting. If a member abstains, the reasons for the abstention shall be entered in the record. Unless a councilor abstains, the member's silence when the vote is taken shall be considered an affirmative vote.

Section 2: All other subsections of Milwaukie Municipal Code Section 2.04.300 remain in effect.

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

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

Signed by the Mayor on _____.

_____
James Bernard, Mayor

ATTEST:

_____
Pat DuVal, City Recorder

APPROVED AS TO FORM:

_____
City Attorney

CITY OF MILWAUKIE CENTENNIAL 1903~2003

To: **Mayor and City Council**

Through: **Mike Swanson, City Manager**
Alice Rouyer, Director of Community Development & Public Works
Jeffrey King, Project Manager JK

From: **North Main Developer Selection Committee**

Subject: **Developer Recommendation Report**

Date: **April 1, 2003**

Action Requested

1) Receive and discuss the North Main Developer Selection Committee recommendation of a development team proposal for redevelopment of the North Main Street "Safeway" Site,
2) Select a development proposal for exclusive negotiations, and
3) Authorize staff to commence negotiations with the development team selected by Council

Background

As per Milwaukie Resolution 26-2002, the North Main Developer Selection Committee is hereby reporting its recommendation and conclusions to City Council of a proposal and development team for this site. The project is for mixed- use redevelopment of a city owned property on North Main St. known as the "Safeway" site. The city received two outstanding proposals from local development teams. The proposals provided two very different yet reasonably achievable projects from firms with good track records in the community. A summary of the two teams and their proposals is attached.

After thoroughly reviewing the proposals, the North Main Developer Selection Committee unanimously recommends that the City Council begin exclusive

negotiations with the team led by Peak Development, LLC of Gresham, Oregon on the North Main Street Project. Herewith are the conclusions.

I. Charge of the North Main Street Developer Selection Committee

On November 19th, 2002, City Council passed an ordinance creating the North Main Developer Selection Committee. The charge of the Committee was:

1. Review development proposals and developer qualifications submitted by the four qualified firms, approved in the Request for Qualification (RFQ) project phase in August 2002. The Committee will review the proposals against project selection criteria identified in the Request for Proposal (RFP) document.

2. Interview development teams for "fit" with city goals and values.

3. Recommend a proposal and development team for consideration and final approval by the City Council.

4. After no more than 2 months from the date of the first meeting, the Committee should report a recommendation and conclusions to Council.

The Selection Committee and the entire Project Team believes that it has achieved all of the objectives set forth by the ordinance.

II. North Main Street Developer Selection Committee Process

The selection process for this project was fair, objective and deliberative. In early December City Council completed interviews of prospective members. Seven members were selected with one member dropping out in December. The six-member Selection Committee is made up of representatives of neighborhood organizations, businesses, residents, design professionals, the Ledding Library and the Masonic Lodge.

Members included Michael Davis, Peter Koonce, Jeff Reaves, Susan Trotter, Gill Williams and Ed Zumwalt. Technical assistance was provided to the Committee by City Community Development staff and consultants providing development and financing expertise including: Alice Rouyer and Jeff King (City of Milwaukie); Betty Dominguez (Oregon Housing and Community Development Department); Doug Obletz and Kim Knox (Shiels Obletz Johnsen); and Mike Silver (Deloitte & Touche).

Two proposal teams responded to the RFP deadline of January 9, 2003. The two proposal teams were: Peak Development (Peak) serving as the developer with Lone Oak Construction and Myhre Architects. The second team included Northwest Housing Alternatives (NHA) as the building owner, Brian McCarl & Company as the developer, Walsh Construction and Mahlum Architects.

The Committee then held a total of six meetings including an open house, a site tour of referenced projects and interviews of the development teams. A recommendation was based on four specific criteria.

