

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
NOVEMBER 18, 1997**

The one thousand seven hundred and seventy-ninth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:05 p.m. in the Milwaukie City Hall Council Chambers. The following Councilors were present:

Mayor Lomnicki, Mayor Carolyn Tomei	Jean Schreiber Rob Kappa Don Trotter
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Also present:

Dan Bartlett, City Manager Charlene Richards, Assistant City Manager Paul Elsner, City Attorney	Jim Brink, Public Works Director Maggie Collins, Community Development Director
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**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**108th Birthday of Martha Brady**

**Mayor Lomnicki** read a proclamation recognizing **Martha Brady**, a Milwaukie resident, on her 108<sup>th</sup> birthday.

**ACTS of Oregon -- Special Commendation to Milwaukie Public Works Director Jim Brink**

ACTS of Oregon commended **Brink** for his work in promoting community traffic safety by developing the Neighborhood Traffic Management Program (NTMP) in partnership with Milwaukie citizens. **Mayor Lomnicki** urged interested people to apply for the vacant positions on the Traffic Safety and Transportation Board.

**Certificate of Achievement for Excellence in Financial Reporting**

**Dave Boyer**, Multnomah County, presented the City of Milwaukie with the *Certificate of Achievement for Excellence in Financial Reporting*.

## CONSENT AGENDA

It was moved by Councilmember Kappa and seconded by Councilmember Tomei to adopt the Consent Agenda which consisted of the City Council minutes of November 4 and 5, 1997. Motion passed unanimously.

## AUDIENCE PARTICIPATION

**Jeff Marshall**, 9901 SE 53<sup>rd</sup>. He contended the City Council violated State mandamus law by approving a substandard subdivision in the Lewelling Neighborhood. The case went to LUBA, and neither the developer or the City of Milwaukie appeared at the hearing. He read a letter into the record from Attorney Daniel H. Kearns, Preston, Gates and Ellis, regarding the City Attorney's response to Lewelling Neighborhood Dist. v. City of Milwaukie, LUBA No. 97-031. Kearns stated the City Attorney advocated for an outcome that would have substantial policy implications for the City of Milwaukie. Kearns recommended the Neighborhood bring the issue before the City Council because he felt the policy decision effectively stated the City Council had been lying all along. **Marshall** said the City Council had made a serious mistake and urged it to reverse its decision and reimburse the Neighborhood \$4,000 for legal fees.

**Bartlett** said the City Council should schedule an executive session with the City Attorney handling the land use issue in order to discuss it further.

**Michelle Greeley-Roberts**, 13709 SE Laurie Avenue. Members of the Milwaukie Democracy Project (MDP) are seeking recall of three members of the Milwaukie City Council. The top-down management style practices continue to go against the will of the citizens. The problem is the manner in which decisions are made beginning with the City Manager and the Community Development Department who amend ordinances in response to community opposition. Accessing public records has been made more difficult since the citizens became active. The MDP is not against growth, light rail or specific Councilors. It is against the top-down management style. Citizens must be able to participate, and she noted MDP members have been active on various committees.

**Jim Lotz**, 5537 Harlow Street. He is a 35-year resident of Milwaukie and served on the Planning Commission with Trotter. The City's roads and other public improvements are good, but he was concerned that decisions were being made without proper input from citizen groups. He discussed his participation on the Neighborhood Councils which were active in the late 1970's and with the Comprehensive Plan development. He was disturbed that high density was being planned without citizen input.

**Tom Alford**, 2708 SE Monroe. He wished to rebut the City Council's responses to Analise Hummel at the October 4, 1997, meeting regarding truck traffic on Monroe Street. Monroe Street residents had given the City Council a signed petition in August asking for "No Thru Trucks." Councilmember Kappa told Hummel that it could be hazardous if trucks crossed the transit mall, but what about the people living on Monroe Street? He referred to a January 4, 1993, correspondence from the Traffic Safety Commission through then Police Chief Mansfield expressing alarm over the misuse of the roadway design by trucks. Mayor Lomnicki had spoken about some trucks needing access to downtown. **Alford** asked why it would be such a hardship for drivers to go one block out of their way? He referred to a January 1993 memo from City Manager Bartlett and then Public Works Director Tim Corbett regarding roadway improvements based on safety hazards, livability improvements, and industry and business adequate access to local and regional markets. **Alford** referred to a memo from Bartlett regarding the Monroe Street Traffic Analysis Final Report stating that truck volumes were low and that Monroe Street was suitable to function as a minor arterial. The "No Jake Brake" sign, which was the only recommendation carried out, was taken down about six weeks ago. Public Works Engineering Intern Shelton told him trucks could traverse Monroe Street if drivers were doing business in downtown Milwaukie. **Alford** said the City Council has failed its commitment to Monroe Street residents. It has been five years since the Traffic Analysis Final Report was completed, and nothing has been done.

**Mayor Lomnicki** said the Transportation System Plan (TSP) designates Monroe Street as a minor arterial. The Analysis indicated that Monroe should not be completely closed to all truck traffic such as local delivery trucks and garbage haulers. It is not the intent to stifle commerce in the downtown area. Business owners have a right to access their property and be part of the neighborhood and downtown commerce. City staff is working on signage and enforcement.

**Alford** referred to Municipal Code Chapter 10 and felt that trucks should use Harrison Street.

**Analise Hummel**, 2802 SE Monroe. She objected to trucks on Monroe. If light rail had gone through the downtown area, Milwaukie Lumber would have had to move. She suggested the company be offered a location on Johnson Creek Blvd. It is not the type of business that belongs in a downtown, and she suggested the property be used as a skateboard park. The trucks using Monroe are very heavy, and regular vehicles travel extremely fast. Residents want to keep Monroe Street, 34<sup>th</sup> Avenue, and others neighborhood streets. The 2040 Plan would double the City's population, and people do not want higher density. **Hummel** indicated she was also a member of the MDP and was working to get the City into a future where dissent is accepted by the City Council and there were no more 5-0 votes. Citizens come time and time again with good arguments, but the City Council does not hear.

**Mayor Lomnicki** said he wanted to make sure enforcement was ongoing. He suggested that residents who see trucks that are not stopping in the downtown area call the Police Department with the company name or license plate number. The City will work to notify those companies that are abusing the use of the street.

**Hummel** suggested an article in the *Clackamas Review*.

**Councilmember Kappa** said in the Lake Road area, citizens try to get the company name and license plate number of the vehicle and turn it over to the Police Department or the City Manager. The companies are contacted about using different routes. Many of the carriers are large companies, and it takes time and patience to get the idea through to the home offices.

**Councilmember Tomei** felt drivers who were flagrantly violating the signs should be cited by the Police Department. **Bartlett** said a reminder of the potential violation would be sent to the dispatchers.

**Julie Wisner**, Traffic Safety and Transportation Board member and 34<sup>th</sup> Avenue Task Force member. She expressed sympathy for the truck problem and discussed the truck watch on 34<sup>th</sup> Avenue. The signs requested by the Neighborhood Task Force were not placed in the appropriate location. There also needs to be one more sign at the north end. A City of Portland traffic engineer had told Brink to sign each end of 34<sup>th</sup> Avenue. City Council was given documentation of trucks observed using the street, and the packet included examples of proper signage. She wanted to bring attention to the fact that the City of Milwaukie did not have a traffic engineer. **Wisner** stressed the importance of preserving the integrity of residential neighborhoods. Trucks are ruining the roadbeds and present a safety hazard. She supported Alford's comments.

**Chris Houston**, 11335 SE 35th. The street has become a racetrack, and the situation is very dangerous particularly when residents try to get out of their driveways. After speed humps were installed on 34<sup>th</sup>, traffic moved to 35<sup>th</sup>. He requested barriers be installed.

**Mayor Lomnicki** said the City was working to find the most appropriate traffic calming devices for its neighborhoods. He discussed the NTMP and prioritization of street improvements. He urged residents to work through their Neighborhood Associations.

**Alford** said the reason he attended this meeting was because he was told by Shelton that trucks going to Milwaukie Lumber could use Monroe Street. He was annoyed at the drivers' attitudes. "No trucks" should mean no trucks.

## PUBLIC HEARING

### Regional Center Master Plan

**Mayor Lomnicki** called the public hearing on the Regional Center Master Plan to order at 7:55 p.m.

The purpose of the hearing was to consider public comment on the adoption of the Regional Center Master Plan as an ancillary document to the Milwaukie Comprehensive Plan. He asked that speakers limit their time to three minutes. **Mayor Lomnicki** announced the record would remain open until 5:00 p.m. on November 25, 1997. Copies of the material would be distributed to the City Council for further consideration at the December 2, 1997, meeting. He reviewed the conduct of the hearing.

Staff Report: **Collins** presented the staff report on file number CPA-97-01. This was a proposal to adopt the Regional Center Master Plan as an ancillary document to the Comprehensive Plan. The primary study area is 573 acres, and the secondary study area, that includes the business/industrial and part of the northern industrial area, is 125 acres. The Regional Center is in the non-low density area of the City. She discussed the zoning with the Regional Center Overlay. The primary and secondary study areas make up about 20% of the City.

**Collins** reviewed the Plan which was divided into five chapters: Introduction and Background; Vision and Existing Conditions; How will Milwaukie Achieve the Regional Center Vision?; How Will the Regional Center Affect Subareas?; and Analysis of Future Growth. Eight urban design principles were applied to the entire study area. The Plan contained Citizen Working Group summaries and suggested a Design Review Board. The land area encompassed in the primary area is the same as that defined in the Vision Statement.

Staff recommended the City Council adopt the Regional Center Master Plan as recommended by the Planning Commission.

Correspondence: None. **Mayor Lomnicki** noted a letter he would read into the record if the writer was not able to be at the hearing.

Audience Testimony:

**Karen O'Dowd**, 10952 SE 21<sup>st</sup>, Suite #5, MDDA Manager, spoke in support. The MDDA supported the Regional Center Master Plan Elements for commercial development and increased density in downtown Milwaukie. The impacts of expanded retail are broader than Main Street. Businesses need an increased customer base to help make Milwaukie a better place to live and do business.

**Analise Hummel**, 2802 SE Monroe, spoke in opposition. Liberty is for all citizens, not just a powerful few. She asked if corporate welfare had anything to do with the Regional Center Plan. She noted an article written by Randal O'Toole about the myth of the vanishing automobile.

**Karen Williams**, 7634 SE 32<sup>nd</sup>, Portland, spoke in support of the Plan. She was involved with the Light Rail Working Group and participated in the 1995 Vision Project. We do not know if light rail will be funded, but it is clear alternatives to the automobile must be found. We also do not know if Metro's population projections will be met. Milwaukie has a history of public involvement and suggested citizens help design infill development and determine the types of businesses they would like to see in their community. She encouraged the City Council to include this Plan as ancillary document to the Comprehensive Plan and create place that is worthy of people's affection.

**David Aschenbrenner**, 11505 SE Home. He asked if there was anything in the Plan that would change zoning. His main concern was outside the specialty subareas. He asked if the Plan would be in effect if light rail was not finalized. He urged the Plan go to a vote of the people. The decision should not be in the hands of five people. He felt there should be more time for input.

**Mart Hughes**, 3006 SE Washington. He objected to Councilmember Schreiber, Councilmember Trotter, and Mayor Lomnicki hearing testimony. The reasons were: objective character; number of residents signing recall petition; bias and manipulation of public planning process; and two previous rejections of the Plan. He noted that Councilmember Schreiber recently purchased real estate in the study area which he believed was a conflict of interest.

**Elsner** said this was not a land use hearing, and the City Council was acting in a legislative capacity. The members cannot be challenged on the basis of bias.

**Randal O'Toole**, 14417 SE Laurie, spoke in opposition. The Metro 2040 Plan will turn the Portland area into a Los Angeles. He saw density as the problem with the Regional Center Master Plan and discussed pollution, congestion, housing costs, crime, and open spaces. He said adopting the Plan and its density will reduce Milwaukie's livability.

**Paul Graham**, 11049 SE Main, spoke in support. Graham's Stationery has been in the City for 30 years, and, in the past fifteen years, business has deteriorated. The downtown is no longer a people place, but he believed it could become vital with commercial and cultural activities. The current downtown condition is a result of poor planning, and businesses were locating elsewhere. Dozens of people developed the Regional Center Master Plan over many months, and it provides a good framework for future plans to keep the City vital. He urged the City Council adopt the Plan.

**Dale Potts**, 12177 SE Grove Loop, spoke in opposition. He addressed the proposal to make Milwaukie one of Metro's Regional Centers. The City Council has ignored citizen input while drowning people in a sea of hard to read reports. The City Council is programmed by Metro and supports the vague utopian vision. Time and money is spent devising ways to get around citizens. He was disappointed the City lacked leadership and wished Milwaukie had West Linn's City Council. If the Milwaukie City Council members think the attacks are personal, they are right because they are attacking what is important to citizens. Let the people vote on the Plan and the riverfront. **Potts** said in two more years there will be no more Metro.

**Art Lewellan**, 3205 SE 8th Avenue. Light rail should not go into downtown Milwaukie. He was concerned with downtown densification and traffic. He discussed his Loop Oriented Transit-mall Intermodal (LOTI) Plan that would turn the South/North Light Rail into a longer line following the SP track. The LOTI was a good alternative, and he sought support.

**Jim Lotz**, 5537 Harlow Street. He thanked City Council and staff for Milwaukie's current livability. The streets have never been better, and there is good access to Portland and the freeways. **Lotz** had followed the downtown development for 30 years, and most citizens would like to see the downtown prosper. He did not feel this could happen because the merchants and property owners did not want to spend money on their buildings. He congratulated Graham on his longevity. He urged the City Council come together with the citizens for better communication.

**Greg Stone**, 2755 SE Washington. He agreed the City needed a master plan; however, he wanted to express some concerns. He supported the concept of densifying to protect green areas, but he cautioned plans could be corrupted by big money. Policy makers can make decisions that do not enhance livability. He questioned comments on pages 20, 32, 35, and 66 addressing the increased number of dwelling units in the Historic Milwaukie Neighborhood, economic incentives for upgrading the infrastructure, and the number of cars. **Stone** said he would prepare written comments for City Council.

**Keith Faust**, 11551 SE 27th. He felt a 40 - 50 year planning window was too long. It is too far out and typically, many things change. He did not feel the Plan offered flexibility for probable changes. Densification creates infrastructure needs. He felt permanent residents were more involved in City government. Those living in large condos have no concerns beyond their own areas. He urged the Plan go to a vote and added he did not believe people understood its importance.

**Julie Wisner**, 3325 SE Wister, spoke in opposition. She came before Council as a citizen who has volunteered as a member of various working groups, Traffic Safety and Transportation Board (TSTB) and the 34th Avenue Task Force. Only a small number of people are familiar with the Plan's content and impact on residents' lives. She asked why the City Council was rushing to adopt the Plan before the NDAs reviewed it since Metro does not need it until 1998. Taxpayers will foot the bills, and the public should be made aware of all the impacts. Taxpayers should be able to make the decision. **Wisner** urged the City Council delay adopting the Plan and extend the public review period.

**Bryan Cosgrove**, 10712 SE Stanley, Planning Commissioner, spoke in support. He urged the City Council to accept the Plan as written because not planning for growth would be a travesty. He wanted his children to know the City accepted its responsibility for density and more people. It does not mean livability will be given up. The Plan addresses 13% of the City's land base, and the rest will stay as it is. He discussed flaglots and noted he and his family lived on a flaglot.

**Lillie Moore**, 4001 SE Johnson Creek Blvd., spoke in support. She discussed the amount of traffic on Johnson Creek Blvd. and how it was a parking lot at peak times. She complimented the Mayor and City Council for being kind to people who were rude to them. He felt the City Council was an excellent group of people. Milwaukie of today is an example of not planning – development just happened. She discussed some of the impacts of not planning. People need to know where they are, where they are going, and how to get there. Lack of parking has been identified as a reason people do not shop downtown. Light rail, **Moore** added, would help people.

**Donald Hammang**, Hector Campbell NDA Chair, 11104 SE Home Avenue. The Hector Campbell NDA, he noted, did not have time to respond to the final Plan. The NDA does support subarea 1 and rebuilding the downtown area. Making subarea 4.1 a light rail station, however, indicates the City Council has not listened to what the Neighborhood said. Our community is not for sale, and residents do not approve of tax increment financing and urban renewal. Five

story buildings do not fit with the Neighborhood. Any change in zoning would allow urban densities to expand into other areas. Providence Milwaukie was concerned it might be inhibited. This Plan clearly resembles the Community Development Director's November 8, 1994 plan. **Hammang** agreed to submit the rest of his comments in writing.

**Mark Whitlow**, 222 SW Columbia, spoke on behalf of his client, the Murphy Co. He requested site 2.4 be excluded from the boundary and included with the larger industrial area to the northwest. The Murphy Company is engaged in site remediation, and there is still light industrial use not envisioned by the Plan. He requested the Council consider a boundary adjustment. He urged there be no non-conforming use that might inhibit future plans.

**Ken Roberts**, 2924 SE Malcom, property owner. He has acted as Ardenwald NDA co-chair and Riverfront Planning Committee member. He, too, had concerns that neighborhoods outside the boundary would be negatively impacted. Neighborhoods will undergo increasing pressure to decrease lot sizes and increase density. He used the example of driveway widths to support his point. He urged the City Council to do the right thing and send the Plan through the NDAs and to the citizens for approval.

**Chris Houston**, 11335 SE 35th. He is a seven-year Milwaukie resident and has seen traffic gradually increase. He believed higher densities would be dangerous. Neighborhood will have to be walled off to protect them from increased traffic. Citizens get angry with elected leaders who show only disregard. Do not build high density housing.

**Mayor Lomnicki** read a letter into the record from **Gary Michael**, 11907 SE 19<sup>th</sup>, supporting adoption of the Plan. Milwaukie is faced with growth and development pressures. The Plan is a result of a lot of good work by citizens, staff, and consultants, and every effort was made to involve the community. He felt it was important to ratify the City's vision and direction for the future with the details thoroughly addressed in subsequent planning phases.

**Kathleen Wadden**, spoke in support of the Plan. McFarland's is interested in developing its site behind the MarketPlace and has been working with Community Development staff. In general, the Plan meets McFarland's goals for developing the site.

**Leann Lewis**, 11335 SE 35<sup>th</sup>, asked how people gained the right to vote on the Plan. **Elsner** said either by referendum or initiative which could be binding or advisory.

**Gary Michael**, 11907 SE 19<sup>th</sup>, arrived and wished to express his comments. He supported adoption of the Plan and said a lot of effort went into involving the public. A majority of Milwaukie residents believe that growth is inevitable, and it is best to plan for it and make Milwaukie a better place. He felt the details could be worked out in the next planning phase. Growth will happen whether or not the City has a plan; if Milwaukie is called a Regional Center; or if light rail is constructed. He felt mixed use should be encouraged in the downtown area.

Staff Comments: **Mayor Lomnicki** said staff would limit its comments at this time and respond in writing. **Collins** said staff would respond to one question at this time regarding the assumption that zoning would change if the Plan was adopted. There is no proposal in the Plan to change zoning. There will be a set of proposals before the City Council in quasi-judicial hearings.

Questions of Clarification: **Mayor Lomnicki** the NDAs, Planning Commission, and City Council would be involved in any rezoning process.

**Councilmember Trotter** requested a visual representation comparing current densities to what is proposed.

**Councilmember Schreiber** understood the NDAs would be discussing their neighborhood visions. **Collins** said that was correct, and there has been movement in that direction. She felt the neighborhood visioning process might take up to twelve months.

**Mayor Lomnicki** asked for clarification of the population and housing estimates, **Collins** said 5,000 people translates into about 3,500 households.

**Mayor Lomnicki** asked for additional information on the percentage of growth and how it compared to the Plan. He felt the document should also address citizen safety and security. He asked if there was a timeframe for new residences and businesses.

**Councilmember Trotter** asked staff to check the figures on the acres of greenspace in subareas 1, 3, 5, and 6 since his total did not match that of the Plan.

**Councilmember Tomei** heard many concerns are about density and asked if doubling population was referred to in the Plan. **Collins** said it probably refers to the mixed-use areas or the Metro target.

**Councilmember Schreiber** felt people were confusing big city statistics with a small city like Milwaukie.

**Mayor Lomnicki** asked for a clarification, definition, and comparison of high and low density. He discussed the 2040 timeframe understanding that what is undertaken in the Regional Center Master Plan will have to evolve over time. He suggested more "bite-sized" timeframes to get a better concept of how the Plan will evolve.

**Councilmember Kappa** commented that Metro's Plan is flexible. He suggested making figures available on current zoning and possible figures of downtown population.

**Councilmember Schreiber** said people seem concerned about their property, but it is up to each person to decide what to do with his/her own property.

**Councilmember Tomei** said there seems to be concern the City will condemn property, but nothing like that is implied in the Plan. It is built on private initiative.

Closure of Public Hearing: **Mayor Lomnicki** closed the public testimony portion of the hearing at 10:05 p.m.

Discussion and Decision by Council: **Mayor Lomnicki** announced the record would remain open for written public comment until 5:00 p.m. on November 25, 1997. The City Council will review the written comments, and the proposed Plan will be on the December 2, 1997, agenda. The Public Hearing will not be re-opened.

**Councilmember Kappa** discussed the number of drivers hired for westside light rail. The Gresham line has heavy ridership, and extra officers have been hired for safety.

**Councilmember Tomei** assured the people who testified they would get a response.

### **Local Greenspaces and Trails Projects – Local Share – Resolution**

**Mayor Lomnicki** called the public hearing to order at 10:20 p.m.

The purpose of the hearing was to listen to public comment regarding substitutions to the City's Local Greenspaces and Trails project list.

Staff Report: **Richards** presented the staff report. This related to the bond issue in which the communities submitted proposed projects. Of the two projects accepted, the riverfront property acquisition was rejected by the seller. Tonight's public process would identify a substitute project or projects in the amount of \$310,000. The substitute projects recommended were: four projects (Johnson Creek/Springwater Corridor, Ardenwald to Springwater Access Easement,

Roswell Wetland Enhancement, and Willow Place Wetland Enhancement) previously submitted; Furnberg Park Wetland Enhancement; and Minthorn North Addition. The Lewelling Area Wetland acquisition was no longer feasible because the owner accepted another offer.

**Councilmember Tomei** was concerned that funds would not go toward riverfront acquisition and asked if there were other properties available. **Richards** said there is no riverfront property available that met Greenspaces requirements, and staff was concerned funding might be lost.

**Bartlett** said the City has negotiated for five years with the riverfront property owner. At this point, it is clear the Klein property is not on the market without condemnation. The City can control the mouth of Johnson Creek by other means. Metro is not considering any property along the McLoughlin Blvd. Corridor, and there are no other eligible properties on the Willamette or Kellogg Lake.

**Councilmember Trotter** said he knew Furnberg Park had a master plan and asked if these properties did also. **Richards** said both Roswell and Willow are retention areas and do not have master plans. These sites will be enhanced by natural plantings. The Ardenwald access to the Springwater Corridor does have a trail laid out.

**Councilmember Schreiber** asked if any of the proposed sites had recreation potential. **Richards** said Greenspaces allows no active participation areas. The Johnson Creek/Springwater Corridor area would help prevent flooding problems.

**Bartlett** said this project submittal would take the City of Milwaukie up to its full allocation based on a per capita amount.

**Councilmember Trotter** noted the proposed resolution should refer to "Exhibit A" rather than "D."

Correspondence: None.

Public Comment: None.

Council Comments: None.

Questions of Clarification: None.

Close Public Testimony: **Mayor Lomnicki** closed the public testimony of the hearing at 10:42 p.m.

It was moved by Councilmember Trotter and seconded by Councilmember Tomei to adopt the resolution approving substitute projects be added to the Local Greenspaces and Trails Project List with revision of "Exhibit D" to "Exhibit A" in Section 2 and adding Lewelling Wetland as contingency project. Motion passed unanimously.

**RESOLUTION NO. 36-1997:**

**A RESOLUTION OF THE CITY OF MILWAUKIE RIVERFRONT PROJECT INFEASIBLE FOR THE CITY OF MILWAUKIE'S LOCAL GREENSPACES AND TRAILS PROJECT LIST TO BE FUNDED BY METRO'S GREENSPACES BOND MEASURE AND APPROVING SUBSTITUTE PROJECTS.**

**Suspend Council Rules**

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to suspend Council Rules and continue the meeting beyond 11:00 p.m. Motion passed unanimously.

**OTHER BUSINESS**

**Consider Establishing Enterprise Zone – Johnson Creek Boulevard -- Resolution**

**Bartlett** presented the staff report. He understood the Clackamas County Board of Commissioners adopted a similar resolution. He discussed the proposed intergovernmental agreement should the Enterprise Zone application be approved by the State.

**Mayor Lomnicki** asked how similar the resolutions were. **Pat Allen**, Oregon Economic Development Department, understood they were identical. He discussed developing an intergovernmental agreement with Clackamas County as Zone co-sponsors.

**Councilmember Kappa** said his concerns with road improvements and storm water issues could be addressed at the meeting with the Commissioners.

**Councilmember Tomei** said, after the resolution was adopted, she wanted to address child care and wage issues. **Allen** said that was appropriate. **Councilmember Tomei** was also concerned that local people be hired. **Allen** said that could be addressed at a finer level of detail.

**Councilmember Schreiber** commented the Council would have to be in agreement before negotiating with the Commissioners. She understood Allen would work with the City and County on the process. **Allen** said the application was due in Salem on Monday. The application is the legal authority from which details will be developed into a program.

**It was moved by Councilmember Kappa and seconded by Councilmember Trotter to adopt the resolution co-sponsoring an application for designation of an Enterprise Zone.**

**Councilmember Trotter** asked **Councilmember Tomei** if her concerns were with the conditions rather than the Zone itself. **Councilmember Tomei** said that was correct.

**Motion passed unanimously.**

**RESOLUTION NO. 37-1997:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, CO-SPONSORING AN APPLICATION FOR DESIGNATION OF AN ENTERPRISE ZONE.**

**Permission to Advertise for the Home Avenue/Monroe Street Drainage Project**

**Brink** presented the staff report. Staff asked for authorization to advertise bids for the project that would help eliminate a long-standing drainage problem at the intersection of Home Avenue and Monroe Street. The estimated project cost at this time was \$80,000.

**Councilmember Schreiber** asked if there would be resident involvement with the project. **Brink** said to date it has been limited to one property owner and a presentation to the Hector Campbell Neighborhood Association.

**It was moved by Councilmember Kappa and seconded by Councilmember Tomei to authorize staff to advertise the Home Avenue/Monroe Street Drainage Project for bid.**

**Councilmember Kappa** said, because of a potential conflict of interest, he would not vote on the bid award itself.

**Motion passed unanimously.**

## INFORMATION

**Councilmember Schreiber** wanted clarification of the Monroe Street truck issue. **Bartlett** said the Ordinance speaks to "no thru trucks", and large truck traffic is discouraged on any streets in that area other than Harrison and Washington. The City cannot prohibit drivers from making local deliveries. Staff will work on routing trucks properly and ask the City Attorney to prepare an opinion. **Councilmember Schreiber** understood trucks needing to access downtown would be allowed to make a delivery and would be considered a local trip.

**Bartlett** said the strategy used by 34<sup>th</sup> Avenue residents of calling in with trucking company names and license plate numbers has been very effective.

**Mayor Lomnicki** asked if access to Monroe could be prohibited by a "no left turn." **Brink** said the State denied that request, but the issue could be pursued by another letter. Milwaukie is not the road authority in this instance.

**Councilmember Schreiber** preferred to take this to the Neighborhood Association since the residents might want to preserve their own traffic pattern. **Bartlett** suggested a mediated solution between the businesses and the Neighborhood.

## ADJOURNMENT

**Mayor Lomnicki** adjourned the meeting at 11:15 p.m.

  
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Pat DuVal, Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL AGENDA  
NOVEMBER 18, 1997**

**MILWAUKIE CITY HALL**  
10722 SE Main Street

**1779th MEETING**

**WORK SESSION**

- 4:15 - Council Information Sharing
- 4:45 - Community Development Work Plan (Maggie Collins)
- 6:15 - Public Works Projects: Home/Monroe Drainage Project

**REGULAR SESSION**

7:00 p.m.

**I. CALL TO ORDER**  
**Pledge of Allegiance**

**II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**Certificate of Achievement for Excellence in Financial Reporting  
(Dave Boyer, Multnomah County)**

**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.)*

**City Council Minutes of November 4 & 5, 1997**

**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. Greenspaces Trails and Open Spaces – Local Share – Resolution (Charlene Richards)**

**B. Regional Center Master Plan – File CPA-97-01 (Maggie Collins)**

**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. Consider Enterprise Zone Application – Resolution (Pat Allen)**

**B. Advertise for Bids for Home Avenue/Monroe Street Drainage Project (Jim Brink)**

**VII. INFORMATION**

**A. Center/Community Advisory Board Minutes of July 11, August 8, and September 12, 1997**

**B. Citizens Utility Advisory Board Minutes of October 1, 1997**

**C. Park and Recreation Board Minutes of October 6, 1997**

**D. 1996 Street Overlay Project – City Acceptance**

**E. Departmental Quarterly Reports**

**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.*

Item V(A)  
Regional Center Master Plan Ordinance (File No. CPA 97-01)  
November 18, 1997

1. Opening

"The public hearing on the proposed Regional Center Master Plan Ordinance amending the City's Comprehensive Plan is called to order."