III. Evaluation Criteria

The Committee considered each proposal within the context of the four criteria approved by City Council in the North Main Street Request for Proposals. The following lists these four criteria and the Committee's general comments in each of these areas:

- ***Team Qualifications:*** *Proven ability of the proposer to successfully develop and manage high quality mixed use projects in an urban setting. Ability to work with public agencies, neighborhoods and business organizations to achieve a building that has broad public support.*

  Both teams were seen to be capable and qualified to build mixed-use projects. Both teams have good track records in working with public agencies, neighborhoods and other affected stakeholders. However, Peak Development's in-house capabilities as a long-term building owner, manager and developer were seen to be a unique combination that would serve the Milwaukie community well.

- ***Program and Design:*** *Approach and ability to integrate the building uses and design consistent with the Development Objectives, Downtown Plan and Public Area Requirements and is economically feasible given the anticipated financial performance of the building.*

  In terms of the building program, both projects propose "work force" housing (targeted individuals making up to $30,900 with monthly rents up to $590 for a one-bedroom unit) and condominiums. Overall, the NHA team proposed a more intense development, covering the majority of the site with buildings while the Peak team proposed a single building sited adjacent to Main Street with the remaining half of the site in surface parking. The Peak building's orientation to Main St. was consistent with the development objectives. The retail proposed in the Peak project was seen as more supportive of the development goal for active ground floor uses than the NHA proposal of live/work units along Main Street.

- ***Project Financing:*** *Ability to provide necessary project equity and secure construction and permanent finance for the project on schedule.*

  Both teams proposed using tax credits, developer equity, conventional loans, Metro Transit Oriented Development funds plus other financing sources for the project. Each identified a gap in the financing that would need to be addressed once the City had selected a single developer. Of particular concern to the Committee was the NHA proposed financing structure's reliance on the competitive 9% tax credits on two phases of the development, which could cause significant delays to the

project should the tax credits not be awarded in the annual cycles. The 4% tax credits proposed by Peak are not as competitive and more easily awarded.

- ***Business Offer:*** *The preliminary amount offered to the City for the development rights.*

  Both teams requested City financial assistance as part of their business offers. This financing gap was identified by the Committee as an "issue to be resolved" over the course of future negotiations. As the selected developer is able to gather more specific financing commitments and information in the coming months, a more refined assessment of potential City participation would be forwarded to the City.

  Also see Attachment A-"Community Vision and Development Objectives for the North Main Project" and Attachment B- "Long Term Success of Project for additional factors that were part of the consideration.

IV. Recommendation of the North Main Developer Selection Committee

The Committee recommends that the City proceed with exclusive negotiations with Peak Development, LLC of Gresham, Oregon. Peak Development, LLC scored the highest in each of the four criteria and total points for the following reasons:

+ Commitment to long-term ownership/investment/management of entire building through one company with experience in mixed-use building operations.
+ Capable/qualified and able to build a mixed-use project.
+ Well-suited to working with a small community like Milwaukie and its neighborhood associations.
+ Site proposal allows for greater flexibility in site build-out even though developer has not committed to later phases.
+ Good design that breaks up the long building facade
+ Integration of condominiums in project
+ Active ground floor uses on Main Street.
+ Good developer equity contribution which also suggests long-term interest in project.

V. Next Steps – Recommended Discussion Issues

Should City Council decide to proceed with negotiations with Peak Development, the Selection Committee has the following issues that should be included in the discussions between the developer and City Staff. A proposed Project Schedule, and a Proposal Comparison Matrix are located in the Attachments.

- Conduct additional retail market evaluations to ensure that the building accommodates a supportable amount of ground floor retail that is oriented to Main Street.

- Create a retail leasing strategy to ensure that the building can maintain a consistent level of retail activity in the ground floor that complements other downtown retail activities.
- Seek additional design assistance to address issues of: future site intensification or development phases; ownership of undeveloped land; incorporating flexible options to accommodate a variety of active ground floor uses over time; building scale; reconsideration of appropriate construction methods for condominiums; re-design of the pedestrian link between Main Street and the library; and site landscaping.

- Ensure consistency with the Downtown Plan, Zoning and Design Guidelines. Identify any areas where zoning adjustments may be needed. If appropriate, revisit the list of prohibited building materials in the City's code.