2. Purpose

"The purpose of this hearing is to consider proposed text amendments to the City's Comprehensive Plan. The order of business we will follow in conducting this hearing will be:

- a) Staff report.
- b) Correspondence.
- c) Public testimony.
- d) Additional staff comments.
- e) Questions from the Council.
- f) Hearing closed, no further testimony from the audience.
- g) Discussion by Council and decision.

The procedures governing this legislative action are outlined in the staff report. The applicable substantive criteria to be addressed are outlined in the staff report.

Any interested person who wants written notice of the decision on this matter should leave his/her name and address with the Recorder. Any interested party may appeal the decision of the Council to the State Land Use Board of Appeals according to the rules adopted by the Board."

3. Conduct of Hearing

"Does anyone with standing wish to speak on this matter?"

[If Yes]

"I will recognize those persons wishing to speak and any questions should be addressed through me. When you come to the podium, please state your name and address for the record, as this hearing will be taped.

Since we have other items on the agenda this evening, I would encourage those wishing to speak to confine their remarks to the matter before us.

Dan Pava will be giving us the staff report, so let's move on to that."

4. Staff Report

~~Dan Pava, Senior Planner~~ Maggie Collins, Community Development  
Director

5. Correspondence

"Have we received any correspondence on this matter other than those items included in the agenda materials?"

6. Public Testimony

"Does anyone with standing wish to speak in support of the Regional Center Master Plan?"

"Does anyone with standing wish to speak in opposition to the Regional Center Master Plan?"

"Is there any further testimony or any further questions from the audience?"

7. Staff Comments

"Does the staff have anything to add which specifically addresses a question raised during the testimony?"

8. Questions of Clarification

"Does any member of the Council have any questions regarding clarification of the testimony to this point? If there are no further questions, I will close the public testimony portion of this hearing."

9. Close Hearing

"The public testimony portion of the hearing on the Regional Center Master Plan Ordinance amending the Comprehensive Plan is now closed." [Gavel]

10. Discussion Among Council Members

"Is there discussion by Council?"

(No further testimony unless absolutely necessary. You may want the city attorney to outline alternatives.)

11. Determination of Findings and Decision

"Is the Council ready to vote?"

Note: If you wish to continue this matter for any reason, the hearing should be continued to a date certain to avoid the need to publish new notice.

**Item V.B**

**Local Greenspaces and Trails Projects – Local Share**

**November 18, 1997**

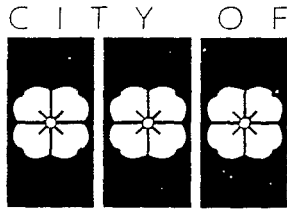
1. **Opening** - "The public hearing on the City of Milwaukee's Local Greenspaces and Trails project list is called to order."
2. **Purpose** - "The purpose of this hearing is to consider public comment on the proposed projects."
3. **Conduct of Hearing** - "Does anyone in the audience wish to speak on this matter?" [If Yes]:

"I will recognize those persons wishing to speak and any questions should be addressed through me. When you come to the podium, please state your name and address for the record, since this hearing will be tape recorded.

Since we have other items on the agenda this evening, I would encourage those wishing to speak to confine their remarks to the study before us. I would also ask that if many of you wish to make similar or related comments, you may wish to appoint one spokesperson to speak for all of you."

4. **Report** - Charlene Richards
5. **Correspondence** - "Have we received any correspondence on this matter?"
6. **Audience Testimony** - "Does anyone wish to speak on this issue?"
7. **Council Comments** - "Does the staff have anything to add which specifically addresses a question raised during the testimony?"
8. **Questions of Clarification** - "Does any member of the Council have any questions regarding clarification of the testimony to this point? If there are no further questions, I will close the public testimony portion of this hearing."
9. **Close Public Testimony** - "The public testimony portion of the hearing on the Local Greenspaces and Trails Projects – Local Share is now closed." [Gavel]
10. **Discussion among Councilmembers** - (No further testimony unless absolutely necessary. You may want the attorney to outline alternatives.)
11. **Decision** - "Is the Council ready to vote?"

Note: If you wish to continue this matter for any reason, the hearing should be continued to a date certain to avoid the need to publish new notice.



MILWAUKIE

**\*\*MEMORANDUM\*\***

**Community Development Department**

**November 6, 1997**

**TO: Milwaukie City Council**

**THROUGH: Dan Bartlett, City Manager**

**FROM: *MC* Maggie Collins, Community Development Director**

**RE: Council Worksession Packet for November 18, 1997 Worksession  
Community Development Department Work Plan**

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This packet includes:

1. A summary of major projects and programs with budget implications. The additional budget estimates are for resources above the 3.0 FTE planners. This is my estimate of additional resources that are needed to implement Work Plans while at the same time manage the City's planning application processing system in an efficient and professional manner.
2. Detailed Work Plan sheets for topics listed on the summary. There are nine sets of plan sheets. There are no sets for Urban Service Agreements, Regional Center Coordination, and a possible second round of Land Designation changes at this writing.
3. A description of two in-house projects currently being conducted by the Department (see summary).
4. The Planning Commission's set of 1997 Goals.
5. Community Development Department Goals.

Please contact me at 786-7651 if you need additional information or have questions.

Attachment

drbnotes.197

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

**WORK PLAN SUMMARY**  
**Milwaukie Community Development Department**

<b>VISION TRACK</b>
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<i>Item-See Plan Sheets</i>	<i>Timeline</i>	<i>Budget</i>
A. Neighborhood Vision	Nov. 97 - June 98	
B. Cost Effectiveness	Dec. 97 - June 98	
C. Riverfront Implementation	Oct. 97 - June 98	City RFP
D. Partnership Recruitment	Oct. 97 - Ongoing	
E. Relocate Downtown Transit (Tri-Met)	*Oct. 97 - July 98 & beyond	
F. S/N LR Study	Oct. 97 - May 98	\$17,000 re- imbursable through Metro IGA

<b>COMPREHENSIVE PLAN TRACK</b>
---------------------------------

<i>Item-See Plan Sheets</i>	<i>Timeline</i>	<i>Budget</i>
A. Land Use Designations	(1st Round) 9/97 -12/97 (2nd Round) 1/98 - 6/98	
B. Design Review	Jan. 98 - July 98	\$3,500 for consultant assistance
D. Master Plans for Public Lands	*Oct. 97 - June 98	\$30,000 for consultant assistance
C. Urban Forestry Program	Nov. 97 - June 98	\$10,500 for consultant assistance

<i>Item-See Plan Sheets</i>	<i>Timeline</i>	<i>Budget</i>
E. RTP Funding	Clack. Co. Rd. Proj.'s: Sept. 97 Milw. UGB Proj.'s to RTP: Oct. 97 - Jan. 98	
F. Urban Service Agreements/ Annexation Program	June 98 - Jan. 99	
G. Clackamas Co. Regional Center Coordination	Dec. 97 to June 98	

\*Tri-met is contracting with OTAK for preliminary ideas for Scott Park Mitigation; C.D.'s role is to monitor this project for fit with the Regional Center Master Plan draft and McLoughlin Blvd. Design objectives. Best ideas from OTAK project would be incorporated in Comprehensive Plan Track D project.

---

# Project: Neighborhood Visioning Project (Vision Track A)

Staff: C.D.

Date: 10/6/97

5

**Goals and Objectives:** *To achieve objectives of Neighborhood Visioning Program*

**Clearly define scope of project:** *Technical assistance to Neighborhood Services Coordinator*

**Product or service:** *Land use data profiles for each NDA*

**Desired/Required completion date:** *As requested*

## This project will fulfill the spirit or stated intent of the following:

- Vision Statement:** Stable neighborhoods
- City Mission:**
- City Goals:**
- Planning Commission Goals:**
- Comprehensive Plan:** Updated City housing stock inventory
- Federal/State law or mandate:**
- Community Development Objectives:**
  - EGOR:**
  - Other:** Refinement of Regional Center Master Plan (Phase Two)
- County and/or other agency coordination:**
- Metro objectives:** Background data for analysis of compliance with Urban Growth Management Functional Plan
- Other:**

## Project Planner Checklist

### Potential team members:

- CD: x
- Other City: GIS Coordinator; NSC Coordinator
- Others:

### Who is affected by this project? (affected = might be concerned)

- Internal: See above
- External: NDA's and LUC Chairs

### Consider new advisory committee?

 Yes

 No

Comments:

### Work with existing committee or board?

 Yes

 No

Comments: NDA's and LUC Chairs

### Mailing list development?

 Yes

 No

Comments:

### Public meetings?

 Yes

 No

Comments: As needed

### Media implications?

 Yes

 No

Comments:

### Neighborhood involvement?

 Yes

 No

Comments: Data presented to NDA's through NSC Coordinator

### Newsletters

 Yes

 No

Comments:

### Presentation materials?

 Yes

 No

Comments: Standardized profiles

### Need maps?

 Yes

 No

Comments: GIS assistance in both methodology and data base development

### DLCD notification?

 Yes

 No

Comments:

### Start new project file?

 Yes

 No

Comments:

### Budget implications?

 Yes

 No

Comments: Possibility of hiring an intern (Fall, 1997)

### Grant reporting?

 Yes

 No

Comments:



**Project: Development Review Services Cost Effectiveness  
Measuring (Vision Track B)**

**Staff:** Susan Heiser

**Date:** 10/7/97

*Goals and Objectives: To supply data for measuring effective city services in a cost effective manner*

*Clearly define scope of project: Develop and implement quantitative measurement of cost effectiveness of development review services*

*Product or service: Data*

*Desired/Required completion date: December, 1997 to March, 1999*

**This project will fulfill the spirit or stated intent of the following:**

- Vision Statement:
- City Mission:
- City Goals: Continue to provide cost effective services
- Planning Commission Goals:
- Comprehensive Plan:
- Federal/State law or mandate:
- Community Development Objectives:
  - EGOR:
  - Other:
- County and/or other agency coordination:
- Metro objectives:
- Other:

## Project Planner Checklist

### Potential team members:

- CD: Susan Heiser
- Other City: Public Works, Building, Finance Director
- Others:

### Who is affected by this project? (affected = might be concerned)

- Internal: Community development Department, Public Works Department, City Manager, RIM
- External: Development community, property owners

### Consider new advisory committee?

 Yes

 No

Comments:

### Work with existing committee or board?

 Yes

 No

Comments: Development Review Team

### Mailing list development?

 Yes

 No

Comments:

### Public meetings?

 Yes

 No

Comments:

### Media implications?

 Yes

 No

Comments:

### Neighborhood involvement?

 Yes

 No

Comments:

### Newsletters?

 Yes

 No

Comments:

### Presentation materials?

 Yes

 No

Comments:

### Need maps?

 Yes

 No

Comments:

### DLCD notification?

 Yes

 No

Comments:

### Start new project file?

 Yes

 No

Comments:

### Budget implications?

 Yes

 No

Comments:

### Grant reporting?

 Yes

 No

Comments:



# Project: Riverfront Concept Plan Implementation, Phase 1 (Vision Track C)

Staff: Maggie Collins

Date: 10/7/97

**Goals and Objectives:** *Develop design and implementation strategies for Phase I elements of the Riverfront Concept Plan.*

**Clearly define scope of project:** *Accomplish refinement planning; integration of multi-use path; strategy for first phase park improvements, including amphitheater; coordination with Regional center Master Plan; coordination with property acquisition program; and coordination with McLoughlin Boulevard Improvements project.*

**Product or service:** *Strategic funding and partnership plan and final construction plans.*

**Desired/Required completion date:** *June, 1998*

### This project will fulfill the spirit or stated intent of the following:

- Vision Statement:** Revitalized Riverfront
- City Mission:**
- City Goals:** Identify viable public-private partnerships to construct Phase I Riverfront improvements
- Planning Commission Goals:**
- Comprehensive Plan:** Fulfills existing Riverfront policies
- Federal/State law or mandate:**
- Community Development Objectives:**
  - EGOR:**
  - Other:**
- County and/or other agency coordination:** ODOT (McLoughlin Improvements Project); North Clackamas Parks and Recreation District
- Metro objectives:**
- Other:** Coordination with Regional Center Master Plan objectives

# Project Planner Checklist

## Potential team members:

- CD: x
- Other City: City Manager, Assistant City Manager, Public Works Director, GIS coordinator, NSC
- Others: See "other" on first page

## Who is affected by this project? (affected = might be concerned)

- Internal: Public Works, Administration, Finance
- External: Milwaukie residents, Riverfront property owners, Clackamas Service District #1, ODOT, NCP&RD

## Consider new advisory committee?

Yes  No

Comments: Reconvene an advisory group composed of Riverfront Planning Committee members and other representatives deemed important by the City Council

## Work with existing committee or board?

Yes  No

Comments: Planning Commission, PARB

## Mailing list development?

Yes  No

Comments:

## Public meetings?

Yes  No

Comments:

## Media implications?

Yes  No

Comments:

## Neighborhood involvement?

Yes  No

Comments:

## Newsletters?

Yes  No

Comments:

## Presentation materials?

Yes  No

Comments:

## Need maps?

Yes  No

Comments:

## DLCD notification?

Yes  No

Comments:

## Start new project file?

Yes  No

Comments:

## Budget implications?

Yes  No

Comments: Request for budget for consultant services

## Grant reporting?

Yes  No

Comments:

# Project Planner Timeline (working backwards)

TARGET DATE	STEP	ACTUAL DATE
June - July, 1998	Hold public meetings on Phase 1 refinements, including recommendations on public-private partnerships and strategies; initiate action on Council direction.	
May, 1998	Complete and prioritize components of design and engineering refinement plan: send to Council for action.	
Jan. - April, 1998	Implement consultant's refinement work plan, with public participation and review component.	
December, 1997	A. Select consultant; prepare final work plan.	
	B. Initiate public involvement program.	
	C. Monitor consultant work plan; provide timely reports to City Manager and Council.	
November, 1997	A. Provide staff services to consultant Selection Committee.	
	B. Prepare base maps.	
	C. Establish Phase 1 "interested Persons" list.	
	D. Propose advisory committee membership; establish NDA participation framework.	
	E. Obtain Metro sign-off on Concept Plan's compliance with Title 3 of the Urban Growth Management Functional Plan.	
October, 1997	A. Present request to Council for consultant services for design and engineering components (worksession and action).	11/4/97
	B. Begin gathering lists for advisory committee participation.	
	C. Establish liaison protocol with NCPRD and PARB.	
September, 1997	Begin coordination with City consultant working on service provider programs.	Done

**Project: City Center Master Plan Partnership Recruitment Vision  
Track D**

**Staff:** C.D. assistance to Dan Bartlett

**Date:** 10/8/97

**Goals and Objectives:** *Identify viable public-private partnerships to initiate phase one projects of the City Center Master Plan.*

**Clearly define scope of project:**

**Product or service:** *Agreements to implement.*

**Desired/Required completion date:** *Ongoing to December, 1998.*

**This project will fulfill the spirit or stated intent of the following:**

- Vision Statement:** Healthy, vibrant City Center
- City Mission:**
- City Goals:** See above
- Planning Commission Goals:**
- Comprehensive Plan:**
- Federal/State law or mandate:**
- Community Development Objectives:**
  - EGOR:**
  - Other:**
- County and/or other agency coordination:**
- Metro objectives:**
- Other:** Regional center Master Plan implementation.

# Project Planner Checklist

### Potential team members:

- CD: x
- Other City: City Manager
- Others:

### Who is affected by this project? (affected = might be concerned)

- Internal: City departments as necessary
- External: Property owners, development community, regional, state and federal agencies

**Consider new advisory committee?**  Yes  No

Comments:

**Work with existing committee or board?**  Yes  No

Comments:

**Mailing list development?**  Yes  No

Comments:

**Public meetings?**  Yes  No

Comments:

**Media implications?**  Yes  No

Comments:

**Neighborhood involvement?**  Yes  No

Comments:

**Newsletters?**  Yes  No

Comments:

**Presentation materials?**  Yes  No

Comments:

**Need maps?**  Yes  No

Comments: Also development data as necessary

**DLCD notification?**  Yes  No

Comments:

**Start new project file?**  Yes  No

Comments:

**Budget implications?**  Yes  No

Comments:

**Grant reporting?**  Yes  No

Comments:



**Project:** Relocate Downtown Transit (Tri-Met)-(Vision Track E)

**Staff:** C.D.

**Date:** 10/8/97

*Goals and Objectives:* To develop and construct a transit transfer mall off-street in downtown Milwaukee

*Clearly define scope of project:* Coordinate with Tri-Met operations staff to design, hold public review and adopt an improvement plan; and work with Tri-Met administration to secure funding for improvements

*Product or service:* A relocated transit transfer mall

*Desired/Required completion date:* First phase, June 1998

**This project will fulfill the spirit or stated intent of the following:**

**Vision Statement:** Revitalized and transit supportive Expanded City Center

**City Mission:** Improved transit facilities for Milwaukee residents

**City Goals:** See above

**Planning Commission Goals:**

**Comprehensive Plan:** Coordinate transit improvements with Tri-Met

**Federal/State law or mandate:**

**Community Development Objectives:**

**EGOR:**

**Other:**

**County and/or other agency coordination:** See above

**Metro objectives:**

**Other:** Compliance with City Transportation System Plan

# Project Planner Checklist

**Potential team members:**

- CD: x
- Other City: Public Works, Finance
- Others:

**Who is affected by this project?** (affected = might be concerned)

- Internal: Finance Dept.
- External: Milwaukie residents

**Consider new advisory committee?**

Yes  No

Comments:

**Work with existing committee or board?**

Yes  No

Comments: Planning Commission

**Mailing list development?**

Yes  No

Comments: Public review component

**Public meetings?**

Yes  No

Comments:

**Media implications?**

Yes  No

Comments:

**Neighborhood involvement?**

Yes  No

Comments: Historic Milwaukie and Island Station NDA's most directly affected

**Newsletters?**

Yes  No

Comments:

**Presentation materials?**

Yes  No

Comments:

**Need maps?**

Yes  No

Comments:

**DLCD notification?**

Yes  No

Comments:

**Start new project file?**

Yes  No

Comments:

**Budget implications?**

Yes  No

Comments: Design work will be coordinated by Tri-Met with City Public Works staff for FY 97-98

**Grant reporting?**

Yes  No

Comments:



**Project: S/N LR Study (Vision Track F)**

**Staff:** City Manager, C.D., P.W., NSC

**Date:** 10/9/97

**Goals and Objectives:** *Participate in designing the best possible transit system for Milwaukee*

**Clearly define scope of project:** *Promote citizen participation in review and comment, and provide timely technical evaluation on the S/N High Capacity Transit Draft Environmental Impact Statement and Final Environmental Statement*

**Product or service:** *Public review processes and comprehensive reports to Milwaukee City Council*

**Desired/Required completion date:** *June, 1998*

**This project will fulfill the spirit or stated intent of the following:**

**Vision Statement:**

**City Mission:**

**City Goals:** See above

**Planning Commission Goals:**

**Comprehensive Plan:**

**Federal/State law or mandate:** Federal DEIS requirements

**Community Development Objectives:**

**EGOR:**

**Other:**

**County and/or other agency coordination:** Coordination with agency partners in the regional High Capacity Transit Study process and program

**Metro objectives:**

**Other:**

# Project Planner Checklist

## Potential team members:

- CD: x
- Other City: City Manager, P.W. NSC
- Others: Consultants, as required

## Who is affected by this project? (affected = might be concerned)

- Internal:
- External: Milwaukie residents

Consider new advisory committee?

Yes

No

Comments:

Work with existing committee or board?

Yes

No

Comments: Planning Commission, PARB, Library Board

Mailing list development?

Yes

No

Comments:

Public meetings?

Yes

No

Comments:

Media implications?

Yes

No

Comments:

Neighborhood involvement?

Yes

No

Comments: NDA participation

Newsletters?

Yes

No

Comments:

Presentation materials?

Yes

No

Comments:

Need maps?

Yes

No

Comments:

DLCD notification?

Yes

No

Comments:

Start new project file?

Yes

No

Comments:

Budget implications?

Yes

No

Comments:

Grant reporting?

Yes

No

Comments:



# Project: Design Review Project (Comp.Plan Track B)

Staff: C.D. and Consultant

Date: 10/31/97

**Goals and Objectives:** *Adopt a Design Review Ordinance*

**Clearly define scope of project:** *Research design review methodologies, apply guidelines from previous City projects, prepare draft design review proposals, revise, and develop final product.*

**Product or service:** *New guidelines for future development in applicable areas.*

**Desired/Required completion date:** *June, 1998*

## This project will fulfill the spirit or stated intent of the following:

- Vision Statement:** "A renaissance of urban design...resulting in a rebuilt physical environment that is timeless and serves economic needs."
- City Mission:**
- City Goals:** 1997-99 Council Goals
- Planning Commission Goals:** 1997 Goals
- Comprehensive Plan:**
- Federal/State law or mandate:**
- Community Development Objectives:**
  - EGOR:**
  - Other:**
- County and/or other agency coordination:**
- Metro objectives:**
- Other:** Implements Regional Center Master Plan and Transportation System Plan

## Project Planner Checklist

### Potential team members:

- CD: Selected staff
- Other City: Public Works, NSC
- Others: Possible consultant assistance

### Who is affected by this project? (affected = might be concerned)

- Internal: Public Works, Building
- External: Property owners, development community

### Consider new advisory committee?

 Yes

 No

Comments: Undetermined at this time, but probably.

### Work with existing committee or board?

 Yes

 No

Comments: NDA review

### Mailing list development?

 Yes

 No

Comments:

### Public meetings?

 Yes

 No

Comments: As part of the review process

### Media implications?

 Yes

 No

Comments:

### Neighborhood involvement?

 Yes

 No

Comments: NSC coordination and advice

### Newsletters?

 Yes

 No

Comments:

### Presentation materials?

 Yes

 No

Comments:

### Need maps?

 Yes

 No

Comments:

### DLCD notification?

 Yes

 No

Comments:

### Start new project file?

 Yes

 No

Comments:

### Budget implications?

 Yes

 No

Comments: Possible consultant budget

### Grant reporting?

 Yes

 No

Comments:



# Project: Urban Forestry Program (Comp.Plan Track C)

Staff: Consultant, C.D.

Date: 8/25/97, rev. 10/3/97

*Goals and Objectives: To implement an Urban Forestry Program for the City of Milwaukee*

*Clearly define scope of project: To complete, hold public review, and adopt a Program.*

*Product or service: An Urban Forestry Program adopted by ordinance, including any necessary implementing ordinances or amendments to the City's current ordinances or Municipal Code*

*Desired/Required completion date: April, 1998*

## This project will fulfill the spirit or stated intent of the following:

- Vision Statement:
- City Mission:
- City Goals: 97-99 Council Goals
- Planning Commission Goals:
- Comprehensive Plan:
- Federal/State law or mandate:
- Community Development Objectives:
  - EGOR:
  - Other:
- County and/or other agency coordination:
- Metro objectives:
- Other:

# Project Planner Checklist

**Potential team members:**

- CD: x
- Other City: Public Works, NSC
- Others: Consultant

**Who is affected by this project?** (affected = might be concerned)

- Internal: Public Works
- External: Property owners, development community

**Consider new advisory committee?** Yes  No

Comments: Council may wish to appoint an outside committee to work with consultant and staff; it has been mentioned that the original "Tree Committee" should be involved

**Work with existing committee or board?** Yes  No

Comments: Planning Commission

**Mailing list development?** Yes  No

Comments:

**Public meetings?** Yes  No

Comments:

**Media implications?** Yes  No

Comments:

**Neighborhood involvement?** Yes  No

Comments:

**Newsletters?** Yes  No

Comments:

**Presentation materials?** Yes  No

Comments:

**Need maps?** Yes  No

Comments:

**DLCD notification?** Yes  No

Comments:

**Start new project file?** Yes  No

Comments:

**Budget implications?** Yes  No

Comments:

**Grant reporting?** Yes  No

Comments:



**Project: Master Plans for Public Lands (Comp.Plan Track D)**

**Staff:** C.D. staff and Consultant

**Date:** 11/3/97

*Goals and Objectives: Evaluate future uses of the Milwaukie Junior High Site and other public lands*

*Clearly define scope of project: Use Regional Center Master Plan guidelines to frame a public input process which is then translated into site specific master plan options for public review and Council adoption.*

*Product or service: Master Plan(s)*

*Desired/Required completion date: July, 1998*

**This project will fulfill the spirit or stated intent of the following:**

- Vision Statement:**
- City Mission:**
- City Goals:** 1997-99 Council Goals
- Planning Commission Goals:**
- Comprehensive Plan:**
- Federal/State law or mandate:**
- Community Development Objectives:**
  - EGOR:**
  - Other:**
- County and/or other agency coordination:**
- Metro objectives:**
- Other:** Implements Milwaukie Regional Center Master Plan and Milwaukie Transportation System Plan

## Project Planner Checklist

### Potential team members:

- CD: x
- Other City: NSC, Public Works
- Others: MDDA, PARB, Metro, Tri-Met, ODOT, North Clackamas Parks and Recreation District, North Clackamas School District, etc.

### Who is affected by this project? (affected = might be concerned)

- Internal: Public Works Operations and Maintenance
- External: Residents and property owners, development community, agencies listed above

### Consider new advisory committee?

 Yes  No

Comments: Should have at least a technical advisory committee

### Work with existing committee or board?

 Yes  No

Comments: Planning Commission, PARB, NDA's

### Mailing list development?

 Yes  No

Comments:

### Public meetings?

 Yes  No

Comments:

### Media implications?

 Yes  No

Comments:

### Neighborhood involvement?

 Yes  No

Comments: Part of a public input process

### Newsletters?

 Yes  No

Comments:

### Presentation materials?

 Yes  No

Comments:

### Need maps?

 Yes  No

Comments:

### DLCD notification?

 Yes  No

Comments:

### Start new project file?

 Yes  No

Comments:

### Budget implications?

 Yes  No

Comments: Consultant assistance for urban design component

### Grant reporting?

 Yes  No



**Community Development Projects as of October, 1997**

**1. McLoughlin Boulevard Design (with ODOT)**

Project Timeframe: FY 97-98 Design programming between 10/97 and 6/98  
Public involvement process  
Planning Commission and Council Worksessions  
City Council Adoption of a Preferred Design end  
of FY 97-98.

FY 98-99 ODOT Preliminary engineering done in Portland  
ODOT final design done in Salem  
R-o-w acquisition process

FY 99-00 Construction bid letting  
Construction

**2. Milwaukie Housing Stock Inventory**

Project Timeframe: Nov. 97 through Jan. 98  
Product: Updated Housing Inventory for Milwaukie  
Project Scope: Develop research and inventory methodology in  
conjunction with NSC and GIS staff  
Prepare methodology for establishing City's  
housing stock data base now and for future  
measurements  
Conduct inventory  
Prepare draft report for C.D. staff and project team review  
Make revisions  
Prepare final report



**\*\*MEMORANDUM\*\***  
**Community Development Department**  
**January 29, 1997**

**TO:** Milwaukie City Council  
**THRU:** Dan Bartlett, City Manager  
**FROM:** *MJC* Maggie Collins, Community Development Director  
**RE:** Milwaukie Planning Commission WorkPlan

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The Milwaukie Planning Commission voted unanimously at its January 14, 1997 meeting to approve the attached workplan for Calendar Year 1997. They further voted to forward it to the Council for review.

Representatives of the Commission will be happy to attend your review session to provide further information.

**Cc:** C.D. Staff  
Planning Commission

**1997 WORK PLAN  
CITY OF MILWAUKIE PLANNING COMMISSION**

**OBJECTIVE:** Explore ways to enhance neighborhood livability by promoting specific urban design concepts for an "established" city.

- ACTIONS/TASKS:**
1. Establish liaison with neighborhood district Land Use Committees
  2. Work to increase pedestrian access systems
  3. Promote specific urban design concepts (criteria and guidelines)

**OBJECTIVE:** Develop performance standards that promote desired urban design .

- ACTIONS/TASKS:**
1. Improve the effectiveness of the City's Sign Ordinance
  2. Review and recommend code and ordinance changes

**OBJECTIVE:** Enhance and protect the City's natural resource base.

- ACTIONS/TASKS:**
1. Assist in implementation of an urban forestry program
  2. Review and comment on water quality issues, such as (a) detention and erosion control measures and (b) stormwater runoff issues
  3. Identify and connect urban greenbelt segments

**OBJECTIVE:** Assist the City Council in implementing the City's Vision Statement.

- ACTIONS/TASKS:**
1. Continue active participation on the Regional Center Steering Committee
  2. Review the Clackamas Town Center Area Plan on a regular basis
  3. Provide timely input into planning studies such as the North Industrial Land Use Study, the Transportation System Plan, etc.
  4. Serve as chief advisors for the City's Periodic Review Program.