- Establish a milestone date to determine whether the project includes tax credits or whether it will be "market rate".

- Establish a milestone date to determine feasibility for condominiums to be incorporated into the building. If needed, allow condominium level to be turned over to rental while accommodating home ownership options elsewhere on the site.

- Determine any conditions that various funding agencies or lenders may place on site design, density, mix of uses, or business offer.

- Explore opportunities for the use of land reversion for some of the surface parking lot as part of the development, such that the City has the opportunity to encourage future development and intensification of the site.

- Review and discuss all aspects of the business offer to reduce the City's out-of-pocket expenses from the amount contained in the proposal.

ATTACHMENT A

Community Vision & Development Objectives for the North Main Project

Over the past two years, City Council and staff have had many opportunities to listen to redevelopment ideas for the site generated by various community members. Accordingly, the Council has developed project objectives below that should be addressed by development teams in the Request for Proposal (RFP) stage:

- Redevelopment should include high quality materials and construction. This site is viewed by the City as a major catalyst to future development in the downtown. The Downtown Design Standards and Guidelines provide a good framework for projects that are considered to be compatible in the downtown.

- The proposal should incorporate a mixture of uses, including active ground floor uses oriented to Main Street. Some ground-floor uses of interest to the community are:
  -Specialty grocery store
  -Library expansion area
  -Post office

- A project offering dwelling units available to a mixture of incomes is highly desirable, provided it includes a proportion of market-rate units.

- A condominium project with "for sale" units is highly desirable.

- Active building entrances, balconies, decks and porches overlooking Main and 21st Streets are essential.

- Green building components are desirable, including but not limited to existing building deconstruction, selection of recycled building materials and energy efficiency elements.

- A public gathering space should be incorporated into the site design. This space could provide an attractive link between Main Street and the library.

- Any redevelopment proposal on this site should offer a reasonable civic and financial return to the City.

- Parking supply in the downtown is a sensitive community issue. Voluntarily providing a supply of off-street parking on the site is highly desirable from a marketing and community perspective.

ATTACHMENT B

Long-Term (Ten Year) Success of Project

Over the course of its consideration of the North Main Street proposals, the Selection Committee identified several shared values for how capital investments can create a positive ripple effect within the downtown and the greater Milwaukie community. The committee encourages the City to include consideration of ten-year goals and performance measures for this project as well as future downtown capital investments.

- **Expand Civic Participation & Commitment to the Community**: How long do developers maintain ownership in their projects and how involved do they become in supporting other community activities?

- **Catalyze Downtown Development**: How does the amount of annual private investments change over the years, and how many new or renovated development projects occur over the years? What is the public/private investment ratio and how have the types and amounts of downtown businesses and goods changed?

- **Expand Downtown Living Opportunities**: How has the number of people living in downtown changed and what percentage of the housing is owner occupied?

- **Increase Property Values**: By what rate have downtown property values increased and how does that compare to other comparable communities in the area? By what rate have property taxes increased in the downtown over the years?

North Main St. Redevelopment Project

Project Schedule

March 17	Discussion with Council on Selection Criteria
April 1	City Council Meeting Open Session-Selection Committee Recommendation
April 1	City Council Meeting Executive Session: City Council accepts report and choose Development Team. Directs negotiators
April 1-May 15	Negotiate MOU (6 weeks)
May 15- July 15	Negotiate DDA (8 weeks)
May 1 – Dec. 30	Plans, Specifications and Permits (8 months)
May 1 – Oct. 30	Secure Financing (6 months)
Dec. 1 – Dec. 30	Negotiate Construction Contract (1month)
TBD	Construction Notice to Proceed
TBD	Construction

North Main St. Redevelopment Proposals
Proposal Comparison

2/06/03

Item	Brian McCarl/NWA	Peak Development
Qualifications	• Multiple sites developed in past 18 years throughout the state (NWHA) • Lents Village Apts: 63 senior apts • Rosemont Court: 100 unit senior apartments—renovation • Several senior/assisted living facilities (McCarl) 5th Ave Commons: • WestShore Apts: 113 affordable apts • Pacific Tower • Stadium Station Apts (Kuhns/Walsh) • Collins Circle Apts (Kuhns) • Walsh CC is the leading builder of affordable housing in the Portland market: 5th Ave Commons WestShore Apts Pacific Tower	• Central Point, mixed use, 22 units, 3500 SF retail • Rossman Offices, mixed-use, 2 units over office, separate townhouses • Landmark at 8th, 29-unit townhouse • Alpine Village, 75-unit apartment • The Mosaic, 40-unit condominium, eight stories • Lovejoy Station, mixed use, 181 units, 6300 SF retail (with prior co.) • Lone Oak construction: Central Point Rossman Offices Landmark at 8th Alpine Village
	• $121/SF const cost • 151,615 SF total **Program:** • .55 onsite pkg spaces/unit (107 total) • 131 total units • 63 senior apts • 68 affordable apts • 8,000 sf commercial • 5 townhouses (ownership) **Unit sizes** • 1 bedrm 600 SF • 2 bedrm 950 SF	• $129/SF const cost • 75,000 SF total **Program:** • 2.76 pkg spaces/unit (166 total) • 42 total units • 42 affordable apts • 19,600 SF commercial • 14 condos(ownership) **Unit sizes** • 1 bedrm 768 SF • 2 bedrm 1,028 SF

North Clackamas Parks and Recreation District
Milwaukie Center/Community Advisory Board
Minutes of January 10, 2003

Members present: Eleanor Johnson, Sharon Phillips, Janet Witter, Joan Staley, Ben Tabler, Kim Buchholz, Alice Neely, Jim McCready, Jane Hanno, Lynn Wright, Molly Hanthorn

Member excused: Joan Newman, Carol Storment

Staff: Joan Young, Cheryl Nally, Pat Kennedy, Lisa Rogers

Guests: None

Call to Order: Eleanor Johnson called the meeting to order at 10 am. The minutes of the previous meeting were approved as printed.

Correspondence: Membership applications for Jane Hanno and Lynn Wright were presented. Both applications were approved by unanimous consent.

Staff Presentation: Pat Kennedy and Lisa Rogers reported to the Board on the Recreation and Education Programs. Pat reviewed the categories of Classes and Workshops being offered. There are 44 different titles for Winter Term. Total enrollment averages 500 people attending per term. At least 20% are under age 62. Art, Fitness and Computer are among the most popular classes offered. Lisa reviewed the Interest Groups and Activities. Currently, there are 24 groups led by volunteer coordinators. Participants pay a 50 cent drop-in fee for each group they attend. Coordinators minimize the staff time needed to keep these groups going. The ninth annual Quilt Show is being planned by the leadership of the Quilt group and will be held on March 21 and 22. The Travel Program, also volunteer led, has provided 29 trips for 800 people. The Community Garden gets a boost from the Master Gardeners with support and advice. The Program and Recreation office collaborates with the Arts Guild, Master Gardeners and other local groups. They also received a two-year grant from the Oregon Council for Humanities to work on Centennial and Ethnic Quilting.

Parks Board: Kim Buchholz volunteered to be the alternate from this board to the Parks Board. Eleanor will continue to be C/CAB representative. Kim was appointed alternate by unanimous consent.

Budget Committee: Open meetings, to begin the budget process, are set for January 22 at 1 pm and January 30 at 2:30 pm at the Milwaukie Center. John Mullin of Clackamas County Social Services will report to the Parks Board on January 30 at 6 pm at the Milwaukie Center.

Programs and Services: No meeting.

VII. 2

North Clackamas Parks and Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report for January, 2003

Programs/ Services:
Winter Term class and workshops at the Milwaukie Center showcase 45 different offerings for the adults in our community. Enrollment for the term is expected to be nearly 500 patrons.

Milwaukie Center was the benefactor of an influx of volunteer energy from 18 high school students on Thursday, January 30. The students took on multiple tasks throughout the Center: cleaning flower beds, stacking wood, cleaning and polishing furniture, helping with a mailing, washing buses, and selling candy.