**COMMUNITY DEVELOPMENT DEPARTMENT FY 97-98 GOALS**

- 1. Maintain high quality level of customer service.**
- 2. Improve ways of providing planning and zoning information.**
- 3. Provide appropriate professional training opportunities for employees.**
- 4. Carry out assigned projects and programs to achieve Council 97-99 Goals.**



**\*\*MEMORANDUM\*\***  
**Community Development Department**  
**November 12, 1997**

**TO:** Dan Bartlett, City Manager *DB*  
**FROM:** *MC* Maggie Collins, Community Development Director  
**RE:** FY 97-98 Budget Revision Proposal (Supercedes 9/18/97 Memo)

WORK PLAN BUDGET IMPACTS (11/12/97)

The following is an assessment of C.D.'s FY 97-98 Budget Line Item 11-51-6010-0000 (personal services):

FY 97-98 Approved Budget - \$50,000 \$50,000

Encumbered in August, 1997

11-511-6010-0000		
-0111	\$10,000 (Property Acquisition Services)	
-0112	\$5,000 (HRC)	
-0116	\$5,000 (LR On-call)	
-0121	\$10,500 (RCMP 1st Draft)	
-0121	\$7,000 (RCMP 2nd Draft)	
	-----	
Subtotal	\$37,500	-\$37,500
		<b>Balance \$12,500</b>

Encumbered in September, 1997

11-511-6010-0000		
	\$15,625 (Layden contract)	
	\$21,250 (Swanson contract)	
	-----	
Subtotal	\$36,875	-\$36,875
		<b>Balance (\$24,375)</b>

Cont. from page 1 (\$24,375)

Proposed encumbrances (see Work Plan Summary)

-0117 Tree Ordinance	\$10,500
Public Sites/Design Review	\$33,500
S/N LR Public Involvement (8 months)*	\$17,000

Subtotal	\$61,000
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**-\$61,000**

\*Reimbursible under IGA with Metro

**Balance (\$85,375)**

**Request to transfer from Contingency**

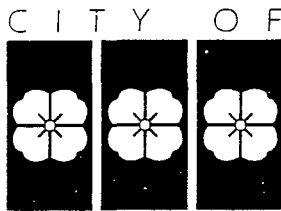
**\$85,375**

Last Fiscal Year's History - Line Item 11-51-6010-0000

Approved FY 96-97 Line Item Amount: \$120,000

Total Spent: \$105,803

Reimbursements to City General Fund	\$ 40,000 (TGM)
through Grant Payments and IGA's	\$ 5,000 (Metro TGM)
	\$ 20,299 (LR IGA)
	\$ 65,299 Total



MILWAUKIE  
MEMORANDUM  
November 4, 1997

**TO:** Mayor and City Council  
**THRU:** Dan R. Bartlett, City Manager *DB*  
**FROM:** Jim Brink, Public Works Director *JJB 11-5-97*  
**SUBJECT:** Home Av/Monroe St Drainage

**Action Requested:** Permission to advertise for bid the Home Av/Monroe St Drainage project.

**Purpose:** Provide additional information on the proposed Home Av/Monroe St storm drainage project and request Council approval to advertise for bid.

**Background:**

1. The drainage problem at the intersection of Home Av and Monroe St is longstanding. The intersection is referred to as Lake Monroe after a heavy rain.
2. The city has installed numerous drywells in the vicinity of the intersection; however, this solution has not worked.

**Discussion:**

1. Public Works contracted with Geo Engineers, a geotechnical engineering firm, to recommend a solution. Their preliminary conclusions and recommendations are represented on Attachment A and preliminary project plans are at Attachment B.
2. The intent of the project is to collect storm water at the intersection which is the low point in the basin, convey the storm water via pipe to Dick St, and then dispense the water back into the ground via a series of drywells located between Dick St and Park St along Home Av. The proposed project is not meant as a final solution for storm drainage in the Home Av basin. It is meant as an interim solution until an interceptor can be constructed along Railroad Av as proposed in the Storm Water Master Plan (SWMP). The relationship between the proposed project and the SWMP proposals is explained in paragraph 5 below.
3. Geotechnical investigation revealed that the subsurface material vicinity Park St absorbs water three (3) times faster than the material vicinity Monroe St. The infiltration test was done from 0- 30', the standard drywell depth.
4. Geotechnical investigation also revealed that the good infiltration material at a suitable depth begins vicinity Dick St. Therefore, the plan is to begin planting drywells vicinity Dick St and then place a drywell every 60-80' up to Park St. The drywells will be connected by a 24" pipe. Storm runoff calculations for the Home Av basin indicate the need for a minimum of five (5) drywells to handle the design flood (25 year event).

5. The proposed investment in an interim solution to Lake Monroe would not have to be abandoned at the time of a permanent fix as proposed in the Storm Water Master Plan. The SWMP envisions a 54" pipe connecting the Home Av basin with a Railroad Av interceptor. The interim proposal can be converted to a permanent system by converting the drywells to sedimentation manholes once the Railroad Av interceptor is available. The 24" pipe may need to be augmented with a parallel system.

6. The proposed drywells will have no impact on the quality or quantity of water that is provided by city wells.

7. The Hector Campbell NDA was briefed on the project on November 10. The scope of the project can be accomplished within existing right of way; however, property owners affected by the project will be notified. A jog in the storm line vicinity Dick St was made in order to bypass several large fir trees. Some disturbance of bushes and flower beds is unavoidable unless the project were to take place within the pavement of Home Av. Staff does not recommend this option because of the higher cost and inconvenience to traffic on Home Av.

8. Schedule

- a. Complete design                      Oct 31
- b. Advertise                                Nov 21
- c. Bring to Council for Award        Dec 16
- d. Construction                          Jan 98

**Fiscal Impact:** \$82,500 from budget line 33-7533, Capital Projects Storm. This project was not included in the initial FY97-98 budget; however, it was included in the revised budget proposal. There are sufficient funds available in the Storm Fund to pay for the project. The project was added to the FY97-98 CIP because the department's original plan to pump and repair the existing drywells

TO: City of Milwaukie Drywell Project Team

FROM: Doug Schwarm

DATE: September 10, 1997

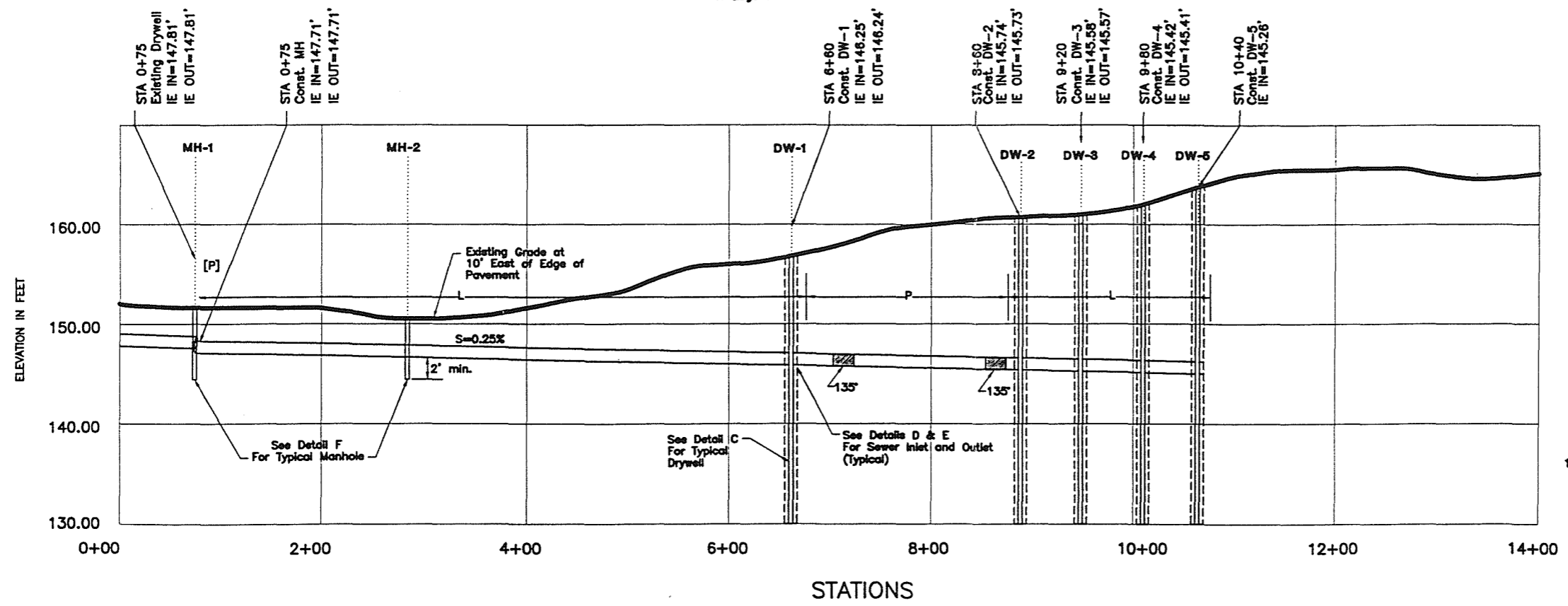
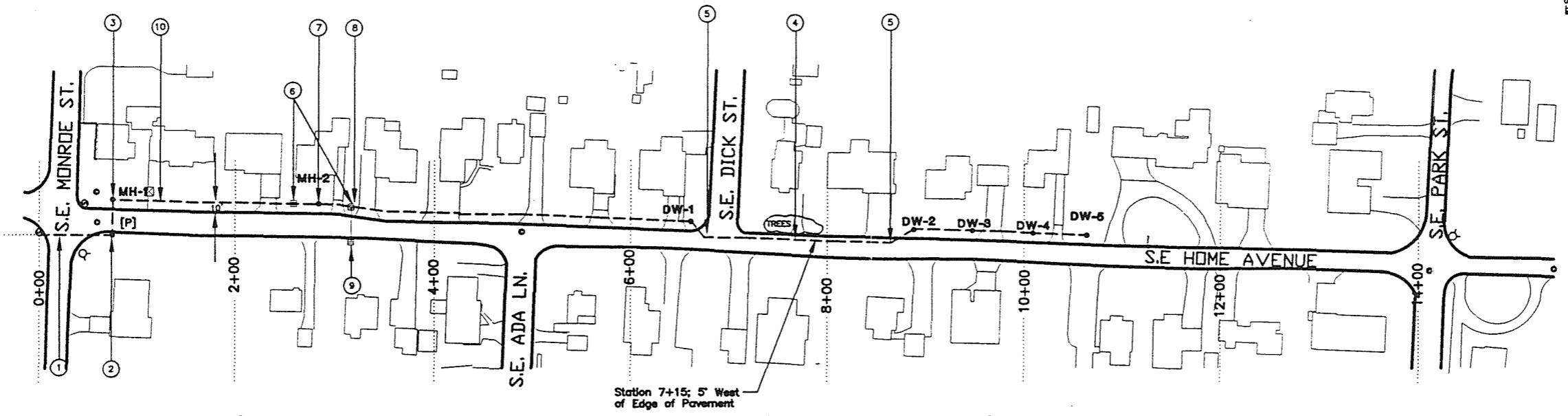
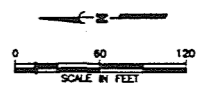
FILE: 2411-003-43

SUBJECT: Preliminary Conclusions and Recommendations

1. The disposal capacity of drywells near Home/Monroe is about one third the capacity of drywells near Home/Park.
2. The fine grained soils near Home/Monroe are more susceptible to oil fouling or silt clogging
3. The transition from silty to sandy appears to be located at least 200 feet south of Dick St.
4. The silty soil profile and the locations of reported failing drywells both appear to correlate moderately well with the SCS soil map.
5. The area not served by functioning drywells is approximately 1.9 million square feet. This area comprises approximately 20% of the Home Avenue catchment. Approximately 35% of the area is considered impermeable.
6. Disposal demand is difficult to compute from the existing information because it is oriented toward sizing sewer pipe for non-pressurized flow. Peak runoff rates are not as useful as cumulative disposal demand curves.
7. Are there other sources of disposal, like private drywells or seepage trenches?
8. Based on test results and analyses, the Lake Monroe sub-catchment should be served by 13 drywells to handle the 50-year event.
9. We recommend installing fewer, but not less than 5 drywells for Phase 1. Additional wells may be required, based on the performance of Phase 1.
10. Drywell location is problematic due to surface grades and distance to good disposal area. Home/Garrett could be another suitable disposal area, depending on performance of existing drywells.

Attachment A

P:\311003\06\000.SP



**NOTES:**

- All work to comply with City of Milwaukee specifications and APWA Standards.
- Use existing storm sewer line between catch basins. Confirm that pipe slopes toward the south.
  - Connect pipe to existing drywell approximately at Sta 0+75 for change in direction. See Details D and E for pipe inlet and outlet.
  - Construct manhole per Detail F 10 feet east of pavement edge, approximately at Sta 0+75, and attach storm sewer line for change in direction. See Details D and E for pipe inlet and outlet.
  - Storm sewer line runs parallel to pavement edge. Protect trees at road edge.
  - Install 135° elbow.
  - Remove existing catch basins.
  - Construct sedimentation manhole (MH-2) per Detail F and connect to new catch basin with 6" PVC pipe.
  - Construct new catch basin per Detail G at STA 3+15, field adjust to low spot.
  - Connect existing catch basin to new catch basin @ STA 3+15 with 6" PVC. Backfill per Detail A.
  - All pipe to be 24" diameter PVC 3034 or ADS N12 with watertight seals or approved equal, unless noted otherwise.
- [L] = Backfill and Landscaping per Detail B  
 [P] = Backfill and Pavement per Detail A

2411-003-43 DRYWELL 10/24/97 REV. 11/06/97

REFERENCES				REVISIONS	
TITLE	NO.	BY	DATE	DESCRIPTION	

DRS	11/06/97	Date
WEB	11/06/97	Date
DRS	10/06/97	Date
DRS	10/06/97	Date

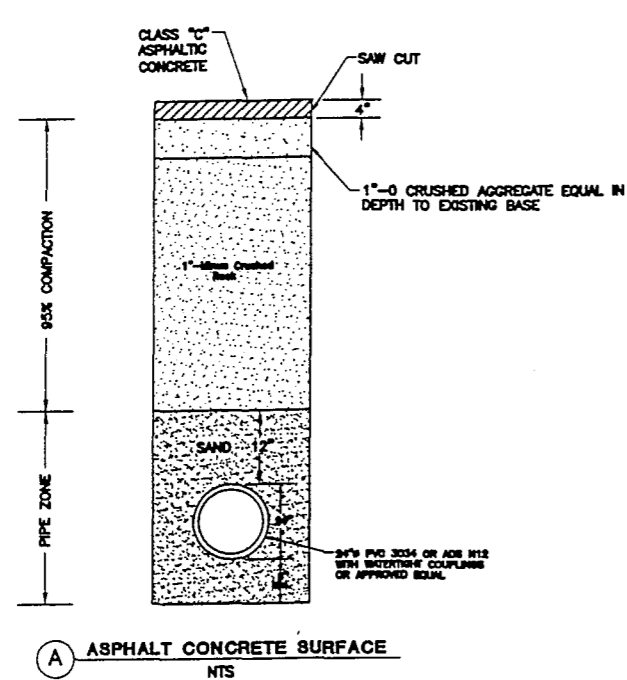
**Geo Engineers**

7504 S.W. Bridgeport Road  
 Portland, OR 97224  
 Telephone (503) 624-6274  
 Fax (503) 620-5940

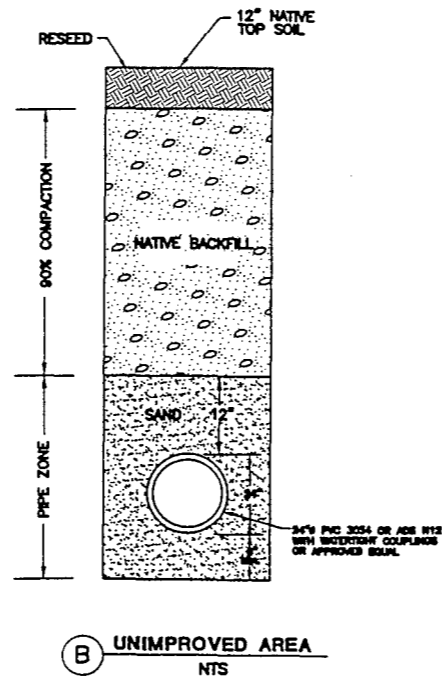
**CITY OF MILWAUKIE**  
**DRYWELL REPLACEMENT PROJECT**

**PLAN VIEW & PROFILE**

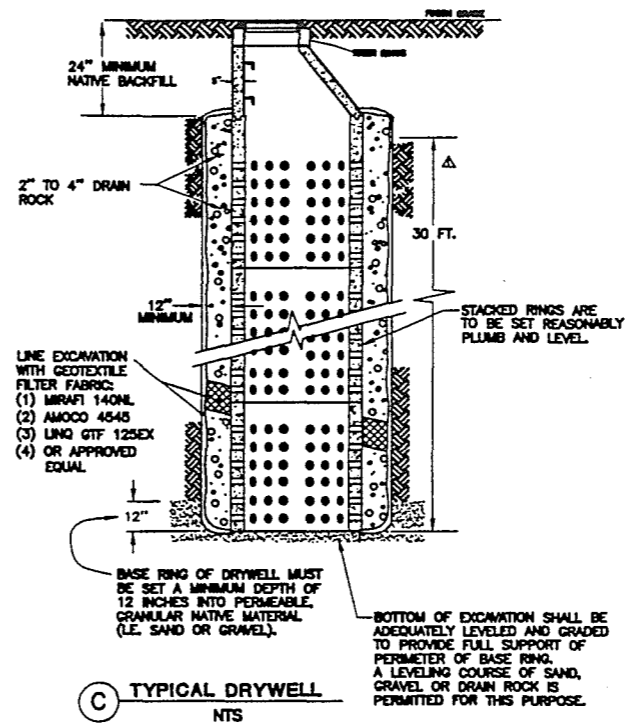
Project No. 2411-003-43  
 Drawing No. C-1  
 Sheet 1 of 2



**A ASPHALT CONCRETE SURFACE**  
NTS



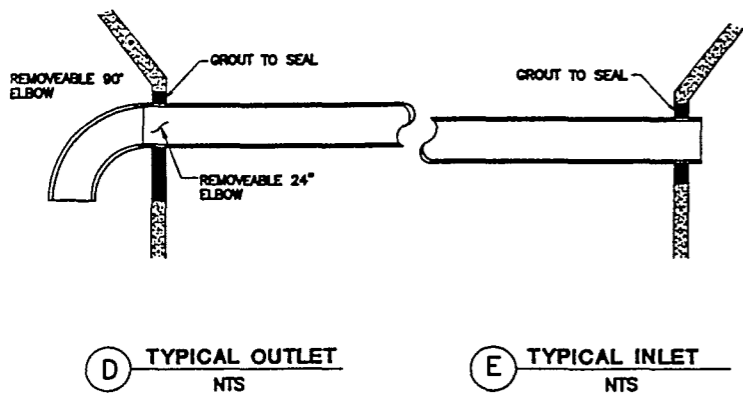
**B UNIMPROVED AREA**  
NTS



**C TYPICAL DRYWELL**  
NTS

- NOTES:**
- (1) WALLS OF DRYWELL RINGS SHALL BE OF UNIFORM THICKNESS, FREE OF CRACKS, EXPOSED STEEL, EXPOSED AGGREGATE AND OTHER OBVIOUS FLAWS.
  - (2) CONCRETE SHALL BE 3000 P.S.I. PER ASTM C478.
  - (3) ALL PRECAST SECTIONS TO MEET OR EXCEED ASTM C478.
  - (4) ANY VARIATION FROM MATERIALS AND/OR SPECIFICATIONS SHOWN ON THIS DRAWING SHALL BE AT THE DISCRETION AND WITH WRITTEN APPROVAL OF THE CITY ENGINEER.
  - (5) INLET AND OUTLET PIPE CONNECTION PER DETAILS D AND E.

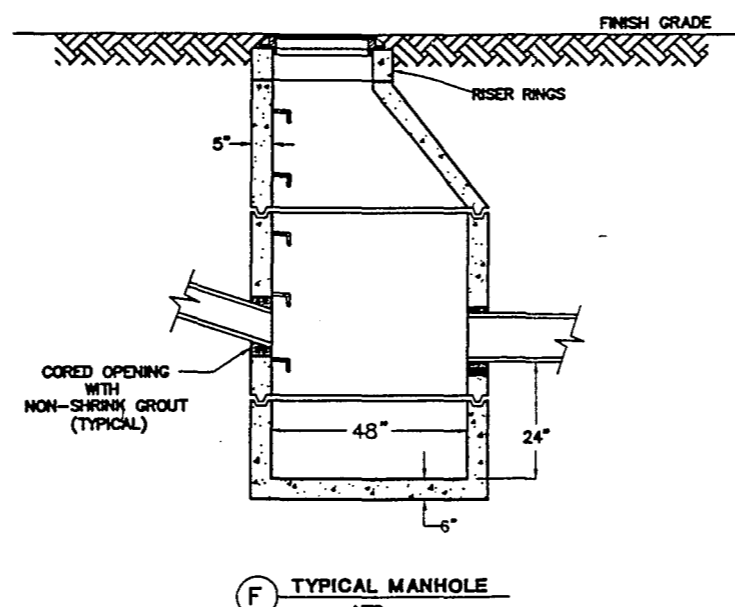
\* SEE CITY OF MILWAUKEE DRYWELL SIZE CHART CH-7



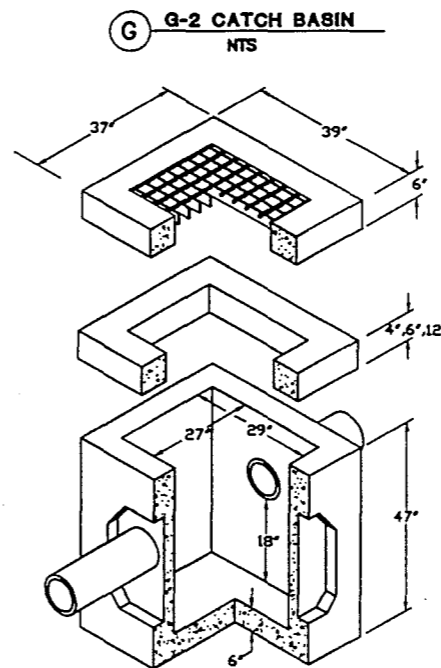
**D TYPICAL OUTLET**  
NTS



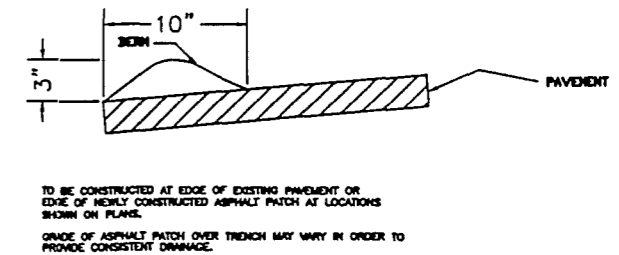
**E TYPICAL INLET**  
NTS



**F TYPICAL MANHOLE**  
NTS



**G G-2 CATCH BASIN**  
NTS



**H ASPHALT BERM**  
NTS

TO BE CONSTRUCTED AT EDGE OF EXISTING PAVEMENT OR EDGE OF NEWLY CONSTRUCTED ASPHALT PATCH AT LOCATIONS SHOWN ON PLANS.  
GRADE OF ASPHALT PATCH OVER TRENCH MAY VARY IN ORDER TO PROVIDE CONSISTENT DRAINAGE.

REFERENCES				REVISIONS	
TITLE	NO.	BY	DATE	DESCRIPTION	

DRS	11/06/97
Design	Date
WEB	11/06/97
Drawn	Date
DRS	11/06/97
Checked	Date
DRS	11/06/97
Approved	Date

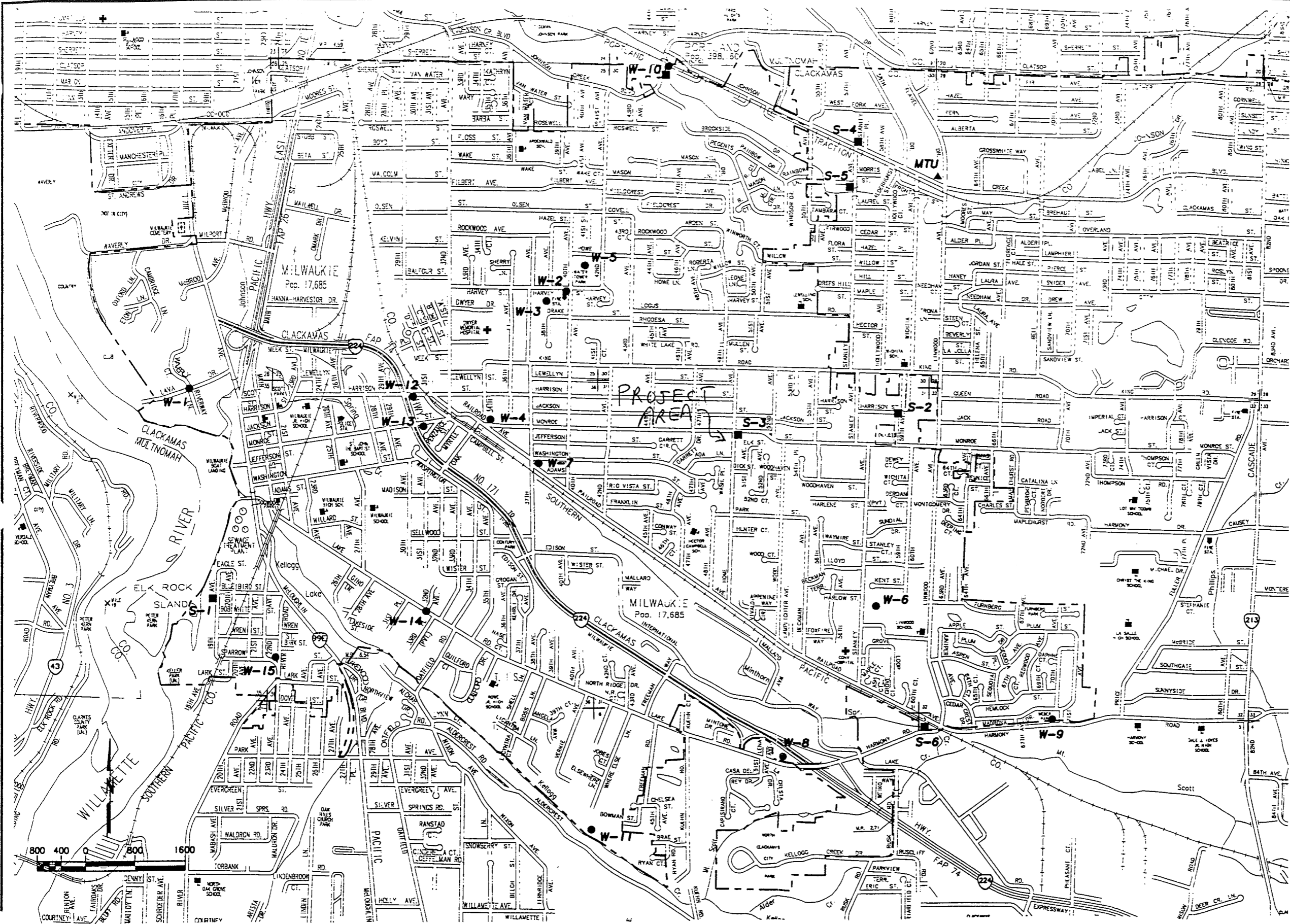
**Geo Engineers**

7504 S.W. Bridgeport Road  
Portland, OR 97224  
Telephone (503) 824-9274  
Fax (503) 824-5840

**CITY OF MILWAUKIE**  
**DRYWELL REPLACEMENT PROJECT**

**DETAILS**

Project No. 2411-003-43  
Drawing No. **C-2**  
Sheet 2 of 2



**LEGEND**

- | TELEMETRY STATION | LOCATION   |
|-------------------|--|
| MTU               | JOHNSON CREEK CENTER                                 |
| W-1               | LAVA DRIVE PUMP STATION                              |
| W-2               | WELL NO. 2/TP235                                     |
| W-3               | WELL NO. 3   |
| W-4               | WELL NO. 4/TP47                                      |
| W-5               | WELL NO. 5   |
| W-6               | WELL NO. 6/THIRD PRESSURE ZONE PUMP STA.             |
| W-7               | WELL NO. 7   |
| W-8               | WELL NO. 8   |
| W-9               | CRW INTERTIE (NEW)                                   |
| W-10              | COP INTERTIE (FUTURE) (& JOHNSON CREEK SEWAGE METER) |
| W-11              | QLWD INTERTIE (FUTURE)                               |
| W-12              | HARRISON/HWY 224 PRV STA. (FUTURE)                   |
| W-13              | MONROE/HWY 224 PRV STA. (FUTURE)                     |
| W-14              | 33rd/LAKE PRV STA. (FUTURE)                          |
| W-15              | RIVER/SPARROW PRV STA. (FUTURE)                      |
| S-1               | ISLAND STATION SEWAGE LIFT STA.                      |
| S-2               | 59th/HARRISON SEWAGE LIFT STA.                       |
| S-3               | HOME/MONROE SEWAGE LIFT STA.                         |
| S-4               | JOHNSON CREEK/STANLEY SEWAGE LIFT STA.               |
| S-5               | MORRIS/STANLEY SEWAGE LIFT STA. (FUTURE)             |
| S-6               | HARMONY SEWAGE METER STA. (FUTURE)                   |

NOTICE  
 0 1/2"  
 IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

J.H. DESIGNED  
 BAH DRAWN  
 J.H. CHECKED



**MSA** Murray, Smith & Associates, Inc.  
 Engineers/Planners  
 121 S.W. Salmon, Suite 1020 Portland, Oregon 97204  
 Phone (503) 225-9010 Fax (503) 225-9022

**CITY OF MILWAUKIE**  
 TELEMETRY SYSTEM  
 UPGRADE

**FIGURE 1**  
**TELEMETRY STATIONS**  
**LOCATION MAP**  
 PROJECT NO: 94-0307.403 SCALE: AS SHOWN DATE: JULY 1997

NO.	DATE	BY	REVISION

CITY OF MILWAUKIE  
CITY COUNCIL WORK SESSION  
NOVEMBER 4, 1997

**Mayor Lomnicki** called the work session to order at 4:30 p.m. in the second floor conference room at Milwaukie City Hall.