For the second year, the Diabetes Education Fair on Saturday, January 18, brought together medical providers, a nutritionist, several diabetes supply providers with close to 200 interested public attending a day of information, education and free screenings.

Over sixty clients who had been receiving medical escort services from Milwaukie Center Transportation Program – 23% of the total number of clients in this program – were impacted by the loss of funding from the Providence Milwaukie partnership, effective January 1, 2003.

The Friends of the Milwaukie Center, Inc. sponsored the quarterly Red Cross Blood Drive early January with over 30 people giving "the gift of life".

Events Coming Up:
Transportation Program's annual See's Valentine Candy Sale fund-raiser is in full swing, through February 14. Treat your sweetheart and help fund transportation!

The Nutrition Program's Sweetheart Sunday dinner is on February 9th, 2003. Community members who participate will enjoy a delicious Roast Beef Dinner. Proceeds support Meals on Wheels in north Clackamas County.

The Friends of the Milwaukie Center will hold their festive All-You-Can-Eat Spaghetti Dinner on Saturday, March 8, 4-7 pm. Be sure to make this delicious fund-raiser!

The 9th Annual Quilt Show, "Airing of the Quilts", will be held at the Milwaukie Center March 21 and 22. The show includes a gorgeous show of community quilts, a quilt contest, quilt raffle, vendor fair and much more.

North Clackamas Parks and Recreation District
Milwaukie Center/Community Advisory Board
Minutes of February 14,2003

Members present: Eleanor Johnson, Kim Buchholz,Sharon Phillips, Janet Witter, Joan Staley, Jane Hanno, Joan Newman, Molly Hanthorn, Jim McCready, Lynn Wright, Carol Storment, Ben Tabler, Alice Neely
Board members excused:none
Staff:Cheryl Nally
Call to Order: Eleanor Johnson called the meeting to order at 10:00 a.m. The minutes of the previous meeting were approved as printed.
Correspondence:none
Guest Speaker: Dick Jones of AAA Advisory Board gave Board members a packet of information for their files. This Board provides advocacy for Seniors and Disabled in Clackamas County. Some of the issues they deal with are Nutrition, Transportation, Prescription drugs,Project Independence and others. In Clackamas County the centers have taken responsibility for different geographical areas ,forming a network of centers. The Centers minimize fragmentation of services and are the cornerstone of delivery of services is Clackamas County. Anyone interested in volunteering for one of the AAA committees may get an application by contacting Jean Cochran at the Department of Human Services. Dick called the Milwaukie Center "The Best in the West" for fundraising and services delivered.

Sharon Phillips was complimented on the article about her in The Oregonian.

Board /Committee Reports:
NCPRD Board Eleanor reported that John Mullin had discussed budget issues.Lynn Sharp received an award, A property on Naef Road is being aquired with the cooperation of the current owners for future development as a park. Kim Buchholz was approved as our alternate representative to the Parks Board. Jane Hanno and Lynn Wright were approved as members of CCAB. Altamont Park will be partially developed this year. Reports were given about program cuts and maintainance arrangements. Staff is working on plans for Eagle Landing near Top o Scott and there will more hearings. Public meetings will be held on the budget and April 10 is the target date for Budget adoption.
Budget/Finance Jim reported no meetings will be held until decisions are made at the District level.

VII. 4

North Clackamas Parks and Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report for February, 2003

Programs/Services:
In the next nine months, the Milwaukie Center will participate in a community-based Diabetes Education and Support Program through the National Council on Aging and Providence Center on Aging. The Center is one of four sites in the state to take part in a pilot study to test a model to support older adults with diabetes in day-to-day self-management of the disease. This project is made possible through a Robert Woods Johnson grant, paying for Center expenses and staff time.

In February, Travel Program volunteers met to plan ahead for the coming months. Fifteen day and over night trips are featured on the schedule-- ranging from a one day sweep of Chinese and Japanese gardens in Portland, including lunch at Bush Gardens -- to tours of the North Cascades, Crater Lake, and the San Juans and Pacific Coast by cruise ship. Recently, the group listed its first trip to Beijing, China-- coming in November.