Councilors present: Tomei, Schreiber, Kappa, and Trotter.

Staff present: City Manager Bartlett; Assistant City Manager Richards; and Community Development Director Collins.

**Information Sharing**

1. The group discussed the work session scheduled for Wednesday, November 5<sup>th</sup> to discuss light rail mitigation options for Scott Park.
2. **Councilmember Tomei** said Pat Allen, Oregon Economic Development Department, had provided her with additional information she requested at the work session. She distributed a *Willamette Week* article regarding Precision Castparts Corporation (PCC) wages.
3. **Mayor Lomnicki** said he was going to recommend one appointment to the Traffic Safety and Transportation Board.
4. **Councilmember Schreiber** said the Chamber of Commerce Land Use Committee supported the Enterprise Zone proposal.
5. **Mayor Lomnicki** discussed the Enterprise Zone public hearing with the final decision made at the November 18, 1997, meeting. This would give him time to resolve some of the issues over which he was concerned. The Clackamas County Board of County Commissioners will hear the issue before the City Council makes its decision. He discussed average state incomes and the "working poor" in the region.

**Councilmember Tomei** discussed the *Willamette Week* article regarding average PCC wages. **Councilmember Schreiber** felt the company probably provided stable work. **Councilmember Tomei** was concerned that engineers' salaries were included in the average. The group discussed other Enterprise Zone requirements and Allen's responsibility for working with all the groups to develop the application.

6. **Mayor Lomnicki** asked if the City had been contacted by ODOT regarding high speed rail funding, and **Bartlett** responded no additional correspondence had been received.

7. **Bartlett** discussed the Governor's proposal dedicating all gas taxes to maintenance resulting in the McLoughlin Blvd. project being off the list. The group discussed lobbying at the State Legislature to get some of the metropolitan projects back on the list.
8. **Councilmember Schreiber** discussed a survey on Metro Policy Advisory Committee (MPAC) regarding its advisory role to the Metro Council. The document was to be returned to Greg Chew at McKeever Morris.
9. The group discussed the executive session minutes. **Councilmember Trotter** understood the property adjacent to the school was sold and no longer on the market.
10. **Councilmember Tomei** asked for comments on the Cobb Property. **Bartlett** said Tashman was working with PDC the Portland Development Commission (PDC) on relocation assistance and developing a process. He discussed the discovery document.

**Councilmember Tomei** noted some of City Attorney Corrigan's service achievements including being a VISTA Volunteer.

### **Riverfront Implementation Phase 1**

**Bartlett** outlined staff's proposal. Council set aside \$416,000 in the 1997 - 1998 budget for Phase 1 implementation in addition to land acquisition funds. Phase 1 will span approximately five years. The City would share in any future public/private partnerships. Staff recommended combining this year's and next fiscal year's funds for a total of \$916,000.

**Bartlett** reviewed the timelines. Staff proposed preparing an RFP that would go out for bid at the end of 1997. Construction would take place in 1998 and 1999. The City has possession of the Cobb property through court order and can now do the detailed design work on the final riverfront concept. He discussed planning for the Kellogg Treatment Plant area in order to more clearly conceptualize Phases 1 and 2. He discussed the future of the Plant and the probability that it would be moved. Swanson is in discussions with Oak Lodge Sanitary about diverting some of the Kellogg flow.

**Councilmember Tomei** understood it would be twenty years before the plant was taken off line and questioned spending the money on planning for that area at this time. **Bartlett** said the City could describe what it would like to see in that area so there would be a balance with the northern portion.

**Mayor Lomnicki** said planning now would provide a benchmark, and others can review its validity in the future.

**Councilmember Trotter** felt the RFP needed to be more clear. If he were a consultant, he would like to know if the concept plan was his guiding document. In addition, he suggested clarifying available resources and the direction to take, defining the minimum requirements, and more fully describing public participation.

**Bartlett** asked the City Council if it wished to have a citizen committee involved in the selection.

**Mayor Lomnicki** and **Councilmember Trotter** felt the City Council should select the consultant.

**Councilmember Kappa** agreed and suggested the Citizen Advisory Committee (CAC) be kept smaller and more manageable than the last group.

**Councilmember Tomei** was not sure she agreed with that point of view and recommended the group not be smaller.

The City Council discussed the makeup of the Riverfront Committee and the disappointment some of its members felt with the process. **Mayor Lomnicki** was concerned those selected to serve on the Committee would be willing to work together.

**Councilmember Schreiber** felt the process should be streamlined by collecting information and letting the CAC identify its needs. She recommended an open process at the front end to develop a full master plan. **Mayor Lomnicki** agreed with this suggestion.

**Councilmember Kappa** suggested an approach similar to the Board and Commission Review Project.

**Councilmember Trotter** said the consultant normally sets out the parameters and gets input. Later the consultant will present the plan based on the information that was gathered and refined. He felt it was important to clearly define the term "major portion of work" that was to be completed by June 30<sup>th</sup>.

**Councilmember Kappa** suggested each Councilor recommend several potential appointees to the advisory committee to work with the consultant.

**Councilmember Trotter** felt it was important to get total community input and commented that most firms are good at sorting and compiling information.

**Mayor Lomnicki** added that the project parameters have been set and the concept plan defined.

**Councilmember Schreiber** said the community has not addressed who the development is for – downtown visitors, Milwaukie residents, or boaters.

**Councilmember Kappa** suggested a series of at least three meetings. If the citizen committee has already been selected, members can go to hear what the community is saying. He suggested opening up the project to a design competition.

**Councilmember Trotter** said this scenario works better as a design/build competition for a commercial project. The riverfront will have limited commercial space making it unlikely for developers to invest their money.

**Mayor Lomnicki** suggested that it be a student project as part of an educational process. **Bartlett** felt that might be appropriate for the southern end of the project.

**Councilmember Trotter** recommended the RFP contain a construction schedule so the respondent would know better what was expected.

**Councilmember Kappa** discussed the McLoughlin Blvd. design and how the gateways might appear. **Bartlett** said the ODOT improvements may be delayed.

**Councilmember Tomei** said the public would need to know they are not being asked to re-do the map.

**Councilmember Trotter** recommended stating in the RFP that the public sessions would be run with expertise.

**Councilmember Kappa** felt there needed to be some idea of what would take place on McLoughlin Blvd.

**Mayor Lomnicki** said the Governor was looking at no new projects after 2002, so it is important to keep the McLoughlin Blvd. project in the pipeline.

**Bartlett** asked if the City Council was comfortable with the proposed timelines. He reviewed several points: the City Council supported a small advisory committee; the Council will select the consultant; and the group supported a town hall process.

The group discussed the process used by North Clackamas Parks and Recreation District when proposing a park master plan. The consultants presented several options and listened to the public about what it really wanted to see in their parks.

The group agreed that the chairs of the Park and Recreation Board and Planning Commission should be included as members of the selection committee along with the City Council.

**Bartlett** said he would refine this information and return the document to the City Council before the project is let for bids.

**Collins** said there was a small group of people from the Riverfront Committee who expressed interest in continuing.

**Councilmember Tomei** suggested these people could attend the town hall meetings with the consultant and later discuss what was heard.

**Councilmember Trotter** recommended they be able to make comments on the riverfront in a public forum to set the stage for discussions.

**Councilmember Schreiber** suggested the people participate in a panel discussion on the historical foundation of the plan.

The group agreed to make the RFP available on a broad level and open up the competition nationally. **Councilmember Trotter** said this would make it very important to give a lot of supporting information about the area.

**Bartlett** summarized:

- Timelines are acceptable.
- City Council and the chairs of the Park and Recreation Board and Planning Commission will act as the consultant selection committee.
- The consultant will follow the Parks District model – public involvement, large town hall, some design work, follow-up, and completion.

**Mayor Lomnicki** asked if there would be public involvement period between accepting the plan and going through the formal Planning Commission process. He felt the process needed to go full-circle to offer the public another opportunity to comment. **Councilmember Schreiber** said the consultant will set the benchmarks. **Councilmember Trotter** said that would be the second follow up with first run through of options.

**Bartlett** said when the design plan is accepted by the City Council, then it will go through the CSO and neighborhood process. **Councilmember Trotter** commented that the 120-day clock would have to be kept in mind when scheduling the timelines.

**Bartlett** said he would prepare a revised draft with clarified design parameters.

The group discussed connection between the downtown and the riverfront. It was agreed that **Bartlett** would use some of the materials from the McLoughlin Blvd. improvements work session as supporting documentation.

**Bartlett** wanted some Phase 1 concepts for the boat ramp parking area and the Cafall Bros. site as they transition into Phase 2.

**Councilmember Trotter** recommended the document refer to a master plan rather than a concept plan.

**Councilmember Tomei** asked if there would be any plans for the Kellogg Lake area. **Bartlett** said the Parks District ran a preliminary design meeting for that area. **Richards** added that the concept plan is done and believed it was on next year's work plan.

**Bartlett** discussed the phasing. In order to hold faith with the process, the City needs to make participation available to all.

### **Regional Center Phase 1**

**Collins** presented the staff report and discussed the "Summary of Regional Center Master Plan" testimony.

**Councilmember Trotter** said he did not feel it was appropriate to discuss Planning Commission testimony. He recommended returning the testimony and directing it be submitted in accordance with the staff report recommendation to accept, modify, or continue. Any comment could be construed as giving direction to the Planning Commission.

**Mayor Lomnicki** said he was not prepared to make comment on the Planning Commission testimony.

**Collins** explained she did not expect comment and summarized the testimony.

The City Council agreed to proceed with the public hearing on Tuesday, November 18, 1997.

**Bartlett** said the hearing would be noticed in the paper ten days prior to the hearing. This is a legislative matter and is under no 120 day restrictions.

**Mayor Lomnicki** said the City Council would hold its public hearing on November 18<sup>th</sup> with the decision to follow.

**Councilmember Trotter** did not feel the document should not include his name. It is a public document that will be part of the record as public input. Graham will make it part of the Steering Committee recommendation at the City Council hearing.

**Bartlett** said Councilors act as the final legislative body and can make amendments during discussion.

**Mayor Lomnicki** said the City Council hearing will be de novo, and Graham can take any concerns forward as new evidence.

**Bartlett** said the Planning Commission would not be able to consider it. Since it is a legislative action, there are no concerns with ex parte contacts.

**Mayor Lomnicki** had no significant concerns with the document and did not feel the process had been flawed. The City Council Public Hearing is de novo at which time new comments can be brought forward.

**Collins** said staff would recommend the Steering Committee recommendations be incorporated.

**Councilmember Trotter** asked that any substantial changes be annotated in the staff report.

**Collins** said there were only minor comments from other Committee members.

Councilors commented there were only a few copies of the Summary available at the Planning Commission meeting. **Mayor Lomnicki** said the material would be in the Council's November 18<sup>th</sup> packet. **Councilmember Trotter** pointed out copies of public testimony do not have to be available ahead of time.

**Beery** said the distinction between quasi-judicial and legislative hearings is that there is no opportunity to rebut testimony. The City record will contain all documents for the record of decision.

The work session adjourned at 7:42 p.m.

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Pat DuVal, City Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
NOVEMBER 4, 1997**

The one thousand seven hundred and seventy-eighth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 p.m. in the Milwaukie City Hall Council Chambers. The following Councilors were present:

Mayor Lomnicki, Mayor Carolyn Tomei	Jean Schreiber Rob Kappa Don Trotter
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Also present:

Dan Bartlett, City Manager Charlene Richards, Assistant City Manager Pam Beery, City Attorney	Jim Brink, Public Works Director Rob Shelton, Engineering Intern
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**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**Veterans Remembrance Celebration Day -- Proclamation**

**Mayor Lomnicki** read a proclamation naming November 11, 1997, as *Milwaukie Elks Veterans Remembrance Celebration Day in the City of Milwaukie*.

**CONSENT AGENDA**

**It was moved by Councilmember Tomei and seconded by Councilmember Schreiber to adopt the Consent Agenda which consisted of the City Council minutes of October 21, 1997. Motion passed 4 - 0 1 with the following vote: Mayor Lomnicki, Councilmember Tomei, Councilmember Schreiber, and Councilmember Kappa aye; no nays; Councilmember Trotter abstained.**

**AUDIENCE PARTICIPATION**

**Analise Hummel**, 2802 SE Monroe. She welcomed Councilmember Schreiber to the Historic Milwaukie Neighborhood. **Hummel** thanked the City for the "No Thru Trucks" signs on Monroe Street, but Milwaukie Lumber claimed it had an exception. City streets need more calming devices. She and others would not rest until Milwaukie was a place where all people want to live. Collector streets cannot be in residential neighborhoods. She referred to two recent *Clackamas Review* articles. One was about revitalization, and she asked if that meant

putting light rail and high density in a peaceful neighborhood. The other article quoted County Elections saying that the submission of the recall petitions was poorly timed, and verifying signatures would be difficult because of the November election. She felt that article was clearly biased. She urged all citizens of Milwaukie to attend Neighborhood Association and City Council meetings. It became very clear to her while canvassing the neighborhood that people generally did not have a clue about what goes on in their city. **Hummel** urged Milwaukians to start paying attention to what goes on in their City. Even more serious was that people were afraid to sign their names to the recall petitions for fear of possible retribution. Hitler, she said, is not in place here, and people should not be afraid to sign their names.

**Mayor Lomnicki** responded to the truck issue. Trucks cannot be prohibited from completing business or commerce in the downtown area.

**Hummel** said residents on Monroe did not want any trucks; drivers should use the overpass. She felt the lumber yard manager had arrogantly told her that his business was exempt. **Mayor Lomnicki** said there are certain trucks that must access the area, and not every truck can be excluded from the neighborhood. **Hummel** responded that the downtown area is much closer to 99E.

**Councilmember Kappa** added that trucks in that area could add to the congestion in the transit center and create a dangerous situation. He felt truck drivers were making an effort to avoid the neighborhoods.

**Mayor Lomnicki** thanked Hummel for urging citizens to attend meetings and to get involved with the City.

**Mayor Lomnicki** hoped that no one would be afraid of signing a petition, and he regretted some people had that feeling about a democratic process.

**Councilmember Schreiber** thanked Hummel for her polite welcome to the neighborhood.

**Mike Sanseri**, 8431 SE 36th. Milwaukie youths no longer have a place to skate since it is now prohibited at the high school. He suggested the City Council consider a skateboard park at the leased Safeway site. **Mayor Lomnicki** thanked Sunseri and added that the Parks District was also looking for an appropriate skate park location.

## PUBLIC HEARING

### Consider Application for Oregon Economic Development Department Enterprise Zone – Johnson Creek Boulevard

**Mayor Lomnicki** called the public hearing on the application to order at 7:18 p.m.

The purpose of the hearing was to consider public comment on the application. **Mayor Lomnicki** reviewed the conduct of the hearing.

Report: **Pat Allen**, Regional Development Officer, Oregon Economic Development Department, presented the staff report. He provided an overview of the program and process. The Enterprise Zone provides a three to five year tax abatement incentive to encourage capital investment when certain requirements are met. The abatement can be extended to five years if there is a 150% increase of the average county wage which is \$25,706.

The business must submit its application to the Zone Manager and the Clackamas County Tax Assessor before proceeding with its capital investment project. The business must provide an annual certification verifying its compliance with Enterprise Zone requirements.

**Allen** indicated the industrially zoned land in the area and the proposed Enterprise Zone. To qualify, the applicant must be an industrial business. He noted the designation did not change the underlying zoning. The City of Milwaukie and Clackamas County would be joint sponsors. He referred to a September 17, 1997, letter from Ed Lindquist, Clackamas County Board of Commissioners Chair, indicating the County was willing to work with Milwaukie to improve Johnson Creek Blvd. between I-205 and 36<sup>th</sup> Avenue. The County was also open to considering the North Clackamas County Chamber of Commerce as a potential Zone Manager.

**Allen** said the current proposal was based on State standards, but local restrictions can be established. He discussed the feasibility of including a supplier program. Requirements could be added in the future if the Zone sponsors concur. He had met with several taxing districts and the Ardenwald Neighborhood District Association, and no one raised any issues or concerns. The groups were also informed of the upcoming public comment opportunities. The Clackamas County Board of Commissioners will consider the application at its November 13<sup>th</sup> meeting, and the Milwaukie City Council will make its decision on November 18<sup>th</sup>.

**Councilmember Kappa** said there were clearly some parcels that could not be developed because of flood plain and wetlands impacts.

**Councilmember Tomei** discussed the average County wage. **Allen** said the company can include benefits in calculating the total average wage. Most companies manage total employee costs, and these are the figures provided to the Tax Assessor and Zone Manager.

**Councilmember Tomei** was concerned about providing jobs with family wages and averaging highly paid positions with minimum wage positions to attain the 150%. **Allen** said it would be difficult to hire one a person at a high wage to offset minimum wages for a five-year period.

**Councilmember Kappa** asked for clarification of Lindquist's letter regarding funding of Johnson Creek Blvd. projects. **Allen** did not feel he could comment beyond the content of the letter.

**Bartlett** referred to staff report page 84. That segment would have to be included in the next Regional Transportation Plan (RTP), and there would be City/County matches in an amount dependent upon the extent of funding.

**Mayor Lomnicki** noted part of the City's Transportation System Plan (TSP) was outside the present City limits. The letter indicates the County's willingness to work with the City on an investment strategy. One of the downsides of the Enterprise Zone would be negative traffic impacts, and the County has expressed a willingness to work cooperatively on this problem.

**Councilmember Kappa** wanted to exactly know the County's intent. He discussed the poor conditions of the riparian areas. **Allen** said the Enterprise Zone must adhere to federal, state, and local regulations.

**Councilmember Tomei** referred to staff report page 78 and asked if child care and transit pass benefits would be included. **Allen** said this was the City of Portland's local restrictions, and the City of Milwaukie and Clackamas County could consider similar language.

**Councilmember Tomei** referred to staff report page 77 and asked if Milwaukie could include job skill training. **Allen** cautioned that some companies could view the requirements as too restrictive and decide not to take advantage of the Enterprise Zone opportunities.

**Mayor Lomnicki** asked if the sponsors could create new conditions in the future and if new requirements could be imposed on companies already part of the Zone. **Allen** said he understood that once a company makes its capital spending decisions based on certain requirements, it would be allowed to continue under those conditions. A company participating at a later time would have to meet newly imposed restrictions.

**Mayor Lomnicki** felt it was important to consider the requirements that would best benefit the community at this time.

**Mayor Lomnicki** asked for a description of the Zone Manager's responsibilities. **Allen** said he would provide the City Council with a complete booklet. The Zone Manager would be required to make reports to the State and administer pre-approvals with the County Tax Assessor.

**Mayor Lomnicki** understood from the proposed resolution that Clackamas County Business Services was appointed Zone Manager. It appears this person will have complete authority to make technical or substantive changes to the application. He asked for clarification of the Zone Manager's responsibilities. **Allen** said "substantive changes" refers to the application form itself. The document upon which the City Council bases its decision on November 18<sup>th</sup> will be the same document that goes to the State.

**Mayor Lomnicki** said the Tax Assessor verifies property improvements. **Allen** added the Zone Manager is responsible for making reports on wage and other similar Zone requirements.

**Councilmember Schreiber** asked **Allen** if he had drafted the resolution. **Allen** said it was a standard form. He recommended designating the Zone Manager by position rather than name and added the City and County could jointly designate an individual.

**Councilmember Schreiber** was concerned about signing a five-year agreement. **Bartlett** said more flexibility could be added.

**Councilmember Schreiber** expressed concern about a process for the sponsors to appeal or negotiate. **Allen** suggested entering into a concurrent intergovernmental agreement (IGA) with Clackamas County defining basic administrative ground rules.

**Councilmember Kappa** referred to staff report pages 16 and 17 regarding eligibility and hiring requirements. It appeared there could be a lot of temporary hiring. **Allen** said the intent of the company is to hire regular, full-time employees, but he would research the question.

**Mark Damien**, Vice President of Human Resources, PCC Structural. He discussed the company's 45-year history which began with a small, grassroots business and has grown to sixty sites in the United States and Europe. He noted the business decline in the early 1990's and the resulting impact on wages. There are other regions and states that are offering incentives, but PCC hopes to grow in Milwaukie. He discussed diversification plans. The company would use vendors and shops in the area giving them an opportunity to expand their businesses also.

**Councilmember Schreiber** asked Damien to address employee benefits. **Damien** said in comparison to other similar companies, PCC has an employee turnover rate of less than 6%. Employees receive educational reimbursements, a 401K Plan with a 50% match, and medical plans. In the last two years, the company has absorbed premium increases. He discussed PCC's training standards.

**Councilmember Tomei** noted the company's profits had increased 166% in the past ten years. **Damien** said that was based on the entire corporation.

**Councilmember Tomei** referred to a *Willamette Week* article regarding PCC's falling behind in wages. **Damien** discussed pay ranges and added that some employees bump back a pay range to stay on a particular shift.

**Councilmember Tomei** asked how many temporaries PCC hires. **Damien** said PCC uses a temporary agency for screening purposes, and a person could be hired as a regular employee within four to six months.

**Councilmember Tomei** noted a preponderance of employees earned \$12.84 - \$16.29 per hour. She asked how long most of these employees had worked for PCC. **Damien** said most of them have worked for the company between twelve and sixteen years.

**Mayor Lomnicki** commented the Council was not there to judge PCC and its operations. He asked if there were any conditions so odious to make PCC back out of the application. **Damien** suggested the City Council give Allen a "wish list" and determine if any were prohibitive. He added that on-site child care was a large expense and could be addressed through tax breaks or other benefit changes.

**Councilmember Kappa** asked Damien to expand on his comments regarding employee turnover. **Damien** said, in the manufacturing environment, the national average turnover was 18 - 21% with hourly turnover usually somewhat higher.

Correspondence: None.

Audience Testimony: **Kathleen Briggs**, 5202 SE Monroe. She is a long-time Milwaukie resident and PCC employee. The company is growing, and traditionally it promotes from within. Acceptance of the Enterprise Zone would allow for needed expansion and increase the employment base. **Briggs** was proud of the area and hoped to see it improve as much as the west side.

**Councilmember Kappa** asked Briggs if she had worked her way up through the ranks. **Briggs** started working for PCC in 1979, has moved up nine positions, and was able to go to school. She has become a skilled worker for the company.

**Councilmember Tomei** asked Briggs what she did. **Briggs** said she was a production scheduler in the wax department and added she was paid appropriately for her job duties.

**John Wyatt**, North Clackamas Chamber of Commerce, 7740 SE Harmony Rd. He read a letter into the record as formal testimony on behalf of the Chamber. The Chamber indicated its support of the Enterprise Zone creation. This type of economic development tool was consistent with the Chamber's mission of providing "innovative leadership to ensure a successful business climate and promote the quality of life in Clackamas County."

**Councilmember Schreiber** asked Wyatt as a member of the banking community if he thought the Enterprise Zone would encourage investment. **Wyatt** responded it would.

**Councilmember Kappa** asked what kinds of small businesses would benefit. **Wyatt** said small machine shops, for example, that currently supply PCC could expand. He noted there was a large light manufacturing community in Clackamas County.

**Damien** added, from an investment standpoint, a small business owner might need the Enterprise Zone to meet increased volume demands.

**Bonita Entwistle**, 3200 SE Silver Lake Lane, Space 30. She indicated she was a single parent who has been a PCC employee for 10 years. Employees are able to grow in their jobs at PCC and remain in a community that is important to them.

**Councilmember Tomei** asked Entwistle if she would like on-site child care. **Entwistle** said she would.

**Councilmember Kappa** asked Entwistle if she had also come up through the ranks. **Entwistle** said she had and added she had been given the opportunity for computer training and cross-training.

**Analise Hummel**, 2802 SE Monroe. She had attended a workshop on alternatives to growth and learned that if employees had to pay true costs for things like schools, a fair family wage would be \$589,000 a year. Capitalism causes poverty; slavery was a capitalist way for some to get extremely rich on the backs of others. She asked what kind of waste was produced by this manufacturer. **Hummel** did not believe tax abatements should be allowed. She asked where all these employees would come from. The worst phenomenon is the temporary worker. She asked if the Enterprise Zone would go to a vote of the people. The area is dilapidated, and she asked if this Zone was the reason it was not a light rail alignment. She asked if there would be age discrimination in getting a job at PCC.

**Mayor Lomnicki** said this hearing was not an inquiry into PCC management practices. Johnson Creek Blvd. was never discussed as a light rail alignment. He pointed out that by testifying at the public hearing, Hummel was part of the process. He did not believe it was Council's intent to take the matter to a vote.

**Councilmember Schreiber** referred to staff report page one in which "employee" was defined as a person who works "more than 32 hours per week" but not temporary or seasonal jobs.

**Mayor Lomnicki** said, in order for a company to receive these advantages, it must follow certain specific requirements.

**Hummel** asked about the tax abatement. **Councilmember Schreiber** said the company applying would need to make a major contribution to the community. **Mayor Lomnicki** said the company would make an investment to its physical plant and receive a tax abatement on those improvements. It will be included on the tax roles when the Zone expires.

**Hummel** asked if Milwaukie residents would get the new jobs and relieve traffic problems. **Mayor Lomnicki** said there would be a first preference for qualified people from this area. **Hummel** asked where people would live if they came from out of the area.

**Ruby Stapleton**, 8920 SE 58th Avenue, Portland. She asked how the Enterprise Zone would impact her property value. She complained about businesses parking cars on an adjoining property. She understood that the bike path could be a light rail line in the future.

**Allen** said, over the long term, property values would increase in the area; however, taxes on residential units in an Enterprise Zone may not be impacted. He noted that companies looking for a tax break might displace marginal businesses.

**Mayor Lomnicki** recommended Stapleton talk to Public Works Director Brink.

Closure of Public Hearing: **Mayor Lomnicki** closed the public testimony portion of the hearing at 8:45 p.m.

Discussion and Decision by Council: **Councilmember Tomei** felt it was a very solemn responsibility to give tax breaks, and she wanted to be sure the community would benefit and employees would make family wages. She referred to staff report page 72 regarding minimum job quality thresholds. The section included reference to 150% of minimum wage after one year of employment. **Allen** cautioned Council about taking part of the Portland plan and mixing it with State requirements.

**Bartlett** calculated 150% of minimum wage as just under \$9.00/hour, and PCC's wage distribution was over that.

**Councilmember Tomei** wanted to make sure employees would earn a family wage if the company was given a tax break and recommended guaranteed percentage.

**Mayor Lomnicki** said, in reality, some employees may earn \$45,000 and others \$23,000. He suggested a structure that would put a majority of the newly-hired employees in the true average.

**Councilmember Schreiber** said it also depends on whether the industry was one that required a high level of technical skills with a higher pay range. Studies have shown that on-site child care is not what keeps women at their jobs because many of them feel the need for a personal transition between the workplace and family responsibilities. She preferred employees had an opportunity to grow and train on the job with a cafeteria list of opportunities in the areas of health and education.

**Allen** suggested setting a minimum threshold at 150% of minimum wage including benefits. This would help smaller companies offer benefits to employees at the lower end of the pay scale. For the five-year break, he suggested 150% of the County mean within eighteen months of the hire date.

**Councilmember Trotter** thought the benefit package concept would help start-up companies in the Enterprise Zone.

**Councilmember Kappa** wanted clarification of both the County's transportation offer and the environmental issues.

**Bartlett** expected a common set of watershed protection rules since the City of Portland joined as a full member of the Surface Water Commission.

**Mayor Lomnicki** suggested the letter from the County Commissioners be formalized in a resolution and identify areas of mutual concern from the TSP and RTP. Lindquist's letter referred to reviewing the most appropriate ways to provide for ongoing Zone Management "after initial zone establishment." **Mayor Lomnicki** suggested a meeting be scheduled in six months to address the issue.

**Councilmember Schreiber** said the letter from Lindquist enters into other discussion points which may not be the base of discussion regarding the Zone itself. She was concerned about adding requirements such as child care.

**Councilmember Tomei** supported child care in the larger companies.

**Councilmember Schreiber** commented that some employees might be more interested in a better pension package than child care as part of their benefits package.

**Councilmember Tomei** argued for the importance of child care and did not feel it was unrealistic if the company were getting a tax break.

**Councilmember Trotter** commented on the proposed IGA with Clackamas County listing areas of common concerns. He asked if daycare was applicable to new hires or those already employed by the company. **Allen** said the Portland Program was designed to attract new businesses to the area. He discussed his experiences as Chair of the Clackamas County Commission on Children and Families and suggested a more comprehensive strategic plans to meet broader needs.

**Councilmember Trotter** pointed out PCC was a large, existing company with sufficient money for capitalizing. He was concerned the tax break would be consumed if the sponsors demanded child care.

**Councilmember Kappa** asked if a daycare facility could be located in an Enterprise Zone and offer a reduced rate. **Councilmember Trotter** said local laws allow daycare centers in all zones.

**Allen** suggested looking at daycare in a broader sense, such as tailoring a piece for daycare providers to offer some meaningful assistance to that kind of business.

**Councilmember Kappa** asked if a daycare facility could be included as part of an Enterprise Zone. **Allen** said it could not and suggested the Enterprise Zone could work with the City of Milwaukie on daycare issues in the County.

It was moved by Councilmember Kappa and seconded by Mayor Lomnicki to direct that Allen and staff provide the City Council with recommendations addressing these concerns at the November 18, 1997, meeting.

**Mayor Lomnicki** suggested making the child care issue a part of the IGA with Clackamas County rather than a requirement of the Zone.