Fund-raising:
The Transportation Program's annual See's Candy Valentine fund-raiser was a success, netting over $1,000 to support senior and disabled transportation. Many thanks to the Volunteers who gave over 60 hours to sell all the chocolate.

The Friends sponsored a Bridal Show on February 1st at the Milwaukie Center. Twenty-five vendors rented booth spaces, and over one hundred potential brides, family and friends attended the event. The event was a great fund-raising success and brought in new rental bookings for the Center.

The Nutrition Program held its Famous Valentine's Sunday Dinner, featuring melt-in-your-mouth pot roast and wonderful piano tunes with Joan Rice. The event was attended by over one hundred twenty community members. This fund-raiser cleared $750, supporting Meals on Wheels in north Clackamas County.

The Transportation Program was given the '96 Chrysler which was used for six years in partnership with Providence Milwaukie Hospital to provide medical transportation. The car was sold for $3,200, and the funds will be set aside to help with the grant matching dollars necessary for the purchase of our next lift bus.

Coming up:
"Airing of the Quilts" 9th annual Community Quilt Show, Friday, March 21 and Saturday, March 22 ($3 entry). View hundreds of quilts made by community members, see the winning quilts of the "Red, White and New" Quilt Contest, attend quilt sessions; buy a chance on the beautiful quilt raffle, check out quilt vendor sales and much more!

"Wine and Roses" Dinner Casino – Saturday, May 17. Support the efforts of the Friends of the Milwaukie Center -- enjoy this up-scale dinner and game night. Ticket sales are limited, call today!

April 21 – 25 is National Volunteer Recognition Week. The Milwaukie Center is dependent upon hundreds of volunteers who give the equivalent of over 45 full time staff in time each year. **Thank you, thank you, volunteers!**

Date _____

I wish to address City Council on Agenda Item # _____

Name RICHARD BRANDMAN

Organization METRO - Deputy Planning Director

Address 600 NE GRAND AVE

Phone _____

Speaking in Support Speaking in Opposition

Raising Questions Providing Information

Comments _____

Date _____ SOUTH CORRIDOR

I wish to address City Council on Agenda Item # V B

Name DAVID ARCHEN BRENNER

Organization Self

Address _____

Phone _____

Speaking in Support Speaking in Opposition

Raising Questions Providing Information

Comments _____

Date 4/1/02

I wish to address City Council on Agenda Item # Southgate crossover - South corridor Project.

Name William Monson

Organization _____

Address 3973 Croisan Mtn Dr. Salem

Phone 503-370-0007

Speaking in Support Speaking in Opposition

Raising Questions Providing Information

Comments _____

Date 4/1/03

I wish to address City Council on Agenda Item # SOUTH CORRIDOR

Name PETER KOONCE

Organization ARDENWALD NEIGHBORHOOD

Address 3509 SE WAKE ST

Phone _____

Speaking in Support Speaking in Opposition

Raising Questions Providing Information

Comments _____

Date 4/1/03

I wish to address City Council on Agenda Item # V. D.

Name ED ZUMWALT

Organization PERSONAL

Address 10888 S.E. 29TH

Phone 654-2492

Speaking in Support Speaking in Opposition

Raising Questions Providing Information

Comments SOUTH CORR.

Date 4-1-03

I wish to address City Council on Agenda Item # SOUTH CORRIDOR

Name TERRY PARKER

Organization NO AFFILIATION

Address 1527 NE 65TH AV PDX 97213

Phone 503 284-8742

Speaking in Support OR PART Speaking in Opposition OR PART BOTH

Raising Questions Providing Information

Comments

Date 4/1/03

I wish to address City Council on Agenda Item # VB - South Corridor

Name Brian Newman

Organization Metro Councilor

Address 10440 SE 24th Ave Milwaukie

Phone 503-797-1887

Speaking in Support Speaking in Opposition

Raising Questions Providing Information

Comments