**Allen** said he would prepare a public hearing follow up for the City Council.

**Councilmember Trotter** suggested a legislative draft so the amendments would be clear.

**Motion passed unanimously.**

#### **OTHER BUSINESS**

**Establish Custodial Account and Life Insurance Transfer Authorization – Public Employees Benefit Services Corporation (PEBSCO) Section 457 Deferred Compensation and Establishing Custodial Account – International City Management Association Retirement Corporation (ICMA-RC) Section 457 Deferred Compensation – Resolutions**

**Richards** presented the staff report on the Section 457 Deferred Compensation Plans. These amendments would reflect changes to the Internal Revenue Code shifting ownership interest of assets accumulated under these plans from the employer to the employee and /or beneficiaries. Both resolution refer to the City Manager's designee as the administrator.

**Councilmember Kappa** referred to staff report page 32 regarding administrative costs. **Richards** said that was a reference to a loan program, and the City chose not to do that.

**It was moved by Councilmember Kappa and seconded by Councilmember Tomei to adopt the resolution establishing custodial account, employer account number:30. Motion passed unanimously.**

**RESOLUTION NO. 33-1997:**

**A RESOLUTION OF THE CITY OF MILWAUKIE, OREGON,  
("Employer") ESTABLISHING CUSTODIAL ACCOUNT,  
EMPLOYER ACCOUNT NUMBER: 30.**

It was moved by Councilmember Tomei and seconded by Councilmember Kappa to adopt the resolution establishing custodial account, employer account: 3711. Motion passed unanimously.

**RESOLUTION NO. 34-1997:**

**A RESOLUTION OF THE CITY OF MILWAUKIE, OREGON,  
ESTABLISHING CUSTODIAL ACCOUNT AND LIFE INSURANCE  
TRANSFER AUTHORIZATION, EMPLOYER ACCOUNT: 3711.**

**Designate SE Railroad Avenue One-Way Eastbound between Harrison and  
32<sup>nd</sup> Avenue – Resolution**

**Shelton** presented the staff report. This action was recommended by MacKenzie Engineering Incorporated in its 1992 final recommendation to the City of Milwaukie entitled "SE 32<sup>nd</sup> Avenue Transportation Network Study." The action was recommended with the completion of the Public Safety Building, and staff agrees it would make a safer intersection. Traffic counts and observations indicate the signal at 32<sup>nd</sup> and Harrison can absorb the additional vehicles. Staff will monitor the intersection after this change to evaluate the impact.

**Councilmember Trotter** asked if staff had discussed the change with the businesses in the triangle. **Shelton** said he had not.

**Bartlett** said this was an interim measure with future plans to open 34<sup>th</sup> Street and signalize Oak.

**Brink** said he talked to the businesses and informed them the City intended to make that section of Railroad Avenue one-way, and some adjustments would have to be made. He noted there had been three automobile accidents at that intersection and felt it was a good decision to alter the traffic pattern.

**Mayor Lomnicki** was concerned that drivers might use the Public Safety Building parking lot as a short cut and suggested a circular drive from the coffee kiosk. **Brink** did not think there was sufficient room for that design.

It was moved by Councilmember Tomei and seconded by Councilmember Trotter to adopt the resolution declaring the intent to make SE Railroad Avenue one-way eastbound from 32<sup>nd</sup> Avenue to Harrison Street. Motion passed unanimously.

RESOLUTION NO. 35-1997:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING THE INTENT TO MAKE SE RAILROAD AVENUE, FROM SE HARRISON STREET TO SE 32<sup>ND</sup> AVENUE, ONE-WAY EASTBOUND.

Board and Commission Appointments

**Mayor Lomnicki** submitted Jim Schierholz's name to fill Position #4 of the Traffic Safety and Transportation Board. Council approved the slate 4 - 0.

INFORMATION

**Councilmember Schreiber** was concerned that 97222 was considered a Portland zip code and asked if anything could be done. **Bartlett** said there was not a lot the City could do and suggested writing federal legislators.

**Mayor Lomnicki** announced an executive session to discuss labor relations and consult with legal counsel pursuant to ORS 192.660.

ADJOURNMENT

**Mayor Lomnicki** adjourned the meeting at 10:15 p.m.

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Pat DuVal, Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL WORK SESSION  
NOVEMBER 5, 1997**

**Mayor Lomnicki** called the work session to order at 5:10 p.m. in the second floor conference room at Milwaukie City Hall.

Councilors present: Tomei, Kappa, and Trotter.

Staff present: City Manager Bartlett; Assistant City Manager Richards; and Community Development Director Collins.

Also present: Ted Leybold, Metro; Steve Dixon, OTAK; Jennifer Ryan, Tri-Met; and Michelle Wilson, Biologist.

**Briefing on South/North Light Rail Transit Project and Potential Impacts to Scott Park**

**Leybold**, Metro, presented the staff report on potential light rail impact and mitigation to Scott Park. He discussed the alignment alternative in downtown Milwaukie that goes through the northwest corner of Scott Park. As a park resource, the area has certain protections within a federally-funded transit project.

Staff is working to define the impacts, develop an understanding of the broader context, identify potential mitigation options, and talk with stakeholders about the future of Scott Park and open space needs in that area. Both parks and transportation needs will be addressed in the process. **Leybold** indicated the proposed alignment on a map.

**Dixon** introduced Wilson who worked on the natural resource aspects of the existing Park and ponds. **Dixon** said he would address the following: the existing Scott Park Master Plan; the natural and historic resource character in the potential impact areas; the process to identify potential mitigation alternatives for those impacts; and a more detailed conceptual design that begins to describe those mitigation alternatives.

**Dixon** reviewed the Scott Park Master Plan phased improvements. Portions of the first two phases have been completed. Phase 1 included improvements on the parking lot side, the entry, and the north side of the Library itself. Phase 2 dealt mainly with the wetland enhancement work done on the Library side of the

pond. Phase 3 calls for refurbishing or relocating the monuments in the northern end of the Park and relocating some of the sidewalks and other existing improvements. The overall theme of the Master Plan was to begin to mediate between the urban and natural resource aspects.

The Plan describes the upper parcel which is 31,350 square feet, a portion of which is the pond itself. **Dixon** indicated the specific alignment which touched one corner of the Nell Martin Amphitheater and moved through the existing parking lot and Safeway building. He described the right-of-way area if 21<sup>st</sup> Avenue were extended to create a block north of Safeway that would serve as a component of the transit center. The alignment will impact a significant portion of the upper and lower Park. About 25,000 - 26,000 square feet of the existing 31,350 square feet will likely be impacted. **Dixon** discussed the resources: natural, historical and cultural, and open space.

**Wilson** summarized the natural resources. The elements were the lower pond, upland area, lower pond, and the Spring Creek Watershed. The upper pond is in relatively good condition with a diversity of species and native plantings. The lower pond, however, is not living up to full potential. There are steep, bare banks with some erosion. It does provide storm water detention and retains sediment, but those functions are not unique to the watershed. The negative aspects of the pond are water quality issues caused by shallowness and lack of shade. The lower pond actually serves as a problem source, and the upstream habitat is of much more value.

**Mayor Lomnicki** asked if the ponds were not actually man made, and the natural stream channel no longer exists. **Wilson** said that was correct. The stream goes under roadways or is impounded by a series of dams. **Dixon** added that over the years, the edges of the pond have also been modified.

**Wilson** said, in terms of the ducks and nutria living in the pond, there is not a lot of food chain support. The wildlife is relying on handouts from people in the Park, and there is no vegetation to provide an insect habitat. It is essentially an unbalanced situation. **Mayor Lomnicki** discussed an effort several years ago with Fish and Wildlife to re-establish the duck population elsewhere and asked if they had returned resulting in an imbalance of the ecosystem. **Wilson** said that assessment was accurate and added some of the erosion is caused by grazing. There is an opportunity to not only improve what is there, but also help eliminate the causes of downstream problems.

**Councilmember Kappa** asked if it was important at this point in the process to consider having a pond or if the stream should be re-channeled. **Dixon** said re-channeling is an option.

**Dixon** discussed the numerous trees on the site. **Wilson** said the habitat provided by these trees can be replaced by plantings and other diversification.

**Mayor Lomnicki** added there have been management practices under which some of the undergrowth was removed, and things have been done to the ecosystem that are not a natural evolution. **Dixon** said this gets to the issue of urban and natural resources. Most of the trees would come out primarily because of the 21<sup>st</sup> Avenue extension and associated grading impacts.

**Councilmember Kappa** asked if there were considerations for lowering the water temperature whether it is a creek or pond. **Dixon** said there were plans to address that issue.

**Dixon** discussed the historical aspect including the Measure and Peak Fountains, plaques, Nell Martin Amphitheater, Pioneer Bench, and the Rosalie Denny Memorial. Consideration will be given to relocating or creating a new structure to honor these monuments. Over the years, many of them have suffered from vandalism and deferred maintenance.

The last aspect **Dixon** discussed was the cultural resource of the open space and how it is used by City residents and Library patrons. The safety aspects need to be addressed also. It is a valuable open space resource with a significant amount of quiet area directly adjacent to downtown.

To begin to formulate some sort of process for mitigation, a context for the future vision was developed. **Dixon** started the process with the Draft Regional Center Plan because it represented a clear vision of the redevelopment scenario for a major portion of the downtown area. It also identified possible mitigation opportunities to provide open spaces and parks in the redevelopment areas. He indicated the Mixed Use Commercial (MUC) and Mixed Use Residential (MUR) zones on a map. He felt Scott Park acted as a hinge for the land uses in the area. Based on that, staff identified five potential areas in which to develop more specific mitigation concepts. These were: the Milwaukie Jr. High School site; the area north of the existing lower pond between U.S. Bank and Hwy. 224; the Masonic Block; the Riverfront; and Scott Park north of the light rail alignment.

**Dixon** discussed the Junior High School site as a potential civic space. It offers a substantial amount of open space with high density residential and mixed use commercial. He felt it had real open space potential for the downtown area.

The Masonic Block is on the edge of the potential civic space. It could be a centerpiece bordered by the Junior High School site, City Hall, Library, and proposed light rail station. The Riverfront is included because of the Concept Development Plan that has been prepared. Work is pending completion of the Master Plan. The Scott Park and Library area is included for possible enhancement and/or expansion opportunities.

**Dixon** said these were the five alternative areas within which some mitigation opportunities could be identified. The Spring Creek corridor as it runs through the City is of natural significance. The area from the Junior High to the Library could make a strong connection with the water and define a green space. The concept extends the existing channel on the north side of the Junior High and continues along Harrison to a low point across from Spring Creek – about at third base. The Plan would work to strengthen the natural drainage corridor and perhaps help formulate a gateway or sense of passage on Harrison.

**Dixon** discussed the area north of the proposed light rail alignment. Wilson had suggested, from a water quality and habitat standpoint, that the channel be restored in that portion below the upper pond. The range of options included: native habitat with restricted access; native habitat with limited access and semi-natural stream bank; and a bridge across the creek that would respond to higher density development.

The Masonic Block could provide a town square or civic plaza facing the Library. Such a design would respond to pedestrian access needs to the downtown and Library from the light rail station. The Plan also proposed a small retail establishment.

**Dixon** said another concept was to expand the existing Park and to improve the water flow. **Councilmember Kappa** asked if busses would use the area if it became a light rail station. **Leybold** said the concept is for busses to have a different circulation pattern from the current transit mall around City Hall.

**Mayor Lomnicki** said, as the concept is now, people getting off the busses on their way to the light rail station will see small retail businesses, helping to energize the commercial element. We would be trying to fit transit and land use together. **Leybold** said the Plan envisions that kind of thinking, and it would be left as a developable block.

**Councilmember Kappa** asked what would be done in the bridge area. **Leybold** said a lot of that would depend on the agreed upon mitigation strategy. He asked Ryan to discuss construction mitigation.

**Ryan** said the current proposal is reflective of a pond and shows a bridge. She discussed the necessary re-grading and replanting of vegetation. The big issue from the construction side is to avoid the rainy season to make sure the soil does not erode. **Councilmember Kappa** discussed some of the problem during the Tacoma Overpass construction. **Wilson** said the mitigation design will have to comply with Division of State Lands (DSL) and Corps of Engineers standards and permit requirements.

**Councilmember Kappa** discussed westside wetlands mitigation and light rail station designs. He suggested staff bring photos of the Forest Grove project for the next briefing.

**Leybold** reviewed the process. The concept was to have a station close enough to the downtown area so that it would relate to the Regional Center designation and act as a catalyst to redevelopment. He discussed the previous alignment suggestions and some of the negative impacts that were identified. This design is unusual, but it does utilize the Hwy. 224 right-of-way while locating a station in the downtown area.

**Mayor Lomnicki** said he understood this option was less expensive and had fewer negative impacts without sacrificing time.

**Leybold** said the use of the park land will require a Section 4(f) Planning Analysis. He provided the City Council with copies of "*Federal Highway Administration Excerpts of Guidance on Park Land Impacts Procedures and Mitigation.*" The 4(f) Analysis will be done after the locally preferred strategy is selected. He was seeking approval from the City Council to go to the community to discuss these mitigation options if the line were built.

**Bartlett** said part of the process is to talk to property owners that might be mitigation sites. **Leybold** said staff would go to the families who donated the land, Parks District, School District Board, Historic Milwaukie Neighborhood, and MDDA for input on the appropriate strategy. Mitigation will be negotiated through the 4(f) process.

**Councilmember Kappa** asked if this met the Draft Regional Center Concept. **Leybold** said the Draft Plan was used as the first context for mitigation option designs.

**Councilmember Kappa** discussed the duck population, and **Councilmember Trotter** felt an enhanced, pleasant running stream would help with the duck problem.

**Leybold** reviewed the five potential concepts and range of options.

**Councilmember Trotter** appreciated integrating mitigation with City's planning efforts.

**Leybold** said the next step will be to talk to the people who have direct ties to the property itself. Specific negotiations will not take place until the 4(f) process begins which is about four to five months away. That process itself will take twelve to eighteen months. **Councilmember Trotter** said the City is in the process of finalizing the Regional Center Plan, and that may take several months.

A copy of the concept map was left in the Council office for additional comments.

**Mayor Lomnicki** adjourned the work session at 6:10 p.m.

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Pat DuVal, Recorder

\*\*\*MEMORANDUM\*\*\*

COMMUNITY DEVELOPMENT DEPARTMENT

November 18, 1997

**To:** Milwaukie City Council

**Through:** Dan Bartlett, City Manager

**From:** Maggie Collins, Community Development Director  
Daniel Pava, AICP - Senior Planner

**Subject:** Regional Center Master Plan  
File No. CPA 97-01

**Action Requested**

Adoption of the October 1997 Draft Regional Center Master Plan (RCMP), as amended, as an ancillary document to the Milwaukie Comprehensive Plan. A draft ordinance has been prepared for Council consideration (see **Exhibit 1**).

All Comprehensive Plan Amendments are subject to the criteria found in Chapter 2 (Plan Review and Amendment Process) of the Milwaukie Comprehensive Plan. Additionally, Section 1011.5 of the Milwaukie Zoning Ordinance sets forth the public notification requirements and decision making requirements for legislative actions.

**Background**

November 1, 1994: The Milwaukie City Council voted unanimously to support designation of Milwaukie as a regional center.

December 1995: Milwaukie was designated as a Regional Center by Metro Council through adoption of the Metro 2040 Growth Concept Map and Regional Urban Growth Goals & Objectives (RUGGO's).

June 20, 1995: The *Milwaukie Vision Statement* is adopted by the City Council as an ancillary document to the Comprehensive Plan. It identifies the "Expanded City Center" as the land area roughly equivalent to the proposed Milwaukie Regional Center boundaries.

September 1996: The Regional Center Steering Committee approves a work program for the Regional Center planning process. Three citizen working groups on Transportation, Commercial and Residential focuses are organized to develop broad-based recommendations for the Milwaukie Regional Center Master Plan.

September 23, 1997: Planning Commission holds work session on Draft Regional Center Master Plan, dated October 1997.

October 28, 1997: Planning Commission holds public hearing on Draft Regional Center Master Plan and takes public testimony and closes hearing. Commission forwards testimony and requests that Council refer the Draft Regional Center Master Plan back to the Planning Commission for its recommendation prior to Council consideration of approval.

November 4, 1997: City Council holds a work session on Draft Regional Center Master Plan.

November 10, 1997: Planning Commission opens the public hearing on the Draft Regional Center Master Plan in order to make a recommendation to the City Council. *(A report summarizing the Commissions' deliberations will be provided to Council for its November 18 public hearing on CPA-97-01.)*

### **Public Comment**

Public review and comment have been an integral part of the Regional Center Master Plan process. This approach was an outgrowth of the Milwaukie Visioning Process that included public workshops and a scientifically valid sampling survey of public opinion. Three citizen working groups involving 35 members of the community met 26 times during the grant planning process to develop Regional Center guidelines and recommendations attuned to the values and sensibilities of Milwaukie residents and businesses. Two public open houses were held on April 5 and 7, 1997 to foster a broader community dialogue and display work progress.

The Regional Center Master Plan Steering Committee also met 10 times in open meetings to provide guidance and oversight as the work progressed. The Steering Committee last met on August 21, 1997, and agreed to forward the Plan to the Planning Commission and City Council, once revisions had been made.

### Planning Commission Findings

The Planning Commission held a duly advertised public hearing on the Regional Center Master Plan on October 28, 1997 and took public testimony on the Plan. The Commission will meet on November 10, 1997, to make a recommendation regarding Council adoption of the Draft Regional Center Master Plan (See staff report, **Exhibit 2**).

### Analysis of Regional Center Master Plan Compliance with Milwaukie Comprehensive Plan Policy (Findings):

1. CPA 97-01 is a legislative action (adoption of an ancillary document to the Comprehensive Plan) that has been prepared in accordance with the provisions of Section 1011.5 of the Milwaukie Zoning Ordinance, and Policy 5, Objective #1 of the Comprehensive Plan.

2. The Regional Center Master Plan has been evaluated in accordance with Policy 7, Objective 1 from Chapter 2 of the Milwaukie Comprehensive Plan as detailed in Findings 3 through 7.

**3. Conformance with the Comprehensive Plan, its goals, policies, and spirit.** The proposed Regional Center Master Plan is in conformance with the goals, policies and spirit of the Milwaukie Comprehensive Plan.

The Regional Center Master Plan process has been carried out in accordance with the policies related to Objectives #2 and #3, Chapter 1 that encourage broadly based public participation and promote informed public participation in planning decisions. The Plan was accomplished through extensive research and public participation, including three citizen working groups that met in 26 separate meetings, and two joint meetings. There were also two public open houses held.

The Regional Center Master Plan has been developed to be consistent with the Natural Hazards Map #3, the Historic Resources Map #4, and Natural Resource Sites Map #5. The Regional Center Design Diagram and Land Use Concept Map are based, in part, upon the designations used in Comprehensive Plan Land Use Map #7.

The Regional Center Master Plan fosters the Comprehensive Plan Chapter 3 Open Space Goal, because it provides a framework for conserving open space, and protects natural and scenic resources in order to create an aesthetically pleasing urban environment.

The Regional Center Plan seeks to increase density through more compact urban form which minimizes automotive trips and increases opportunities for transit, walking and bicycling,

thereby addressing Chapter 3, Objective #2 Local Air Quality, and Policy 3 by encouraging sufficient local employment opportunities to reduce the need for regional or intercity trips.

The Regional Center Master Plan addresses the Comprehensive Plan Chapter 4 Residential Land Use and Housing Element Goal by providing for the maintenance of existing housing, the rehabilitation of older housing, and the development of sound, adequate new housing while preserving and enhancing local neighborhood quality and identity. The Regional Center Master Plan fosters the most basic concept underlying land use policy in Milwaukie by identifying a cohesive and specific area where higher density housing types are to be concentrated distinct from the majority of Milwaukie's single family neighborhoods. The Regional Center Master Plan promotes attainment of Objective #2 Residential Land Use because it identifies the most appropriate areas for higher density residential development so that the concentration of people will help support public transportation and major commercial centers. Objective #3, Residential Land Use Design is supported because the Regional Center Master Plan encourages desirable living environment by minimizing the impact of new construction on existing development and assuring that natural open spaces and developed recreational spaces are provided. Objective #4 Neighborhood Conservation is acknowledged in the Regional Center Master Plan because new development and redevelopment are focused into specific subareas appropriate for redevelopment in order to preserve and enhance existing well-defined neighborhoods within the High, Moderate and Medium density residential areas depicted on Map #7. Objective #5 Housing Choice is promoted by the Regional Center Master Plan by encouraging an adequate and diverse range of housing types and optimum utilization of housing resources to meet the housing needs of all segments of the population. Infill housing is recommended in accordance with Policy #1.

The Regional Center Master Plan meets Comprehensive Plan Chapter 4 Economic Base and Industrial/Commercial Goal by addressing Policy #1 under Objective #2 ensuring that there is adequate land available with public services provided to meet the need for economic growth and development. Policy #4 is also promoted because the Regional Center Master Plan investigates opportunities and mechanisms to preserve a mix of site sizes for economic development purposes. Objective #2 is supported as well because the Regional Center Master Plan identifies ways to support a wide range of employment opportunities for Milwaukie citizens. Objective #12 is addressed because the Regional Center Master Plan emphasizes that downtown Milwaukie is a unique commercial center that will contain the major concentration of office and service uses in the City. The Regional Center Master Plan supports Policy #2 that states downtown Milwaukie should be a regional or subregional office and employment center. Objective #13 is promoted by the Regional Center Master Plan which proposes that McLoughlin Boulevard be made more pedestrian friendly, so that it links rather than separates the downtown with the Willamette River.

The Recreational Needs Element of the Comprehensive Plan is supported by the Regional Center Master Plan because existing open spaces are preserved. The Plan recommends that part of the Milwaukie Junior High School campus could become a focal-point downtown park. Objective #6

stresses the need to make maximum use of existing parks, which is fostered by increasing density within the Regional Center plan area.

The Comprehensive Plan Neighborhood Element Goal is to preserve and reinforce stability and diversity in the City's neighborhoods and ensure livability. The Regional Center Master Plan has been developed so that it is sensitive to and acknowledges the Neighborhood Area Guidelines found under Objective #2 Neighborhood Needs.

The Regional Center Master Plan supports Comprehensive Plan Chapter 5 Transportation, Public Facilities and Energy Conservation Goals because it will enable greater reliance on alternate modes of transportation, and encourages more energy efficient land use patterns. It provides for an efficient arrangement of public facilities and services by creating an overall growth strategy to accommodate development in accordance with Policy #1, Objective #1. The Regional Center Master Plan has been developed concurrently with the Transportation System Plan (TSP) and incorporates many of the TSP policies. Enhancements to regional and local transit, and pedestrian amenities are recommended at critical locations. The Regional Center Master Plan has also been developed in coordination with the North Clackamas School District pursuant to Objective #9, and it coordinates with health care planning by considering the important role played by Providence Milwaukie Hospital within the Regional Plan area.

**4. Public need for change.** The City of Milwaukie is located along major transportation routes in the rapidly growing Portland Metropolitan area situated just south of Portland. It has not previously completed a Regional Center Master Plan. Milwaukie was designated a Regional Center through the adoption process of the Metro 2040 Growth Concept Map and Regional Urban Growth Goals & Objectives in December 1995. This action was partly predicated upon the Milwaukie City Council's November 1, 1994, unanimous vote supporting designation of Milwaukie as a Regional Center.

**5. Public need is best satisfied by this particular change.** The population of Milwaukie has grown from 16,379 in 1970 to over 20,000 in 1997, and is projected to increase to nearly 25,000 by 2015. Adopting the Regional Center Master Plan as an ancillary document to the Milwaukie Comprehensive Plan best satisfies the public need for changes to the Milwaukie Comprehensive Plan. The Regional Center Master Plan will provide a cohesive policy framework that will direct new development, redevelopment and increased density and new jobs into the Expanded City Center Area as envisioned by the Milwaukie Vision Statement that was adopted by the City Council as an ancillary Comprehensive Plan document on June 20, 1995.

**6. The change will not adversely affect the health, safety, and welfare of the community.** The proposed Comprehensive Plan amendment recognizes that growth is occurring in the Portland metropolitan region and that Milwaukie must develop a coherent strategy to accommodate a portion of this growth. The plan recommends strategies to direct growth to specific areas and manage that growth with policies and design guidelines identified by

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Regional Center Master Plan - CPA-97-01

November 18, 1997

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Milwaukie citizens that relate to safety and well-being of the community. The absence of a community-based planning process such as the Regional Center Master Plan could adversely affect the health, safety and welfare of the community because the City could find itself unprepared to respond to development pressures and national market and lifestyle trends.

**7. The change is in conformance with applicable Statewide Planning Goals.** The Regional Center Master Plan provides a cohesive policy framework to address the interrelated issues of urban growth, including economic development, housing, public facilities and services, and transportation. A public involvement program was established at the beginning of the Regional Center Master Plan project as an integral part of the planning process. The proposed Comprehensive Plan amendment is in conformance with and furthers Statewide Planning Goals 1 (Citizen Involvement), 2 (Land Use Planning), 9 (Economic Development), 10 (Housing), 11 (Public Facilities and Services), and 12 (Transportation).

**8. Urban Growth Management Functional Plan Compliance.** The Regional Center Master Plan establishes the direction for compliance with the Title 1 Requirements for Housing and Employment Accommodation in the Urban Growth Management Functional Plan because it includes a determination of calculated capacity of housing units and jobs, and addresses how the City can begin to implement the Metro 2040 Growth Concept given the housing and employment target densities for Milwaukie. The Regional Center Master Plan also addresses aspects of the Regional Parking Policy and Accessibility per Titles 2 and 6 of the Urban Growth Management Functional Plan.

**Staff Recommendation:**

At this writing, staff recommends that the Council adopt the Regional Center Master Plan with recommendations from the Planning Commission, and based on the Findings noted above.

**Exhibits:**

1. Draft Ordinance for Adoption of the Regional Center Master Plan
2. Copy of the staff report for CPA-97-01 presented at the November 10 Planning Commission public hearing.

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1437, THE COMPREHENSIVE PLAN BY ADOPTING THE REGIONAL CENTER MASTER PLAN (CPA-97-01) AS AN ANCILLARY DOCUMENT.**

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

**WHEREAS**, the City of Milwaukie acknowledges that it is considered a very desirable place to live and the need to plan for accommodating impending regional growth in a manner that preserves livability; and

**WHEREAS**, the City Council in 1994 unanimously supported designation of central Milwaukie as a Metro 2040 Regional Center, and the City entered into an intergovernmental agreement to work with the Department of Transportation and Metro, and received a Transportation and Growth Management Grant from the State of Oregon in 1996 to fund a Regional Center Master Plan planning effort; and

**WHEREAS**, the Regional Center Master Plan has been developed by the City with the assistance of three citizen working groups during the course of 26 public meetings, and two public open houses; and

**WHEREAS**, the Planning Commission held public hearings on October 28 and November 10, 1997, concerning the Regional Center Master Plan;

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

Section 1. Findings. Findings of fact in support of the proposed amendment(s) are:

1. CPA 97-01 is a legislative action (adoption of an ancillary document to the Comprehensive Plan) that has been prepared in accordance with the provisions of Section 1011.5 of the Milwaukie Zoning Ordinance, and Policy 5, Objective #1 of the Comprehensive Plan.

2. The Regional Center Master Plan has been evaluated in accordance with Policy 7, Objective 1 from Chapter 2 of the Milwaukie Comprehensive Plan as detailed in Findings 3 through 7.

3. **Conformance with the Comprehensive Plan, its goals, policies, and spirit.** The proposed Regional Center Master Plan is in conformance with the goals, policies and spirit of the Milwaukie Comprehensive Plan.

The Regional Center Master Plan process has been carried out in accordance with the policies related to Objectives #2 and #3, Chapter 1 that encourage broadly based public participation and

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promote informed public participation in planning decisions. The Plan was accomplished through extensive research and public participation, including three citizen working groups that met in 26 separate meetings, and two joint meetings. There were also two public open houses held.

The Regional Center Master Plan has been developed to be consistent with the Natural Hazards Map #3, the Historic Resources Map #4, and Natural Resource Sites Map #5. The Regional Center Design Diagram and Land Use Concept Map are based, in part, upon the designations used in Comprehensive Plan Land Use Map #7.

The Regional Center Master Plan fosters the Comprehensive Plan Chapter 3 Open Space Goal, because it provides a framework for conserving open space, and protects natural and scenic resources in order to create an aesthetically pleasing urban environment.

The Regional Center Plan seeks to increase density through more compact urban form which minimizes automotive trips and increases opportunities for transit, walking and bicycling, thereby addressing Chapter 3, Objective #2 Local Air Quality, and Policy 3 by encouraging sufficient local employment opportunities to reduce the need for regional or intercity trips.

The Regional Center Master Plan addresses the Comprehensive Plan Chapter 4 Residential Land Use and Housing Element Goal by providing for the maintenance of existing housing, the rehabilitation of older housing, and the development of sound, adequate new housing while preserving and enhancing local neighborhood quality and identity. The Regional Center Master Plan fosters the most basic concept underlying land use policy in Milwaukee by identifying a cohesive and specific area where higher density housing types are to be concentrated distinct from the majority of Milwaukee's single family neighborhoods. The Regional Center Master Plan promotes attainment of Objective #2 Residential Land Use because it identifies the most appropriate areas for higher density residential development so that the concentration of people will help support public transportation and major commercial centers. Objective #3, Residential Land Use Design is supported because the Regional Center Master Plan encourages desirable living environment by minimizing the impact of new construction on existing development and assuring that natural open spaces and developed recreational spaces are provided. Objective #4 Neighborhood Conservation is acknowledged in the Regional Center Master Plan because new development and redevelopment are focused into specific subareas appropriate for redevelopment in order to preserve and enhance existing well-defined neighborhoods within the High, Moderate and Medium density residential areas depicted on Map #7. Objective #5 Housing Choice is promoted by the Regional Center Master Plan by encouraging an adequate and diverse range of housing types and optimum utilization of housing resources to meet the housing needs of all segments of the population. Infill housing is recommended in accordance with Policy #1.

The Regional Center Master Plan meets Comprehensive Plan Chapter 4 Economic Base and Industrial/Commercial Goal by addressing Policy #1 under Objective #2 ensuring that there is adequate land available with public services provided to meet the need for economic growth and development. Policy #4 is also promoted because the Regional Center Master Plan investigates opportunities and mechanisms to preserve a mix of site sizes for economic development

purposes. Objective #2 is supported as well because the Regional Center Master Plan identifies ways to support a wide range of employment opportunities for Milwaukie citizens. Objective #12 is addressed because the Regional Center Master Plan emphasizes that downtown Milwaukie is a unique commercial center that will contain the major concentration of office and service uses in the City. The Regional Center Master Plan supports Policy #2 that states downtown Milwaukie should be a regional or subregional office and employment center. Objective #13 is promoted by the Regional Center Master Plan which proposes that McLoughlin Boulevard be made more pedestrian friendly, so that it links rather than separates the downtown with the Willamette River.

The Recreational Needs Element of the Comprehensive Plan is supported by the Regional Center Master Plan because existing open spaces are preserved. The Plan recommends that part of the Milwaukie Junior High School campus could become a focal-point downtown park. Objective #6 stresses the need to make maximum use of existing parks, which is fostered by increasing density within the Regional Center plan area.

The Comprehensive Plan Neighborhood Element Goal is to preserve and reinforce stability and diversity in the City's neighborhoods and ensure livability. The Regional Center Master Plan has been developed so that it is sensitive to and acknowledges the Neighborhood Area Guidelines found under Objective #2 Neighborhood Needs.

The Regional Center Master Plan supports Comprehensive Plan Chapter 5 Transportation, Public Facilities and Energy Conservation Goals because it will enable greater reliance on alternate modes of transportation, and encourages more energy efficient land use patterns. It provides for an efficient arrangement of public facilities and services by creating an overall growth strategy to accommodate development in accordance with Policy #1, Objective #1. The Regional Center Master Plan has been developed concurrently with the Transportation System Plan (TSP) and incorporates many of the TSP policies. Enhancements to regional and local transit, and pedestrian amenities are recommended at critical locations. The Regional Center Master Plan has also been developed in coordination with the North Clackamas School District pursuant to Objective #9, and it coordinates with health care planning by considering the important role played by Providence Milwaukie Hospital within the Regional Plan area.

**4. Public need for change.** The City of Milwaukie is located along major transportation routes in the rapidly growing Portland Metropolitan area situated just south of Portland. It has not previously completed a Regional Center Master Plan. Milwaukie was designated a Regional Center through the adoption process of the Metro 2040 Growth Concept Map and Regional Urban Growth Goals & Objectives in December 1995. This action was partly predicated upon the Milwaukie City Council's November 1, 1994, unanimous vote supporting designation of Milwaukie as a Regional Center.

**5. Public need is best satisfied by this particular change.** The population of Milwaukie has grown from 16,379 in 1970 to over 20,000 in 1997, and is projected to increase to nearly 25,000 by 2015. Adopting the Regional Center Master Plan as an ancillary document to the Milwaukie Comprehensive Plan best satisfies the public need for changes to the Milwaukie Comprehensive

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Plan. The Regional Center Master Plan will provide a cohesive policy framework that will direct new development, redevelopment and increased density and new jobs into the Expanded City Center Area as envisioned by the Milwaukie Vision Statement that was adopted by the City Council as an ancillary Comprehensive Plan document on June 20, 1995.

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

The proposed Comprehensive Plan amendment recognizes that growth is occurring in the Portland metropolitan region and that Milwaukie must develop a coherent strategy to accommodate a portion of this growth. The plan recommends strategies to direct growth to specific areas and manage that growth with policies and design guidelines identified by Milwaukie citizens that relate to safety and well-being of the community. The absence of a community-based planning process such as the Regional Center Master Plan could adversely affect the health, safety and welfare of the community because the City could find itself unprepared to respond to development pressures and national market and lifestyle trends.

**7. The change is in conformance with applicable Statewide Planning Goals.** The Regional Center Master Plan provides a cohesive policy framework to address the interrelated issues of urban growth, including economic development, housing, public facilities and services, and transportation. A public involvement program was established at the beginning of the Regional Center Master Plan project as an integral part of the planning process. The proposed Comprehensive Plan amendment is in conformance with and furthers Statewide Planning Goals 1 (Citizen Involvement), 2 (Land Use Planning), 9 (Economic Development), 10 (Housing), 11 (Public Facilities and Services), and 12 (Transportation).

**8. Urban Growth Management Functional Plan Compliance.** The Regional Center Master Plan establishes the direction for compliance with the Title 1 Requirements for Housing and Employment Accommodation in the Urban Growth Management Functional Plan because it includes a determination of calculated capacity of housing units and jobs, and addresses how the City can begin to implement the Metro 2040 Growth Concept given the housing and employment target densities for Milwaukie. The Regional Center Master Plan also addresses aspects of the Regional Parking Policy and Accessibility per Titles 2 and 6 of the Urban Growth Management Functional Plan.

Section 2. Comprehensive Plan Ancillary Document. The Regional Center Master Plan is adopted as an ancillary document to Ordinance 1437 The Milwaukie Comprehensive Plan.

**DRAFT**



Read the first time on November 18, 1997, 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 \_\_\_\_\_

\_\_\_\_\_  
Craig J. Lomnicki, Mayor

ATTEST:

APPROVED AS TO FORM:  
O'DONNELL, RAMIS, CREW, CORRIGAN &  
BACHRACH, LLP

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney

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CITY OF MILWAUKIE  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT ADDENDUM

Date: November 10, 1997  
File No.: CPA-97-01

APPLICATION: REGIONAL CENTER MASTER PLAN  
APPLICANT: CITY OF MILWAUKIE  
PROPERTY OWNER: NA-LEGISLATIVE

\*\*\*\*\*

**PROPOSAL**

Prepare a recommendation to the City Council regarding the amendment of the Milwaukee Comprehensive Plan by adopting the Regional Center Master Plan (RCMP).

**BACKGROUND**

The Planning Commission advertised and held a public hearing on File No. CPA-97-01 on October 28, 1997. The Commission took testimony and forwarded it to the City Council for review at a Worksession on November 4, 1997. The Council referred the Master Plan back to the Planning Commission for a formal recommendation.

The public testimony section of the public hearing was closed on October 28, 1997. The hearing tonight is for deliberation and recommendation by the Commissioners. Staff is providing a summary of the public record made on October 28th, with recommendations where appropriate. Findings were developed in the October 14, 1997 Staff Report, and are included as Exhibit 4 of this Addendum Report. The minutes of the October 28, 1997 Planning Commission meeting are included as Exhibit 5.

**PUBLIC RECORD**

1. "Regional Center Master Plan Steering Committee Draft Recommendations, October 28, 1997." (Entered into the record.) This document is a series of format and text changes and map reorganizations to improve readability and provide clarity.

Staff Comment/recommendation: Recommend changes to the Master Plan as proposed in the Steering Committee document.

Staff Report Addendum  
CPA 97-01  
November 10, 1997  
Page 2

**2. Letter from Lewelling Land Use Committee dated October 24, 1997.** (Entered into the record - Exhibit 1 of this Report.) The Committee stated that:

- Complementary plans for sewer and stormwater need to be in place.
- All transportation modes except vehicular traffic are well covered; vehicles appear to be penalized.
- It appears that green spaces will be lost in this Plan.
- Plan should go to a vote of the people before Council adoption.

Staff Comment/recommendation:

- a. Page ES-7 lists a study of infrastructure and utility needs for future development of the Regional Center area as a needed short-term action, thus agreeing with the Committee's concerns.
- b. The Steering Committee document proposes amended language on pages ES-5 and 19 of the RCMP to address future vehicular needs ("Further parking and transportation analyses are needed.").
- c. Direction can be given for actions under "Infill and Redevelopment" (page ES-6) to develop design guidelines to honor and preserve open space areas.
- d. This Master Plan contains no mandates that affect real property. It serves the City as a general guide for further action. Under the Oregon case law regarding legislative actions taken by a city council, there is no requirement to send a generalized land use plan to a vote of the people.

**3. Pendleton Woolen Mills testimony.** (Entered into the record - Exhibit 2 of this Report.) Don Stark, attorney for Pendleton, stated:

- Agreement with the Master Plan proposal for Site 6-1 and for a mixed use approach to future development.
- Requested that Site 6-1 be designated for high density use instead of medium density.

Staff Comment/recommendation: The specific request to high density is being reviewed under the proposals contained in CPA-97-03/ZA-97-03/ZC-97-03 and will be further addressed at the November 25, 1997 meeting of the Planning Commission.

**4. Milwaukie Downtown Development Association.** (Entered into the record - Exhibit 3 of this Report.) Along with specific requests for changes to the package of Plan and Zoning recommendations to be addressed at the November 25, 1997 meeting of the Planning Commission, Karen O'Dowd made these points about the RCMP:

- Emphasize ground floor retail and restaurant uses on Main Street.
- Make Subarea 1 the priority for next steps of subarea planning.

Staff Comment/recommendation:

- a. The Steering Committee document proposes amended language for pages 41, 42 and 45 of the RCMP to address ground floor retail issues.
- b. Staff recommends that the Commission give serious consideration to recommending Subarea 1 as the priority area for further study and action.

**5. Oral Testimony by Sally Collins.** (See 10/28/97 Planning Commission minutes.) Ms. Collins wondered what the win-win situation might be if higher residential density happens inside the Regional Center boundaries.

Staff Comment/recommendation: Staff responded at the hearing that regional dollars, when they are available, are likely to go to the jurisdictions who have the more difficult growth management decisions and options. In addition, findings have been developed that illustrate how the Regional Center Master Plan is consistent with the Milwaukie Vision Statement (Exhibit 4). The RCMP translates some of the Vision description onto the ground.

**6. Oral Testimony by Mart Hughes.** (See 10/28/97 Planning Commission minutes.) Mr. Hughes' main message is that this Plan should be referred to the voters of Milwaukie. He cited previous waterfront urban renewal plans that were voted on by Milwaukie residents, and the vote on State transportation funding for S/N Light Rail as three examples that set precedence.

Staff Comment/recommendation: See Item 2 above.

**7. Oral Testimony by Ty Wyman, speaking for John Murphy (Site 2-4).** (See 10/28/97 Planning Commission minutes.) Mr. Wyman stated that as attorney for Mr. Murphy, he wished to understand that the use being established on Site 2-4 will have a pre-existing status. No statements were made about the RCMP in general, or the concepts that could apply to Site 2-4 in the future.

Staff Comment/Recommendation: The City is in the process of reviewing and approving a permitted manufacturing use for the Site 2-4 under its current Plan Designation and Zoning District regulations. When new or amended regulations are applied to an area with existing uses, the existing uses are determined to be pre-existing.

Staff Report Addendum  
CPA 97-01  
November 10, 1997  
Page 4

**8. Oral Testimony by Dale Potts.** (See 10/28/97 Planning Commission minutes.) Mr. Potts supported the statements made by Mart Hughes, Item 5 above.

Staff Comment/Recommendation: See Item 2 above.

**9. Oral Testimony by Donald Hammang.** (See 10/28/97 Planning Commission minutes.) Mr. Hammang stated he was speaking for representatives from Ardenwald, Hector Campbell and Lewelling Neighborhood District Associations. The NDA's are requesting deletion of Site 4-1 from Plan Designation and Zone Changes as proposed in the 97-03 files. The RCMP on pages 71 and 72 point towards high density residential on this site. Page 71 mentions the possibility of a light rail station on the site or nearby. There has been no public planning process on that particular site.

Mr. Hammang mentioned that RCMP page 32 mentions that future public money will be needed to make this plan work. This statement, plus the possibility of light rail in Subarea 2, alarms the NDA's. There needs to be more work on this site.

Staff Comment/recommendation: Medium density development can occur on the site with its present zoning status. The property owner is interested in initiating development. It may fit the owner's needs and the City's to specify what sort of site considerations are necessary. Staff recommends that the Commission consider recommending to the Council that priority site design work (Page ES-6) be a next action for Site 4-1.

**10. Oral Testimony by George VanBergen.** (See 10/28/97 Planning Commission minutes.) Mr. VanBergen stated that much of the flavor of the Working Group deliberations has gotten lost in the document now under consideration. He stated that he intends to preserve his right to a LUBA appeal based on flawed Metro housing and jobs projections.

Staff Comment/recommendation: The May 1997 Working Groups Report was a very large component in the content of this RCMP draft. All Working Group recommendations serve, wherever appropriate, as the basis for future Subarea work.

Staff Report Addendum  
CPA 97-01  
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Page 5

## SUMMARY AND CONCLUSIONS

The public testimony speaks about format changes (Steering Committee document); about special importance of Subareas 1, 2 and 6; and includes general statements of City policy (i.e., public vote). Staff's conclusions and recommendations are as follows:

1. Regarding the substance of the document, Staff supports and recommends adoption of the Steering Committee Recommendations dated 10/27/97. They make for more readability and fewer pages.
2. Regarding the special importance of subareas, Staff believes that it makes sense for the Council to establish priority areas. Our recommendations are Subarea 1, Harrison Corridor in Subarea 3 and Subarea 2 in that order.
3. Regarding the overall viability of this document, Staff recommends that the Planning Commission recommend Council adoption of the October Regional Center Master Plan Draft with the addition of points #1 and #2 above, and based on the findings contained in Exhibit 4.

## ATTACHMENTS

- A. Exhibit 1 - Lewelling Land Use Committee, 10/24/97.
- B. Exhibit 2 - Williams, Fredrickson & Stark, PC, 10/28/97.
- C. Exhibit 3 - Milwaukie Downtown Development Association, 10/27/97.
- D. Exhibit 4 - "Comprehensive Plan Amendment Findings," 10/14/87 Staff Report, pages 3-7.
- E. Exhibit 5 - Milwaukie Planning Commission Minutes (Draft), 10/28/97.

Received 10/27/97  
mc

October, 24, 1997

Maggie Collins, Director  
Milwaukie Community Development Dept.  
6101 S.E. Johnson Creek Blvd.  
Milwaukie, Oregon 97206

RE: Milwaukie Regional Center Master Plan.

Dear Maggie:

The Lewelling LUC has circulated the master plan booklet among all five members but all feel the short time we had was not adequate to thoroughly review and comment on such a comprehensive document. In order to fairly respond, additional time would have been helpful.

Comments were made that plans need to be in place for the following:

- A. Sanitary Sewers: Existing system is at capacity.
- B. Surface Water: Existing flooding problems need to be addressed.
- C. Transportation: Bicycle, foot traffic and public transit are well covered. Vehicular traffic needs to be addressed, and in fact, seems to be penalized.
- D. Green Spaces: Existing areas already inadequate. It appears that we will lose more under this plan.


We further feel that a plan of this magnitude should be referred to the Citizens of Milwaukie for vote of approval prior to adoption by the City Council.

Please provide copies of this letter to the members of the Planning Commission for their October 28, 1997 meeting.

Respectfully,  
Lewelling Land Use Committee

*Jean Michel*  
Chairman

HM/ce

<b>City of Milwaukie Community Development Department</b>				
Title: <u>LEWELLING LETTER</u>	Submitted by: <u>NDA</u>	Date: <u>11/10/97</u>	# Pages: <u>1</u>	
File Numbers: <u>CPA-97-01</u>	Applicant: <u>CITY OF MILWAUKIE</u>	Exhibit #: <u>1</u>		

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STEVEN M. CLAUSSEN\*  
JOHN DUOREY  
TIMOTHY F. HASLACH  
BRAD LITTLEFIELD  
DONALD R. STARK  
MICHAEL D. WILLIAMS

WILLIAMS, FREDRICKSON & STARK, P.C.  
ATTORNEYS AND COUNSELORS AT LAW  
1515 SOUTHWEST FIFTH AVENUE, SUITE 844  
PORTLAND, OREGON 97201-5447  
TELEPHONE (503) 232-9966  
FAX (503) 796-1009  
TELEX 4742099  
ANS. BACK MEXPTO

FLOYD A. FREDRICKSON  
DAVID R. WILLIAMS  
RETIRED  
\*ALSO ADMITTED IN WASHINGTON

October 28, 1997

Chairperson  
Planning Commission  
City of Milwaukie  
6101 S.E. Johnson Creek Blvd.  
Milwaukie, OR 97206

Re: Milwaukie Regional Center Master Plan  
Related Applications: CPA-97-03  
ZA-97-03  
ZC-97-03

Dear Chairperson:

I represent Pendleton Woolen Mills. Its major manufacturing plant, on approximately 8 acres of property, is located in Milwaukie. This property has been designated in the Milwaukie Regional Center Master Plan as a distinct parcel for mixed uses other than its existing use for manufacturing.

I am sure you are aware that Pendleton has been required for economic reasons beyond its control to cease use of the Milwaukie Plant for manufacturing purposes. Pendleton must now look to using this property for other purposes.

Pendleton has reviewed the Regional Center Plan and agrees with the concept of creating an expanded city center with a mixture of uses. Pendleton supports in principle and in its concepts the staff recommendations for a change of land use designation for the Pendleton Plant from Industrial to "Regional Center." We believe, however, that the Pendleton Plant is unique and quite different from conditions at the other sites proposed for land use change and zoning amendments for the following reasons:

First: The substantial building on the property has been examined by experts who indicate that the structure is uniquely adaptable to potential housing, commercial and office uses.

**City of Milwaukie Community Development Department**

Title: STARK LETTER Submitted by: STAFF Date: 11/10/97 # Pages: 3

File Numbers: CPA-97-01 Applicant: CITY OF MILWAUKIE Exhibit #: 2



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WILLIAMS, FREDRICKSON &amp; STARK, P.C.

City of Milwaukie

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October 28, 1997

Second: Potential parking is in place within the existing structure and additional parking is in place outside of the structure.

Third: The access to the site is exceptionally good for alternative mixed uses.

Fourth: The location on Johnson Creek and the adjoining natural resource areas are exceptional amenities to residential development.

After reviewing Exhibit 4 to the Plan (4-ZA-97-03), we realized that some site specific modifications would greatly assist the development of a mixed-use project that would meet the desired goals of the City.

1. INCREASING THE HOUSING DENSITY. A study by Sienna architects indicates that the Pendleton site can support a higher density of housing than 25 units per acre, in large part because of the potential conversion of the existing building. A density of up to 40 units per acre is requested.

2. RATIO OF COMMERCIAL TO RESIDENTIAL DEVELOPMENT. Palmer, Groth and Pietka (Don Palmer) indicated that the ratio varies in accordance with market demands. It is difficult to establish the fixed ratio of 1.05 to 1.2 mix in Exhibit 4 as applicable to this site without a market analysis. We request greater flexibility in this ratio to meet the market demands.

2. STRUCTURED PARKING. The Pendleton Plant comes with structured parking already existing under the current building. It is recommended by Sienna that this parking be utilized in a mixed use development. In addition, recently fully developed parking outside of the structure exists in front of the building. It met all codes when constructed about three years ago. Because existing parking is in place to serve a large mixed use development, it is requested that paragraphs 318.8 7,8 and 9 be modified to allow the Pendleton site to utilize the existing property.

3. NATURAL RESOURCES OVERLAY. The natural resources overlay appears to be incorrect on the zoning map (it covers the existing parking lot). In any event, housing should be allowed at the elevations above 30 feet above sea level on this site. Such a boundary is consistent with adjoining residential property. This elevation is consistent with the top of the bank on Johnson Creek and does not include any property on the south side of the creek.

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WILLIAMS, FREDRICKSON &amp; STARK, P.C.

City of Milwaukie

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October 28, 1997

It preserves the natural setting of Johnson Creek and the tree covered areas. We request flexibility in setting this boundary for future mixed-use development.

We would be most willing to work with the staff to arrive at language that would meet the above concerns while not disturbing the basic desires of the City in changing this zone.

I appreciate the information and assistance provided by the staff at the Community Development Department at our recent meeting.

Very truly yours,

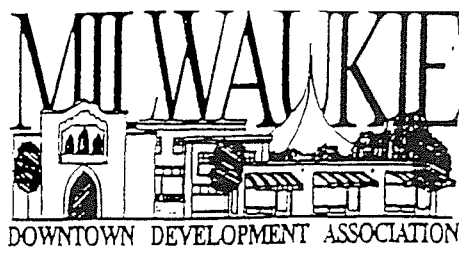
WILLIAMS, FREDRICKSON & STARK, P.C.



Donald R. Stark

DRS:ggt

cc: Maggie Collins, Director, Community Development  
Dan Pava, Senior Planner, Community Development  
Don Palmer, Palmer, Groth & Pietka  
Rajiv Batra, Sienna Architecture  
Peter Stark, Sienna Architecture



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10952 Southeast 21st Avenue, Suite 5 • Milwaukie, Oregon 97222 • (503) 653-0378

Planning Commission  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222

October 27, 1997

RE: Agenda Items- 6.1 Comprehensive Plan Amendment to adopt Regional Center Master Plan as an ancillary document to the Comprehensive Plan &  
6.3 Proposed text amendments to Chapter 4 (Land use) of the Milwaukie Comprehensive Plan; and proposed overlay district and mixed use zone to certain properties in the Regional Center Study Area.

Dear Commissioners:

I am writing to you on behalf of the Milwaukie Downtown Development Association to suggest changes to the above referenced agenda items. We appreciate the many hours and extensive efforts undertaken by both the City and its Steering Committee and Working Groups resulting in the products that have been brought to you by staff this evening.

Planning for the future, accommodating growth, and guiding that future in a manner that provides for livability and strong economic prosperity represent a challenging task. Our Association appreciates the complexity of meeting those challenges and believes that, in working together, we can achieve that desired future.

Our interests, of course, include those sections of the proposed Regional Center Master Plan, Comprehensive Plan, and Zoning: Mixed Overlay Zoning Ordinance that impact the historic downtown Commercial District. Our recommendations are as follows:

### REGIONAL CENTER MASTER PLAN

The Regional Center Master Plan represents a unique opportunity to plan for the future economic vitality of downtown Milwaukie as well as the broader study area. An emphasis on ground floor retail and restaurant uses on Main Street is key to downtown's revitalization. Our comments tonight are focussed on that critical piece of planning. We value the work undertaken to date and urge the Planning Commission to incorporate our suggestions. As a working document, we are anxious to see the Plan, with changes suggested, moved to action. To that end, we hope that the Commission make the downtown subarea #1 its priority for the next steps of subarea planning. Our Association looks forward to working with you and your staff as this work proceeds.

Manager: Karen O'Dowd

Board: President, Dodie Linder, Grant Finders Service Vice President, David Mesley, Milwaukie Family Chiropractic Treasurer, Pamela Reynolds, Statements Plus  
Dan Bartlett, City Manager (ex-officio); Roxanne Bross, Milwaukie Travel; Paul Graham, Graham's Book & Stationery; Kim Haines, Dark Horse Comics;  
Joyce Hensstrand, Milwaukie High School; Gary McClain, Mundorf, McClain & Kovac; Jan Morrison, Pacific One Bank; Doug Naef, Doug Naef Insurance Agency;  
Judy Ohl, Key Bank; Ray Peck, Coffee Resort; Don Trotter, City Council; Darlene Weil, ESP Commercial Real Estate

## City of Milwaukie Community Development Department



Title: MDDA LETTER Submitted by: STAFF Date: 11/10/97 # Pages: 3  
File Numbers: CPA-97-01 Applicant: CITY OF MILWAUKIE Exhibit #: 3

COMPREHENSIVE PLAN

1) pg. 4EB-2 (Proposed) The Regional Center Master Plan and the Milwaukie Vision Statement provide the most current Council direction for the future of downtown Milwaukie. *We suggest adding "This includes an emphasis on ground floor retail with office and/or residential uses on upper floors. (page 11 RCMP) Storefront retail uses should be focussed along Main Street (page 41 RCMP) Downtown Milwaukie is also the site of cultural attractions and family entertainment.*

2) page 4EB -10 (Proposed) The Downtown Milwaukie Area is a unique mixed use and commercial center. This area is designated as a Regional Center by the Metro Urban Growth Management Functional Plan. *We suggest adding: "This area provides shopping, dining business and governmental services to the local neighborhoods as well as the entire City. The international community is served by downtown creative services. The Downtown also functions as the cultural and entertainment center of the City."* Delete: It provides area-wide services... and cultural services.

ZONING: MIXED USE OVERLAY ZONE

1) We suggest adding the following under DEFINITIONS pg. 2 *"Ground Floor Retail" Vital ground floor retail includes storefronts with inviting window displays attracting customers to a variety of quality shopping experiences. Retail businesses can include specialty gifts shops, book stores, coffee shops, restaurants, apparel, drug stores, florists, stationery stores, hardware & kitchen shops, and niche grocery stores, and other retail uses that rely upon walk-in customer shopping. The most effective ground floor retail requires contiguous shops on both sides of the street in each block.*

2) Page 7, Section 318.9 A. 12 (was 11)  
Change the first sentence to read: *"Outdoor displays and cafe areas shall be permitted subject to City right-of-way permits and related standards."* Delete: Outdoor displays and cafe areas shall not be permitted to block the public sidewalk and shall be subject to a right-of-way permit and the related standards.

3) Page 8, Section 318.9 A., A. 19.4 (was 18,4)  
(Change sentence to read: *"Special street lighting or street clocks as reviewed by MDDA."* Delete: 4. Special street lighting as approved by MDDA or Street Clock Installation.

4) Page 9, Section 318.10, A, 2 Site 1-4  
a. We suggest adding to the second sentence : *"The Junior High site is intended to support a mix of public open space, high density (25-50 units per acre residential development), retail development on the ground floor fronting on 21st street and possible cultural attractions.*  
b. Last sentence: *remove "whenever possible".*  
c. page 10, Section 318.9 (was 318.10) a, Parcels R11E36BB2600, 3100,3200 and R11E35AA1800 and 1700  
This title needs to be changed to *"Parcels ..1700 to Site 1-6 - Main Street"*  
Also, the text needs to be changed to read *"These sites shall be primarily retail and shall*

*have retail and restaurant as defined under Section 318.5, Definitions on page 2, at minimum on the ground floor. Offices and residential uses and residential support services can be located on upper floors.*" Delete: These sites shall be primarily retail and shall have retail at a minimum on the ground floor. Residential uses and residential support services can be located on upper floors.

## RESULTS:

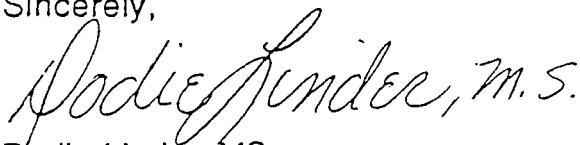
Downtown Milwaukie is currently out of balance relative to other downtown commercial districts in the nation. The lack of retail and restaurant uses on Main Street gives the appearance of a dying downtown, one filled with blinds, blank walls and uninviting windows. Retail and restaurant uses, much like parks and open space, provide opportunities for people to socialize and interact and connect with one another. Retail and restaurant uses, along with cultural facilities, theaters and performing centers, provide extended life to a downtown beyond 5:00 p.m. Evening activities, discourage night vandalism and crime as people are there to report incidences. Increased retail and restaurant uses complement desired residential growth in the downtown, and will allow those new residents the opportunity to walk to purchase rather than drive.

According to the E.D. Hovee Economic Assessment Report commissioned by the City of Milwaukie, only 14 business, or 13.4% of the Subarea 1 is currently filled with retail uses. According to the National Trust for Historic Preservation, viable downtown commercial districts include a healthy balance of retail uses which represent at least 33% of the business mix. Even this statistic is misleading as the E.D. study area covers only the triangle of Subarea 1, not the current enlarged commercial district included within the MDDA Economic Improvement District. Zoning cannot drive market interest, but it can stimulate change. In the absence of retail zoning ground floor, limited space currently devoted to retail could convert to office, blinds, and further imbalance in the downtown area.

The Association's recommendations, will not result in dramatic changes to Milwaukie's existing business mix. The changes proposed, would occur over time, as suggested, when businesses leave and or properties significantly renovated. It is that gradual change, thoughtfully planned for now, that can help us bring downtown Milwaukie into the future as a viable, balanced economic center to the region.

We urge your thoughtful consideration and approval of the changes proposed by our Association.

Sincerely,



Dodie Linder, MS

President, Milwaukie Downtown Development Association

cc: MDDA Board of Directors

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Chapter 2 summarizes the Milwaukie Vision Project and existing conditions. The City Council adopted the Milwaukie Vision Statement on June 20, 1995 as an ancillary document to the Comprehensive Plan. The Vision Statement provides the community values and policy foundation for the Regional Center Master Plan. The 14 objectives established by the three Regional Center Master Plan Working Groups (Commercial, Housing and Transportation), and the three Steering Committee objectives are presented. The Milwaukie Regional Center Design Diagram (Figure 5) shows how the various planning concepts relate to one another.

Chapter 3 contains an analysis of the Metro 2040 Growth Concept, and the Urban Growth Management Functional Plan targets for additional dwelling units and jobs in Milwaukie. Table 2 shows that 1,773 additional dwelling units and 2,119 new jobs are projected in the Milwaukie Regional Center, based on a preliminary analysis of how growth can be accommodated. A land use concept map is included as Figure 12. There is discussion of the means to reach these targets, and Table 5 lists the urban design, land use, economic, and transportation action items necessary to achieve the targets and establish Milwaukie as a Regional Center.

Chapter 4 discusses each of the six distinct subareas in context of existing conditions and vision for the future, applicable working group recommendations, existing and future land uses, and required implementation items. The six subareas are: downtown/civic center/central business district/riverfront; medical services; mixed use area/Harrison Street Corridor; emerging residential/transit station area; established residential; and high-density residential.

Chapter 5 presents an analysis of future regional center growth impacts, and discusses local investment needs, opportunities and related challenges of managing anticipated growth. The Master Plan is based upon projected growth changes over the next 20 years. Land use patterns in Milwaukie are expected to change because of increased population and jobs; an increased demand for intense development; changes in travel habits; and continuation of the trend of increased parking demand.

**COMPREHENSIVE PLAN AMENDMENT FINDINGS**

All Comprehensive Plan Amendments are subject to the criteria found in Chapter 2 (Plan Review and Amendment Process) of the Milwaukie Comprehensive Plan. Additionally, Section 1011.5 of the Milwaukie Zoning Ordinance sets forth the public notification requirements and decision making requirements for legislative actions.

- 1. CPA 97-01 is a legislative action (adoption of an ancillary document to the Comprehensive Plan) that has been prepared in accordance with the provisions of Section

<b>City of Milwaukie Community Development Department</b>			
COMP PLAN			
Title: <u>FINDINGS</u>	Submitted by: <u>STAFF</u>	Date: <u>11/10/97</u>	# Pages: <u>5</u>
File Numbers: <u>CPA-97-01</u>	Applicant: <u>CITY OF MILWAUKIE</u>	Exhibit #: <u>4</u>	



October 14, 1997

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1011.5 of the Milwaukie Zoning Ordinance. Notice of this Planning Commission public hearing was published in the Clackamas Review on October 3 and 10.

2. The Regional Center Master Plan has been evaluated in accordance with Policy 7, Objective 1 from Chapter 2 of the Milwaukie Comprehensive Plan as detailed in Findings 3 through 7.
3. **Conformance with the Comprehensive Plan, its goals, policies, and spirit.** The proposed Regional Center Master Plan is in conformance with the goals, policies and spirit of the Milwaukie Comprehensive Plan.

The Regional Center Master Plan process has been carried out in accordance with the policies related to Objectives #2 and #3. Chapter 1 that encourage broadly based public participation and promote informed public participation in planning decisions. The Plan was accomplished through extensive research and public participation, including three citizen working groups that met in 26 separate meetings, and two joint meetings. There were also two public open houses held.

The Regional Center Master Plan has been developed to be consistent with the Natural Hazards Map #3, the Historic Resources Map #4, and Natural Resource Sites Map #5. The Regional Center Design Diagram and Land Use Concept Map are based, in part, upon the designations used in Comprehensive Plan Land Use Map #7.

The Regional Center Master Plan fosters the Comprehensive Plan Chapter 3 Open Space Goal, because it provides a framework for conserving open space, and protects natural and scenic resources in order to create an aesthetically pleasing urban environment.

The Regional Center Plan seeks to increase density through more compact urban form which minimizes automotive trips and increases opportunities for transit, walking and bicycling, thereby addressing Chapter 3, Objective #2 Local Air Quality, and Policy 3 by encouraging sufficient local employment opportunities to reduce the need for regional or intercity trips.

The Regional Center Master Plan addresses the Comprehensive Plan Chapter 4 Residential Land Use and Housing Element Goal by providing for the maintenance of existing housing, the rehabilitation of older housing, and the development of sound, adequate new housing while preserving and enhancing local neighborhood quality and identity. The Regional Center Master Plan fosters the most basic concept underlying land use policy in Milwaukie by identifying a cohesive and specific area where higher density housing types are to be concentrated distinct from the majority of Milwaukie's single family neighborhoods. The Regional Center Master Plan promotes attainment of Objective #2 Residential Land Use because it identifies the most appropriate areas for

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CITY OF MILWAUKIE COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT -CPA-97-01 RCMP

October 14, 1997

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higher density residential development so that the concentration of people will help support public transportation and major commercial centers. Objective #3, Residential Land Use Design is supported because the Regional Center Master Plan encourages desirable living environment by minimizing the impact of new construction on existing development and assuring that natural open spaces and developed recreational spaces are provided. Objective #4 Neighborhood Conservation is acknowledged in the Regional Center Master Plan because new development and redevelopment are focused into specific subareas appropriate for redevelopment in order to preserve and enhance existing well-defined neighborhoods within the High, Moderate and Medium density residential areas depicted on Map #7. Objective #5 Housing Choice is promoted by the Regional Center Master Plan by encouraging an adequate and diverse range of housing types and optimum utilization of housing resources to meet the housing needs of all segments of the population. Infill housing is recommended in accordance with Policy #1.

The Regional Center Master Plan meets Comprehensive Plan Chapter 4 Economic Base and Industrial/Commercial Goal by addressing Policy #1 under Objective #2 ensuring that there is adequate land available with public services provided to meet the need for economic growth and development. Policy #4 is also promoted because the Regional Center Master Plan investigates opportunities and mechanisms to preserve a mix of site sizes for economic development purposes. Objective #2 is supported as well because the Regional Center Master Plan identifies ways to support a wide range of employment opportunities for Milwaukie citizens. Objective #12 is addressed because the Regional Center Master Plan emphasizes that downtown Milwaukie is a unique commercial center that will contain the major concentration of office and service uses in the City. The Regional Center Master Plan supports Policy #2 that states downtown Milwaukie should be a regional or subregional office and employment center. Objective #13 is promoted by the Regional Center Master Plan which proposes that McLoughlin Boulevard be made more pedestrian friendly, so that it links rather than separates the downtown with the Willamette River.

The Recreational Needs Element of the Comprehensive Plan is supported by the Regional Center Master Plan because existing open spaces are preserved. The Plan recommends that part of the Milwaukie Junior High School campus could become a focal-point downtown park. Objective #6 stresses the need to make maximum use of existing parks, which is fostered by increasing density within the Regional Center plan area.

The Comprehensive Plan Neighborhood Element Goal is to preserve and reinforce stability and diversity in the City's neighborhoods and ensure livability. The Regional Center Master Plan has been developed so that it is sensitive to and acknowledges the Neighborhood Area Guidelines found under Objective #2 Neighborhood Needs.

October 14, 1997

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The Regional Center Master Plan supports Comprehensive Plan Chapter 5 Transportation, Public Facilities and Energy Conservation Goals because it will enable greater reliance on alternate modes of transportation, and encourages more energy efficient land use patterns. It provides for an efficient arrangement of public facilities and services by creating an overall growth strategy to accommodate development in accordance with Policy #1, Objective #1. The Regional Center Master Plan has been developed concurrently with the Transportation System Plan (TSP) and incorporates many of the TSP policies. Enhancements to regional and local transit, and pedestrian amenities are recommended at critical locations. The Regional Center Master Plan has also been developed in coordination with the North Clackamas School District pursuant to Objective #9, and it coordinates with health care planning by considering the important role played by Providence Milwaukie Hospital within the Regional Plan area.

4. **Public need for change.** The City of Milwaukie is located along major transportation routes in the rapidly growing Portland Metropolitan area situated just south of Portland. It has not previously completed a Regional Center Master Plan. Milwaukie was designated a Regional Center through the adoption process of the Metro 2040 Growth Concept Map and Regional Urban Growth Goals & Objectives in December 1995. This action was partly predicated upon the Milwaukie City Council's November 1, 1994, unanimous vote supporting designation of Milwaukie as a Regional Center.
5. **Public need is best satisfied by this particular change.** The population of Milwaukie has grown from 16,379 in 1970 to over 20,000 in 1997, and is projected to increase to nearly 25,000 by 2015. Adopting the Regional Center Master Plan as an ancillary document to the Milwaukie Comprehensive Plan addresses the public need for change by providing a cohesive policy framework that will direct new development, redevelopment and increased density and new jobs into a defined area, in a way that preserves and enhances the City's livability.
6. **The change will not adversely affect the health, safety, and welfare of the community.** The proposed Comprehensive Plan amendment recognizes that growth is occurring in the Portland metropolitan region and that Milwaukie must develop a coherent strategy to accommodate a portion of this growth. The plan recommends strategies to direct growth to specific areas and manage that growth with policies and design guidelines identified by Milwaukie citizens that relate to safety and well-being of the community. The absence of a community-based planning process such as the Regional Center Master Plan could adversely affect the health, safety and welfare of the community because the City could find itself unprepared to respond to development pressures and national market and lifestyle trends.

CITY OF MILWAUKIE COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT -CPA-97-01 RCMP

October 14, 1997

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7. **The change is in conformance with applicable Statewide Planning Goals.** The proposed Comprehensive Plan amendment is in conformance with applicable Statewide Planning Goals 1 (Citizen Involvement), 2 (Land Use Planning), 9 (Economic Development), 10 (Housing), 11 (Public Facilities and Services), and 12 (Transportation). A public involvement program was established at the beginning of the Regional Center Master Plan project as an integral part of the planning process. The Regional Center Master Plan uses a land use planning process and policy framework to address the interrelated issues of urban growth, including economic development, housing, public facilities and services, and transportation.
8. **Urban Growth Management Functional Plan Compliance.** The Regional Center Master Plan establishes the direction for compliance with the Title 1 Requirements for Housing and Employment Accommodation in the Urban Growth Management Functional Plan because it includes a determination of calculated capacity of housing units and jobs, and addresses how the City can begin to implement the Metro 2040 Growth Concept given the housing and employment target densities for Milwaukie. The Regional Center Master Plan also addresses aspects of the Regional Parking Policy and Accessibility per Titles 2 and 6 of the Urban Growth Management Functional Plan.

### CONCLUSION

The findings above demonstrate that the proposed Regional Center Master Plan meets the required criteria for amendment of the Comprehensive Plan. Staff suggests that the Planning Commission make a recommendation for adoption of CPA-97-01, the Regional Center Master Plan, to the City Council, as an ancillary document to the Milwaukie Comprehensive Plan.

### EXHIBITS:

**Exhibit 1** is the Final Draft of the Regional Center Master Plan

**Exhibit 2** is a copy of the August 21 Steering Committee meeting notes.

**Attachment A:** Regional Center boundaries relative to the City of Milwaukie

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, OCTOBER 28, 1997

COMMISSIONERS PRESENT

Pat Lent, Vice Chair  
Bryan Cosgrove  
Tim Havel  
Charles Stoudt

COMMISSIONERS ABSENT

Michael Smith  
Terry LaRocque

STAFF PRESENT

Maggie Collins,  
Com. Dev. Dir.  
Susan Heiser,  
Senior Planner  
Dan Pava,  
Senior Planner  
Shirley Richardson,  
Hearings Reporter

1.0 CALL TO ORDER

The meeting was called to order at 6:34 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 INFORMATION ITEMS

3.1 City Council Minutes -- October 7, 1997

4.0 PLANNING COMMISSION MINUTES -- October 14, 1997

**Tim Havel** moved to approve the minutes of October 14, 1997, as corrected.  
**Charles Stoudt** seconded. MOTION CARRIED 4-0.

5.0 PUBLIC COMMENTS -- None.

6.0 PUBLIC HEARINGS

6.2 Applicant: Providence Milwaukie Hospital  
Property Owner: Sisters of Providence in Oregon  
Location: 10150 SE 32nd Avenue  
Proposal: To open a 29 bed skilled nursing facility to be housed in the existing building; and a new 26-car parking lot  
File Number: CSO-97-09 and TPR-97-10



## CITY OF MILWAUKIE PLANNING COMMISSION

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**Vice Chair Lent** opened the public hearing on File Number CSO-97-09, an action to allow the opening of a 29-bed skilled nursing facility to be housed in the existing building; and a new 26 car parking lot. File Number TPR-97-10, is a review of this development for compliance with the Transportation Planning Review criteria. The Application must be consistent with the City of Milwaukie Zoning Ordinance and Comprehensive Plan. The criteria to be addressed are found in Sections 304, 321, 400, and 1400 of the Milwaukie Zoning Ordinance.

**Vice Chair Lent** asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. She asked if any member of the Planning Commission visited the site: four hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the Staff Report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

## STAFF REPORT

**Susan Heiser** reviewed the Staff Report with the Commission. The Applicant has requested approval to convert an existing hospital area into a 29-bed skilled nursing unit. The site is located within the R-3 Zoning District. Hospitals and other public services are allowed in any Zoning District with the approval of a Community Service Overlay (CSO). The Applicant also proposes to construct an 18-space parking area along the 32nd Avenue frontage.

In August, 1996, the Commission approved a 45,000 sq.ft. addition to the Providence Milwaukie facility to relocate and expand the hospital's emergency department, surgery, recovery, inpatient bed, and central processing services. As part of that approval, the Commission required that the applicant submit a new CSO application when the use for the vacated portions of the hospital were determined. This vacated portion formerly housed medical and surgical beds.

The hospital is located on a 10.8 acre site and is surrounded by single and multi-family residences, with a vacant industrial site to the southwest. The site is accessed from two entrances off of 32nd Avenue with an unmarked secondary access from 36th Avenue.

**Susan Heiser** explained the proposed improvements and pointed them out on the site map. Staff has detailed review for compliance with the findings as discussed in the Staff Report.

The Applicant has submitted a traffic study which shows that the level of service on 32nd Avenue will remain at a level B. The renovation of existing hospital space for a 29-bed skilled nursing unit will result in an increase of 90 additional vehicle trips per day; 13 trips during peak morning hour and 5 during peak evening hour. To limit access onto 36th Avenue, the hospital has a written policy which discourages use of 36th street by employees. Additionally the entrance is not signed and no directional signs indicate its existence.

There have been concerns voiced from neighbors about the traffic on 36th Avenue. Staff has encouraged them to talk with the Public Works Department and provided them with packets to investigate traffic calming devices for 36th Avenue.

**Pat Lent** asked if 36th Avenue was taken into consideration by the traffic study submitted by the Applicant? **Susan Heiser** stated that the traffic study did not include 36th Avenue; it was purely 32nd Avenue. The previous traffic study did not cover 36th Avenue and the Public Works Department have no traffic information on that portion of 36th Avenue.

The Transportation Planning Review approval identified that the ratio of compact spaces were 10% where 50% was suggested. This has since been improved. At that time, staff recommended that all newly created parking spaces be compact. The new parking plan shows regular-sized parking spaces. In discussions with the Applicant, the recommendation has been changed that at least half of all new parking spaces be compact.

The proposed CSO is consistent with the Milwaukie Comprehensive Plan; meets all of the R-3 development standards; complies with the specific findings for public institutional uses; complies with the standards and procedures of the zoning district, supplementary regulations, parking standards, and standards and policies of an applicable corridor plan.

The proposal was referred to the Ardenwald Land Use Committee for comments and no comments have been received. Public Works and the Fire Marshall have reviewed the Application and the Civil Engineer has provided comments. Written comments were not received by the Fire Marshall; however, in a discussion with him, he indicated that his concerns are being addressed by the current construction and that he may have some additional concerns when he sees the building permits for what is being proposed tonight.

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Staff feels the Application demonstrates the project's compliance with the necessary subdivision and zoning criteria for the Community Service Overlay and the Transportation Planning Review approval. Staff recommends approval of CSO-97-09 and TPR-97-10.

QUESTIONS FROM THE COMMISSIONERS

**Vice Chair Lent** asked if bicycle parking is a part of this Application? **Susan Heiser** stated that there is existing bicycle parking. The bicycle parking spaces requirement is 10% of their 122 parking spaces. There are 15 bicycle spaces provided. She pointed out the bicycle parking on the map.

**Charles Stoudt** asked for clarification of the intended use for the proposed skilled-nursing facility attached to a hospital . There are different standards for nursing or convalescence homes. He noted that the Staff Report describes this as a nursing facility for a convalescence home. **Susan Heiser** stated that this is not a convalescence home. In Staff review, it was decided that a convalescence care home is a stand-alone use in the middle of a residential district. This use is attached to a hospital and it is not intended for long-term care, but more of an acute-care facility.

**Bryan Cosgrove** asked for clarification of the number of required parking spaces. **Susan Heiser** stated that the 122 required parking spaces are for both the hospital and the proposed improvements. There are 222 spaces existing, which does not include 124 parking spaces for the other medical facilities on the site. The additional 18 spaces proposed will bring the total up to 240 parking spaces.

CORRESPONDENCE -- None.

APPLICANT PRESENTATION

Speaking: Jim Werfelmann, 2604 SW Brickston Drive, Gresham, OR 97080

**Mr. Werfelmann** stated that he has read the Staff Report and concurs with the conclusions and conditions. He stated that he would be glad to answer any questions about parking and the efforts of the hospital in trying to promote alternative modes of transportation for its employees and patients. He introduced Janice Burger, Site Administrator. She will be able to answer questions relating to the skilled nursing facility.

QUESTIONS FROM THE COMMISSIONERS

**Tim Havel** asked why the hospital did not have a traffic assessment done for 36th Avenue. **Mr. Werfelmann** stated that Staff had agreed that 32nd Avenue is the main entrance into the hospital for both employees and patients. He feels that even though 36th Avenue is being used occasionally by employees and others coming to the hospital, it did not have a substantial impact on the outcome of the transportation engineering plan. If he had been asked to include 36th Avenue in the report, they would have provided the information.

**Bryan Cosgrove** asked why the Applicant is increasing the number of parking spaces when they already have the 122 required parking spaces? **Mr. Werfelmann** explained that the code bases parking space need on beds in a hospital. This is outdated in terms of what constitutes a demand for parking on site. This location has a combination of medical offices and the hospital. There has been a shift from in-patient care to out-patient care. The older parking standard was geared to the patent that had an average hospital stay of 7 or more days. A substantial portion of the hospital's daily business has to do with out-patient care. There is a lot more turn-over parking than previously. Another component in support of additional parking is on-site educational and training programs for both the hospital and the community.

Speaking: Janice Burger, 10150 SE 32nd, Milwaukie

**Ms. Burger** stated that she is the Site Administrator and would answer any questions concerning the skilled nursing facility.

**Charles Stoudt** asked for clarification of the use, the conversion from medical research to nursing. The proposal indicates that the nursing facility would provide another component to continual care that is currently developed for the frail and isolated elders of Clackamas County. He asked if the use is more applicable in terms of standards for nursing or convalescence homes, even though it is adjacent physically to a hospital? **Ms. Burger** stated that they consider this a skilled nursing facility. This allows the highest complexity of service to those outside of hospital care. When you have a skilled nursing license, there is the ability to serve the entire range of care, even those who may need a longer term residential facility (intermediate care facility). A mix of these types of patients are expected at this facility. Residents will be moved from Belmont Terrace facility, which is a

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intermediate-care facility. This is a distinct required level of service that is different from a hospital. It functions as part of the continuum of a hospital; sharing of staff and equipment.

**Tim Havel** asked what the anticipated average stay would be of a patient in this facility? **Ms. Burger** stated that because they would be more long-term residents, the average stay would be 30 days. This will decline over time to the 15-21 day range.

**Susan Heiser** stated that the language in the Ordinance is inconsistent. In reference to nursing or convalescent homes, this proposed use would equal congregate care or senior housing. Definitions for nursing homes or convalescence homes have been eliminated.

**Pat Lent** asked if this addition will have a separate egress and ingress? **Ms. Burger** stated that the entrance will be through the current main entrance of the hospital. After entering that main entrance, however, there will be a separate entrance added to the southeast corner of the hospital to this section for staff and residents.

**Pat Lent** asked if this type of facility is available at other Providence locations? **Ms. Burger** stated that a skilled nursing facility is also offered at the Providence Portland location off of Glisan Street.

TESTIMONY IN FAVOR -- None.

## QUESTIONS OR COMMENTS

Speaking: Dorothy Snowhill, 10218 SE 36th Avenue, Milwaukie

**Ms. Snowhill** stated that she lives across the street from the auxiliary entrance to the hospital. She noted that the Applicant's information indicated that they expect 90 trips per day for this new facility and that this will not impact 36th Avenue. She would like to see a traffic study done for 36th Avenue. This would make everyone on her street happy. She feels that when the 32nd Avenue study was done, 36th Avenue should have been included and that the Applicant should be held accountable for adding this to the study. She thanked staff for their patience.

**Susan Heiser** stated that she has forwarded a packet of information to Ms. Snowhill and has directed her to speak with Rob Shelton in the Public Works

Department to initiate a study. The Applicant is not responsible for the study; Public Works did not feel the traffic on 36th Avenue was at a level (additional 90 cars) that would have an impact.

TESTIMONY IN OPPOSITION -- None.

ADDITIONAL COMMENTS FROM STAFF -- None.

QUESTIONS FOR CLARIFICATIONS

**Bryan Cosgrove** asked Staff if the Commission could require a 36th Avenue Road study for this Application? **Maggie Collins** stated that a 36th Avenue Road Study could be conditioned; however, there is a difference between a traffic study of the sort that the Applicant has provided and getting preliminary traffic count data. 36th Avenue is short on traffic count data that can be compiled by Staff within a short time.

There are two points to the study; (1) to find a data base of information and (2) to determine the purpose of the traffic study (specific purpose/questions). A condition can be made with the stipulation that this action (traffic information) be done in an expeditious manner.

APPLICANT'S CLOSING COMMENTS

Speaking: Jim Werfelmann, 2604 SW Brickston Drive, Gresham, OR 97080

**Mr. Werfelmann** stated that in terms of the 36th Avenue traffic study, it was not intentionally avoided. They are willing to cooperate with the Commission in regards to any type of study they would like to have done. They have tried to do everything possible to improve the traffic conditions around the hospital.

DELIBERATION AMONG COMMISSIONERS

**Vice Chair Lent** closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

**Tim Havel** stated that he feels a study should be done on a secondary access on the west end of the proposed facility. He is in favor of a condition to require the study. He asked Staff if there should be a continuation of the hearing until a traffic assessment can be done.

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**Bryan Cosgrove** stated that he does not see a need to condition a traffic assessment. Staff and the Applicant have been working well together and will come to an agreement that is suitable for both parties. He cannot support a motion to condition a study.

**Charles Stoudt** noted that a part of the code indicates that if the access is to a collector street, the standard is different than if the access is to a residential street. If the use is in a residential zone, the daily trips generated by the proposed use and their distribution patterns should be studied. He asked if this would apply to this Application? **Susan Heiser** reported that 36th Avenue is a neighborhood street and 32nd Avenue is a collector street. **Maggie Collins** stated that the actual major and primary access to the hospital is off of 32nd Avenue. The 36th Avenue access is not even signed and is considered an emergency exit from the site.

Staff was asked to look at Section 321.2 of the Code and give an interpretation.

**Vice Chair Lent** stated that she has an issue with parking. She does not feel that the additional parking spaces are warranted. She also voiced concern about the agreement to make half the additional spaces compact spaces when previously the requirement was that all the additional spaces be compact. This concern also covers the landscaping issue. She noted that there is so much blacktop in this area.

**Tim Havel** stated that Finding 5 could be changed to reflect some sort of mitigation to address some of the landscaping that is being taken away. There should be assurance that the standards are being met. **Susan Heiser** noted that the Planning Commission allowed a reduction in landscaping requirements from 35% to 29% as part of the last CSO for this Applicant. More trees and shrubs can be a condition.

**Tim Havel** commended the Applicant on the efforts taken to encourage alternative means of transportation. There is no way to control the people using the services of the hospital. He is not opposed to additional parking, but would like to see the additional assessments completed to make the parking lot more appealing.

**Susan Heiser** stated that after reviewing Section 321.2, for the purposes of this proposal and interpreting this Section, staff considered 32nd Avenue to be the access for the site. This is where the signed access is for the site. The 36th Avenue access is only known about by neighbors, some employees, the fire department and the police.

It was decided that there are three issues before the Commissioners still pending for this Application: if there are traffic impacts from the 36th Avenue secondary access to the hospital; whether the 18 additional parking spaces are necessary; and landscaping reconfigured depending upon whether the 18 parking spaces are allowed.

**Bryan Cosgrove** moved to approve the Community Service Overlay (CSO-97-09) to add a 29-bed skilled nursing unit and parking area to the Providence Milwaukie Hospital based on the findings and on conditions as indicated in the Staff Report. **Charles Stoudt** seconded.

**Tim Havel** amended the motion by amending Condition #2 to reflect that the landscaping requirements be revised to indicate 29% coverage.

MOTION CARRIED 3-1; **Vice Chair Lent** voted in opposition on the basis that she is not convinced that the 18 additional parking spaces are necessary.

**Bryan Cosgrove** moved to approve Transportation Planning Review (TPR-97-10) based on the findings and conditions as outlined in the Staff Report with the amended Condition #2 as stated in CSO-97-09. **Charles Stoudt** seconded.

**Tim Havel** amended the motion by adding Condition #6, "A traffic count shall be conducted on SE 36th Avenue and in addition, the Applicant shall work with City Staff and neighbors to study traffic on SE 36th Avenue and resolve any impacts identified by the study."

MOTION CARRIED 4-0.

Recess was taken at 8:20 p.m. and the meeting reconvened at 8:27 p.m. Michael Smith arrived at the meeting at this time.

- 6.1 Applicant: City of Milwaukie
- Property Owner: N/A
- Location: N/A
- Proposal: Comprehensive Plan Amendment to adopt Regional Center Master Plan as an ancillary document of the Comprehensive Plan
- File Numbers: CPA-97-01

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**Vice Chair Lent** opened the public hearing on File Number CPA-97-01. She explained that this is a legislative action. All Comprehensive Plan amendments are subject to the criteria found in Chapter 2 (Plan Review and Amendment Process) of the Milwaukie Comprehensive Plan. Additionally, Section 1011.5 of the Zoning Ordinance sets forth the public notification requirements and decision making requirements for legislative actions.

**Vice Chair Lent** asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

## STAFF REPORT

**Maggie Collins** reported that this hearing was a continuation of a public hearing on October 14, 1997. Staff has drafted findings that address all the Comprehensive Plan criteria in the October 14, 1997, Staff Report. Staff recommends that the Planning Commission hold this public hearing, take all relevant testimony, and forward its comments received tonight to City Council. The Commission does not need to make a recommendation.

**Maggie Collins** entered into the record comments received from the Lewelling Land Use Committee since notice of the public hearing. A copy of those comments has been provided to each Commissioner. Also entered into the record is the draft Steering Committee recommendations on changes to the October Regional Center Master Plan Draft along with a letter on how the Commission can respond to the Steering Committee comments.

Overheads were then shown of the Regional Center Master Plan area. This 723 acre area is the most likely to be able to accommodate development and redevelopment in the future.

Six subareas were reviewed; downtown / civic center / central business district / riverfront; medical services; mixed use area / Harrison Street Corridor; emerging residential / transit station area; established residential; and high-density residential.

The Regional Center Steering Committee was the City oversight body during the planning process that has brought the City to the point of reviewing this draft. The Committee felt the Plan should build on existing resources and opportunities,

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create a Regional Center area that embodied smart urban design, diverse types and a range of affordable housing, efficient and multi-modal transportation system, economic revitalization, and preservation of natural resources. The Plan will provide a clear foundation for future development through clearly defined concepts and expectations for plan amendments and zoning changes.

Possible future actions about urban design land use, infill, economic incentives, and transportation are included. This Plan does not apply to the rest of the City; only land within the study area boundaries.

### QUESTIONS FROM STAFF

**Bryan Cosgrove** asked how much of the total percentage of the City land mass is the Regional Center area? **Maggie Collins** stated approximately 20 percent.

### TESTIMONY IN FAVOR

Speaking: Karen O'Dowd , Manager, Milwaukie Downtown Development Association

**Ms. O'Dowd** submitted a letter to the Commissioners which addresses both the Comprehensive Plan Amendment and the proposed text amendments to Chapter 4, Land Use. She also submitted a Draft Recommendation to the October Draft Regional Center Master Plan.

The letter is from the President and has been significantly worked on by herself and Paul Graham, Co-Chairman of the Regional Master Plan Steering Committee. She read portions of the letter to the Commissioners. They value the work undertaken to date and urged the Planning Commission to incorporate their suggestions. As a working document, they are anxious to see the Plan as proposed with changes submitted by the Steering Committee, moved into action. It is hoped that the Planning Commission make the downtown subarea its priority.

### QUESTIONS FROM THE COMMISSIONERS

**Bryan Cosgrove** asked for clarification on which changes have been incorporated into the draft Plan. **Ms. O'Dowd** stated that she is asking that all of the changes submitted be considered by the Commissioners.

Speaking: Donald Stark 1515 SW 5th Portland

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**Mr. Stark** stated that he represented Pendleton Woolen Mills. After forty years of manufacturing in the Pendleton plant on SE 17th Avenue, it will have to be closed in December. Alternate uses are being reviewed. Pendleton is enthusiastic about changing their use to coincide with the mixed use concept that has been developed in the Master Plan. He has submitted a letter of support for the Regional Center Master Plan and the Comprehensive Plan Text and Map Amendments to Chapter 4, Land Use.

QUESTIONS FROM THE COMMISSIONERS

**Vice Chair Lent** asked if Pendleton plans to sell its property? **Mr. Stark** stated that the property will be either marketed, jointly ventured, or developed by Pendleton. An architect firm has been contracted to study the potential for mixed uses.

The building is in excellent condition. The second floor is half an acre of hardwood floors. The space is valuable as office, retail, or housing. A decision on how the site will be handled will be made over the next few months.

QUESTIONS OR COMMENTS

Speaking: Sally Collins, 11367 SE 35th, Milwaukie

**Ms. Collins** stated that she is neutral at this point, even though she has attended several meetings. She voiced concern that the printed material was only made available last week and she has had little time to review it.

**Ms. Collins** stated that she lives on 35th Street, which is a general study area. She stated that her street is the first street next to the expressway and would like to know what plans are proposed for Washington and 35th? **Maggie Collins** stated that Ms. Collins' residence is indeed part of the study area. There is no recommendation for this residential neighborhood. She pointed out the location on the map.

**Ms. Collins** asked what the City of Milwaukie gets in return for being designated a high-density area in terms of parks, open space, etc.? **Maggie Collins** explained that there is no guarantee that the City would be awarded extra regional dollars that could be allocated to Milwaukie for natural resource purposes and parks and open space planning. However, the Metro priorities indicate that if you are willing to take more density and growth and be more intense in growth

management, more money may become available to jurisdictions to help do that. Regional priorities have not been finalized at this time. The City of Milwaukie does have a greenspaces allocation from the Metro Greenspaces regional bond.

**Ms. Collins** stated that in her area, there has been written information on "single-family housing that will be knocked down and cleared to make room for multi-story apartments." She asked if her neighborhood could be the location of a light rail system that might require "taking" of some of the homes? **Maggie Collins** stated that for this Plan there is no direction that implies that any property will be "taken" or displaced. If the light-rail line were built, on one or two of the alignments there are displacements of houses and a few business. There is a strict federal process to make sure property owners are adequately compensated for displacement. In the Regional Center Master Plan there are very few references to light rail because this is a land use plan for the study area outlined.

QUESTIONS FROM THE COMMISSIONERS

**Bryan Cosgrove** asked Staff to submit a copy of the material referred to by Ms. Collins so that they can review and comment on the issues addressed.

Speaking: Mart Hughes, 3006 SE Washington Street, Milwaukie

**Mr. Hughes** stated that this is round four on a waterfront plan. He was the chief petitioner against the first waterfront development plan. As a result, the waterfront plan was referred to the voters and was turned down by the people of Milwaukie. Subsequently the City came back with another waterfront plan and that too was turned down by voters.

**Mr. Hughes** read the Planning Commission Mission Statement. He asked how the needs of the community were going to be met and what are the community wishes to have happen with their community? This concept is no different than the first or second waterfront plan of six years ago.

QUESTIONS FROM THE COMMISSIONERS

**Bryan Cosgrove** asked Mr. Hughes if he thought his view was representative of the entire community? **Mr. Hughes** stated that the past waterfront projects have failed before the voters of Milwaukie. Last November, on Light Rail, election results indicated that every precinct in Milwaukie turned the funding portion of

Light Rail down. He has talked to a lot of people in Milwaukie regarding this issue and is asking that the Planning Commission recommend to City Council that this Plan be referred to the voters.

**Charles Stoudt** asked Mr. Hughes how this Regional Center Master Plan is different from the original waterfront plan? **Mr. Hughes** stated that in the original waterfront plan, redevelopment was a key feature. There are issues of zone change, converting the existing use of the community to a different land use and high-density development. In the Regional Center Master Plan there is discussion about an urban renewal district and public funding of the proposed projects. The area involved in the two projects are the same area, plus more.

**Bryan Cosgrove** noted that to implement a Plan like this and to get the kind of change you need in terms of transportation, etc., it will require extensive capital improvement money. The City is not dodging this issue; it just is not the focus right now. **Maggie Collins** explained that there is a set of recommendations, all involve money and community effort and responsibility to move this Plan ahead if adopted.

**Charles Stoudt** asked Mr. Hughes if he felt there was a need to refer the concept of redevelopment to the voters in general or only to how it relates to this Plan? **Mr. Hughes** stated that his remarks can be applied to both the Regional Center Master Plan and the text amendments to the Comprehensive Plan. Specifically, he feels the voters need to decide on the changes to the Comprehensive Plan. Statewide Land Use Goal Two allows the community the right to be involved. He is asking that the Planning Commission recommend to City Council that they refer the Comprehensive Plan changes and amendments to the voters.

**Michael Smith** asked if there was a precedent in other jurisdictions of sending changes in the Comprehensive Plan out to the voters? **Maggie Collins** stated that the land use due process is complete enough so that major issues are resolved to everyone's satisfaction and something is passed or not passed. She stated that she was not aware of Comprehensive Plan amendments being voted on by respective communities

Speaking: Ty Wyman, 222 SW Columbia, Suite 1400, Portland 97201

**Mr. Wyman** stated that he was here tonight to represent the Murphy Company. They have been hired to analyze the Plan amendments and rezoning proposals and

their impact on the Murphy site. He wanted to get on record that the Murphy Company has not lodged opposition to the proposals.

**Mr. Wyman** stated that he was concerned that these proposals will put current development outside of non-conformity. He would like to ensure that the current uses are protected during their life-space. He will review the development standards to make sure that redevelopment of the site is do-able within the planning scope.

Speaking: Dale Potts, 12177 SE Grove Loop, Milwaukie

**Mr. Potts** stated that he was in support of the previous speaker who asked that a vote of people on this general concept and Comprehensive Plan amendments be made a part of this process. He voiced concern about the possibility of gang issues that go along with Light Rail and asked that the Commissioners give this consideration.

**Vice Chair Lent** asked Staff how much of the Regional Center Plan is related to Light Rail. **Maggie Collins** stated that Light Rail possibility is mentioned about four times in the Plan, very briefly.

TESTIMONY IN OPPOSITION

Speaking: George VanBergen, Milwaukie

**Mr. VanBergen** stated that he is a resident of Milwaukie and has property within the Regional Center area. He stated that he was here tonight to preserve his right of appeal to Land Use Board of Appeals (LUBA). He believes that the Regional Center Ordinance and the Mixed Use Ordinance create a clear appealable issue to LUBA as they are driven by a failed model of bases used by Metro as to employment, growth, and/or housing population growth.

**Mr. Stoudt** asked Mr. VanBergen for clarification of a "failed model." **Mr. VanBergen** stated that in the October 9th Oregonian, there was an article that stated that the Portland School district will not receive the additional 17,000 students in the coming decade. The students will erode by 1,500 because of young families. This incorrect information was forecasted by Metro. Metro has since decided to restudy these issues. This is what he means by "failed model."

Speaking: Donald Hammang 11104 SE Home Avenue, Milwaukie

**Mr. Hammang** asked if specific questions on the context of the Overlay District are covered in Hearing #6.3? **Pat Lent** stated that it was.

DELIBERATION AMONG COMMISSIONERS

**Vice Chair Lent** closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

**Tim Havel** asked if the changes to the Regional Center Master Plan was the product of a sub-committee. **Maggie Collins** stated that these comments were drafted by Paul Graham and Don Trotter from the direction of the Steering Committee. The document is intended to be included for review and consideration before the Commission's recommendation to City Council. **Maggie Collins** asked that the Commissioners submit their comments to Community Development Department by November 3rd for compilation and inclusion in a final Steering Committee Report.

**Michael Smith** moved to forward the comments and testimony made tonight to City Council. In addition, it is requested that City Council return the drafted Master Plan back to the Planning Commission for review and discussion before a their final vote. **Tim Havel** seconded. MOTION CARRIED 5-0.

- 6.3 Applicant: City of Milwaukie
- Property Owner: N/A
- Location: N/A
- Proposal: Proposed text amendments to Chapter 4 (Land Use) of the Milwaukie Comprehensive Plan and proposed overlay district and mixed use zone to certain properties in the Regional Center Study Area
- File Number: CPA-97-03; ZA-97-03; and ZC-97-03

**Vice Chair Lent** opened the public hearing on File Numbers CPA-97-03, ZA-97-03; and ZC-97-03, to allow Comprehensive Plan text and map amendments to Chapter 4 (Land Use) to implement the Milwaukie Regional Center Master Plan. The Application must be consistent with the City of Milwaukie Zoning Ordinance and Comprehensive Plan. The criteria to be addressed are found in Chapter 2,

Policy 7, Objective #1 in the Comprehensive Plan and Section 900 of the Milwaukie Zoning Ordinance.

**Vice Chair Lent** asked if there were any conflicts of interest or ex-parte contacts to declare. **Michael Smith** explained that Sisters of Providence is a client of his firm and he would be stepping down from voting on this Application. There were no other conflicts of interest or ex-parte contacts declared. She asked if any member of the Planning Commission visited the site; four hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the Staff Report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

**Dan Pava** reviewed the Staff Report with the Commissioners. The Comprehensive Plan text and map amendments and Zoning Code text amendments are legislative actions. The Zoning Map amendments are quasi-judicial actions.

Exhibit I shows the proposed "Regional Center" Plan map designation, proposed "Public Lands" plan map designations, existing "Public Lands", proposed "Regional Center" plan map designations outside Downtown Milwaukie, proposed "Mixed Use" Overlay Zone, and proposed "R-O-C" Zone and "Mixed Use" Overlay Zone.

On September 23, 1997, these three Applications were reviewed by the Planning Commission at a worksession. The comments that were provided at that worksession have been addressed and incorporated into Exhibit 3 (proposed language for Comprehensive Plan text amendments) and Exhibit 4 (proposed Mixed Use Overlay Zone language amendments to the Zoning Ordinance).

Additional letters and testimony have been presented to Staff since notice of this hearing and they have been made available to the Commissioners and are entered into the record. Exhibit #7 is a letter from Ms. N. R. Cora Poly which addresses both the Regional Center Application and the text amendments Application. Also entered is a letter from Donald Stark, Pendleton Woolen Mills, and the Milwaukie Downtown Development Association comments.

**Dan Pava** pointed out some corrections in the Staff Reports:

- In Finding #1 on Page 4 of the CPA-97-03 Staff Report there is a phrase in parenthesis which states, "...(adoption of an ancillary document to the Comprehensive Plan)..." This portion of the statement should be deleted from the proposed finding.
- In Exhibit #4, part of ZA-97-03 Staff Report, on Page 8, Item 16, change the third line to read, "...designation, additional retail or office uses ..."
- Item 17, next page, change first sentence. "Projects accommodating combination residential..."
- Item 20, page 9, change the fifth line, "...family housing stock while allowing some higher density..."

Staff recommends approval of all three Applications; CPA-97-03, ZA-97-03, and ZC-97-03.

QUESTIONS FROM THE COMMISSIONERS -- None.

TESTIMONY IN FAVOR OF APPLICATION -- None.

QUESTIONS OR COMMENTS

Speaking: Donald Hammang, 11104 SE Home Avenue, Milwaukie

**Mr. Hammang** stated that he is representing the Hector Campbell Neighborhood Association, the Lewelling Neighborhood Association, and the Ardenwald Neighborhood Association. They would like the McFarland site, identified as 4.1, to be removed from consideration at this time. With the ongoing, long-term battle over Light Rail, to have a chapter named Emerging Residential and Transit Station Areas, is poorly timed. It rubs salt in the wounds of their communities. He asked that this be remanded back to Community Development and held until funding for Light Rail has been established and there has been some additional public process.

All of the represented neighborhoods border this site and they have had very little time to comprehend what is going on. For the last three years, there has been continued discussions with Community Development and the Planning Commission about the concept of station community planning, which has up to 50

dwelling units per acre. This does not help build consensus with his community. The document he is referring to is the October Regional Center Master Plan. Pages 71 and 73 describe the characteristics of the new emerging transit station.

Also, he would like to have on record, in the previous hearings, there was discussion about the financial incentives necessary for development. Page 32 uses the words, "need and required to support new higher density developments..." There is going to be significant additional public money. The neighborhood associations for whom he speaks tonight cannot support this type of development.

**QUESTIONS FROM THE COMMISSIONERS**

**Vice Chair Lent** asked Staff if the concerns voiced by Mr. Hammang are relevant issues to the proposed zone change and text amendments. **Maggie Collins** stated that these three neighborhood groups are not opposed to the rest of the City proposals; they only want to withdraw the proposed action on the McFarland site. These comments are relevant to CPA-97-01 and will be forwarded to City Council as part of those comments.

Speaking: Karen O'Dowd, Manager, Milwaukie Downtown Development Association, 10952 SE 21st Street, Suite #5, Milwaukie

**Ms. O'Dowd** noted that their focus is solely on Subarea 1 and its impacts on the proposed Comprehensive Plan amendments and Zoning Ordinance changes. She asked that her memo be entered into the record. She pointed out several amendments:

Page 2, change language to read, "...outdoor displays and cafe areas shall be permitted subject to City right-of-way permits and related standards..."

Page 10, Section 318.9, strike 1700 and replace the title to "Site 16 - Main Street." They are recommending that all of Main Street be rezoned to have retail ground-floor use.

**Ms. O'Dowd** read portions of the letter to the Commission. They suggest that as businesses leave downtown Milwaukie, and/or when significant improvements are made to buildings, that those uses be encouraged on Main Street to be retail. She submitted a map of 183 businesses (106 not current).

CITY OF MILWAUKIE PLANNING COMMISSION  
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QUESTIONS FROM THE COMMISSIONERS

**Vice Chair Lent** asked Staff if the proposed changes were consistent with the proposed amendments? **Dan Pava** stated that the proposed changes from the Downtown Development Association are consistent with the Mixed Use Overlay Zone. He suggested that the proposed definition for retail be added under the Sections Site 1-6 and Section 100, Definitions. The language is acceptable.

**Charles Stoudt** noted that the MDDA recommendation for street lighting language not only affects the downtown area, but affects the Regional Center as a whole. Could there be a modification to this language that the MDDA has the review process available to them in sub-area one only? **Ms. O'Dowd** stated that they would be happy to accept this modification. They would like to be involved in the process, but feel that the City should approve street lighting.

Speaking: Harold Stark, 1515 SW 5th Avenue, Portland

**Mr. Stark** restated that he is talking on behalf of Pendleton. He has submitted his letter of concerns that arose out of their planning to market or develop their property in a mixed-use fashion. Pendleton is a specific site in Exhibit 4 and is treated as a unique piece.

In Exhibit 4, Page 12, it indicates that the density should be medium density (25 dwelling units). **Mr. Stark** cited several reasons in support of high density for this site:

- The property is being developed with a structure on it which lends itself to parking
- This is an 8-acre site, 5 acres of which is developable for housing
- The current zoning is industrial and surrounded by high-density housing
- The access has been improved because of the highway development of 17th Avenue
- The entrance and access are appropriate to a high-density development
- The amenities of the Johnson Creek area and natural resource Overlay next to the property, it can support high density better than a property surrounded by sidewalks or streets.

QUESTIONS FROM THE COMMISSIONERS

**Vice Chair Lent** asked for clarification of the Natural Resource Overlay provisions for Pendleton Woolen Mills. **Maggie Collins** stated that the Natural Resources boundary was drawn for the first time when Pendleton submitted an Application for expansion. The interpretation was that the natural resource was in the area where the parking lot because a parking lot is not a structure. It was found that it was okay to have the boundary into the area where there was a parking lot because a parking lot is not a structure. Staff will review the file and report back the facts of the earlier Application.

**Charles Stoudt** voiced concern that housing is allowed at the elevation of 30 feet above sea level for this site. **Dan Pava** stated that the top of the bank of Johnson Creek is 30 feet above sea level. There is a flat plateau above the 30-foot level. This Master Plan conclusion was founded by the fact that the site is surrounded by high-density residential. Even the single-family residences are at that elevation. The Natural Resources Overlay as it presently exists carves out a piece of Pendleton that is surrounded on all sides by the same elevation of high-density residential.

**Tim Havel** asked what criteria was used to designate a buffer between water and improvements? **Dan Pava** stated the criteria is based on the 100-year flood plain.

**Vice Chair Lent** stated that she feels she needs more detail on the Natural Resources Overlay file before she can make a decision. **Mr. Stark** stated that the residences around the site were in favor of development at the time of the hearing. They were not asking for the Natural Resource Overlay to protect them. These residents have questionable legal access to their property, which is being solved by a donation to those properties by Pendleton at this time. It will insure continued access in the event the Pendleton property changes title.

Speaking: Janice Burger, Providence Milwaukie Hospital, 10150 SE 32nd Avenue, Milwaukie

**Ms. Burger** stated that back in 1990, the hospital spent a lot of time determining if they were going to stay in Milwaukie to provide hospital and health services. They went through a process of surveying citizens, working with the Planning Commission, talking with City Staff, and City Officials. It was decided to stay at the current site and rebuilt the hospital with the 45,000 sq.ft. addition. A big part

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CITY OF MILWAUKIE PLANNING COMMISSION  
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of the decision was the purchase of the Stanley Tool property in further development of health services for the community.

The process tonight as far as the Overlay will have a significant impact on their ability to develop the property in a way that meets the mission they have planned. There are several projects planned; a medical office facility (additional physician offices), and assisted living for the senior population (frail and older people).

**Ms. Burger** stated that she would like to make sure that the Overlays that are put in place support the continued development of medical services for the community. She appreciates the support they have received in the past and wants to continue to have that support in the future.

Speaking: Jim Werfelmann, 2604 SW Brickston Drive, Gresham, OR 97080

**Mr. Werfelmann** stated that he is concerned about the development standards being proposed because they will significantly impact their ability to develop the Stanley site as they planned. He cited his concerns:

-- Section 8.1, A1 and A2, floor area ratio of commercial to residential development. Both of the proposed facilities, care unit and doctor's offices, do not lend themselves to a lot of other mixed uses (retail, commercial). The hospital is not a land developer, they only develop within their core of business (health care).

-- Section 8.1, A4, has a design criteria that has to do with parking and they are supportive of the need to have transit-friendly facilities. Medical offices and the proposed care units will need to have some off-street parking that is available to the main entrance because of the disability and challenged nature of the patients that come to the site. He would like to see some flexibility and latitude in how the criteria is handled.

-- Section 8.1, A6, has to do with how the entries to the residential units are developed. This is a very fragile population in the care unit; security, controls, and manageability is an important issue. This design element would not apply.

-- Section 8.1, A9, deals with structured parking. A large mass is needed to support the additional cost of structured parking. Given the 30,000 sq.ft. of each of the facilities, the structure could not be economically justified, nor could the hospital be in a position to subsidize the additional cost of structured parking..

- Section ORS-8, and looking at the senior housing component with a very medically frail population, they are concerned that three years from the definition may be interpreted differently.
- Section ORS-10, under the Regional Area Policies, addresses again the notion whether a certain development is required to have other retail commercial function in addition to the intended use, which is medical offices.

**Mr. Werfelmann** stated that they are in support of a need for an Overlay. They have suggested that this site be reviewed under a Comprehensive Institutional Master Plan that would have the benefit of public review, but would have the design criteria be specific towards a medical institutional use as opposed to a general mixed use development that is being applied to other areas in Milwaukie. As density increases in the Milwaukie area, the hospital needs to have the flexibility grow and keep up with those medical needs. Under the overall Comprehensive Plan, the hospital has been designated as a central medical institutional use.

**QUESTIONS FROM THE COMMISSIONERS**

**Bryan Cosgrove** asked if the hospital would prefer that this site be removed from the Mixed Use designation. **Mr. Werfelmann** stated that he tried to identify the specific design elements that could make their projects not feasible. One of the problems they are up against is housing component. The current zone for the site is manufacturing. The housing is not an allowable use under that zone. They are running up against an opportunity for State dollars that would be used for development. What they would like to do is work something out with the City and the development office to accommodate both goals.

**Charles Stoudt** asked if the physical services could be construed as commercial, would the hospital's objectives still be met? **Mr. Werfelmann** stated that he is trying to be as specific as possible so that later on, when some of the uses are questioned, they will be very specific about what they want to accomplish.

Speaking: Brian Lesson, 2606 Gloria Drive, West Linn

**Mr. Lesson** stated that he has property off of 24th Avenue and Harrison Street. He asked what effect these Applications will have when he runs, operates, or puts his duplex on the open market?. **Maggie Collins** stated that if this site is R-O-C, commercial and residential exist side by side; if it is mixed use, there is the ability

over time to convert or add to a dwelling. There will be more flexibility under the proposals than he has under the R-5 Zoning on the property.

TESTIMONY IN OPPOSITION

Speaking: George VanBergen, 12366 SE Guilford Drive, Milwaukie

**Mr. Van Bergen** stated that he was addressing the issue of process. He stated that the process that he is concerned about is he served on the Commercial Working Group of the Regional Center Master Plan process. He stated that the draft recommendation for the Regional Commercial Center became lost in translation.

He restated that the Regional Ordinance for Mixed Use Overlay creates a clearly appealable issue to LUBA as this whole thing is driven by a failed model of bases used by Metro as to the employment growth or the housing-population growth. He stated that he is not against planning; he has been for planning all his life. He feels the draft Regional Commercial Plan lost its flavor between his Committee, City Council, and the Planning Commission.

ADDITIONAL COMMENTS FROM STAFF --

**Maggie Collins** responded to Mr. Hammang's question about other options available to serve the needs of the Ardenwald Neighborhood Association, the Lewelling Neighborhood Association, and the Hector Campbell Neighborhood Associations. She suggested several options:

- Delete proposed Plan designations, Zone changes, and Mixed Use designations on the site.
- The deletion can be done as requested, but recommend to the City that they activate site designation and design work that is shown on page 37 in the Regional Center Master Plan.
- Delete the zone proposals at this time, keep the Plan designation proposal, and have the site planning be the main focus, per page 37 of the Master Plan..

DELIBERATION AMONG COMMISSIONERS

**Vice Chair Lent** closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

**Tim Havel** moved to continue CPA-97-03, ZA-97-03, and ZC-97-03 to the November 25, 1997 meeting, to allow time for Staff to incorporate the comments that were presented at this meeting and to present staff recommendations for findings for the sites discussed. **Charles Stoudt** seconded. MOTION CARRIED 4-0.

7.0 WORKSESSIONS -- None.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS

9.1 Light Rail Study Update -- No Report

10.0 OTHER BUSINESS

10.1 Historic Resources Commission Report -- No Report

10.2 Clackamas Regional Center Area Plan Report -- No Report

10.3 Community Development Department Report -- No Report

11.0 Next Meeting -- November 10, 1997, Tri-City Planning Commission Training Workshop

Michael Smith moved to adjourn the meeting of October 28, 1997. **Charles Stoudt** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 11:30 p.m.

\_\_\_\_\_  
Pat Lent, Vice Chair

\_\_\_\_\_  
Shirley Richardson, Hearings Reporter

**CITY OF MILWAUKIE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**STAFF REPORT ADDENDUM**

**Date:** November 18, 1997  
**File No.:** CPA-97-01

**APPLICATION:** REGIONAL CENTER MASTER PLAN

**APPLICANT:** CITY OF MILWAUKIE

**PROPERTY OWNER:** NA-LEGISLATIVE

\*\*\*\*\*

**Part One: Planning Commission Recommendation**

See page 3 of the November 18, 1997 Staff Report on CPA-97-03. The Findings contained on pages 4-7 of the November 18th Staff Report are the same as those contained in the November 10, 1997 Staff Report prepared for the Planning Commission.

The Milwaukie Planning Commission met on November 10, 1997 and conducted deliberations on File No. CPA-97-01. The Commission's unanimous recommendation, in accordance with Section 1011.5(B) of the Milwaukie Zoning Ordinance, follows.

**RECOMMENDATION**

Based on the findings contained in the October 14, 1997 Staff Report, the Milwaukie Planning Commission recommends that the Milwaukie City Council adopt the Regional Center Master Plan October Draft as an ancillary document to the Milwaukie Comprehensive Plan, with the following comments and amendments:

1. Adopt the Steering Committee Recommendations dated 10/28/97, with one addition:
  - a. delete the highlighted box on page ES-7 of the Steering Committee Recommendations (passing an ordinance to establish an Urban Renewal Agency), based on the City Attorney's report that Chapter 2.40 of the Municipal Code is in effect.
2. Add the following sentence to pages 41 and 71 of the Regional Center Master Plan October Draft: "Uses for the traveling public, including hotel and motel accommodations, should be encouraged."
3. Add "public transit" to the list in the fifth paragraph on page ES-5 of the Regional Center Master Plan October Draft.

②

Community Development Department  
Staff Report Addendum, CPA-97-01  
November 18, 1997  
Page 2

4. Consider establishing priority subareas. Planning Commission recommends Subarea 1, Harrison Corridor in Subarea 3 and Subarea 2 in that order.
5. While the Regional Center Master Plan is based on Metro's population and job targets, the Plan should be viewed as a free-standing document that should proceed in its implementation, regardless of changes to regional jurisdiction and authority.

**Part Two: Documents for the Record**

1. Regional Center Master Plan Steering Committee document dated 10/28/97.
2. Memo to the City Council dated 11/4/97 from Paul Graham (attached).
3. CPA-97-01 Staff Report dated 10/14/97.
4. CPA-97-01 Staff Report dated 11/10/97.
5. CPA-97-01 Staff Report dated 11/18/97.
6. CPA-97-01 Staff Report Addendum dated 11/18/97.
7. Letter dated 11/10/97 from Mark D. Whitlow re Site 2-1 (attached).
8. Letter dated 11/4/97 from Kathleen Wadden re Site 4-1 (attached).
9. Planning Commission approved Minutes dated 11/10/97.

**Part Three: Steering Committee Substantive Recommendations**

Within the Regional Center Master Plan Steering Committee Recommendation Document, the following pages include proposed text changes that add or subtract from the substance of the Regional Center Master Plan October Draft:

1. Page ES-1
2. Page ES-5
3. Page ES-7 (see Planning Commission recommendation above)
4. Page 28
5. Page 35
6. Page 41
7. Page 42
8. Page 71
9. Page 88
10. Page 100

**Attachments-See above.**



November 4, 1997

TO: Milwaukie City Council

FROM: Paul Graham, Co-Chair, Milwaukie Regional Center Steering Committee

SUBJECT: Regional Center Steering Committee Recommendations of Revisions to the October Draft of the Milwaukie Regional Center Master Plan

---

I am pleased to submit the attached set of recommendations on behalf of the Regional Center Steering Committee. They make a more readable document, and provide more accurate information and consistency with Milwaukie's Vision Statement.

This Plan with our accompanying comments are the results of over a year of effort. Our work is based on planning ideas developed through three Citizen Working Groups as well as numerous Technical Advisory Groups. We believe that this Regional Center Plan, together with our final recommendations, will preserve Milwaukie as family-oriented, livable and safe community into the next century.

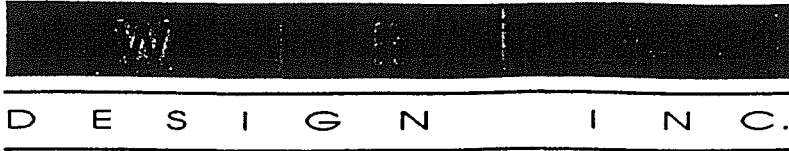
Upon consideration, we urge your adoption of this Regional Center Master Plan, with our recommendations, as an ancillary document to the Milwaukie Comprehensive Plan and its subsequent implementation.

Sincerely,

Paul Graham, Co-Chair  
Milwaukie Regional Center Steering Committee

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RECEIVED  
NOV 10 1997  
CITY OF MILWAUKIE  
PLANNING DEPARTMENT

November 4, 1997

Maggie Collins, Director  
Community Development Department  
City of Milwaukie  
6101 SE Johnson Creek Blvd.  
Milwaukie, Oregon 97206

RE: Comment on pending Approval of CPA-97-01 and CPA 97-03, ZA-97-03, ZC-97-03

Dear Maggie,

On behalf of our client, LD McFarland Company, we would like to commend the Community Development Department's effort in crafting the Regional Center Master Plan for the City of Milwaukie. The 7 acre McFarland property, in Subarea 4, has been designated as a significant redevelopment site within the overall Regional Center Plan area. The proposed overlay district and mixed use (ROC) zone, if adopted, will apply specifically to the site.

We have attached a concept plan and narrative for the McFarland site which proposes that the site be developed as two separate uses. Approximately 4.86 acres, will be a medium density (28 to 35 units per acre) residential development, emphasizing pedestrian circulation and focused open space. Approximately 2.38 acres, will be a professional office building or small hotel. We have worked closely with City staff on these proposals, and have tried to be consistent with the goals of the Regional Center Plan and its guidelines. However, it is clear from the Real Estate Market Analysis prepared for the City of Milwaukie, that projects of this scale are exceeding the current rate for investment return. Therefore, we strongly support the City's recognition (p.32 of the Regional Center Plan) that economic incentives and subsidies are necessary to make this new development financially feasible.

Additionally, we have concerns about several requirements in the Mixed Use Overlay Zone which are not realistic for the proposed conceptual uses which we have worked hard to negotiate with the City.

*Section 318.8*

A4 states that parking for commercial and residential uses shall be located to the rear or side of a proposed development. We feel that parking should be allowed in the front of uses because often the siting of a building may preclude the side or the rear from providing space for parking.

A19 states that all new development shall comply with at least 6 of the following 12 "essential" requirements. We would like the number required reduced to four (4).

C. Subarea 4 (specific to the McFarland property)

- 1. Site 4-1 states that the site shall be developed with high density (25-50 units per acre), diverse housing types and a mix of retail and residential uses, with ground floor retail facing streets and residential on the interior upper floors. Parking shall be located under the units....

McFarland is proposing a medium density, mixed housing development with surface parking and an office/hotel or commercial use, again with surface parking. The McFarland use concepts address pre-existing conditions on the site. The Mixed Use Overlay Zone development guidelines, for all the Subareas, need to take into account potential site specific constraints in order to be flexible to individual development circumstances. It is not always financially feasible for developers to provide structured parking without incentives or subsidies.

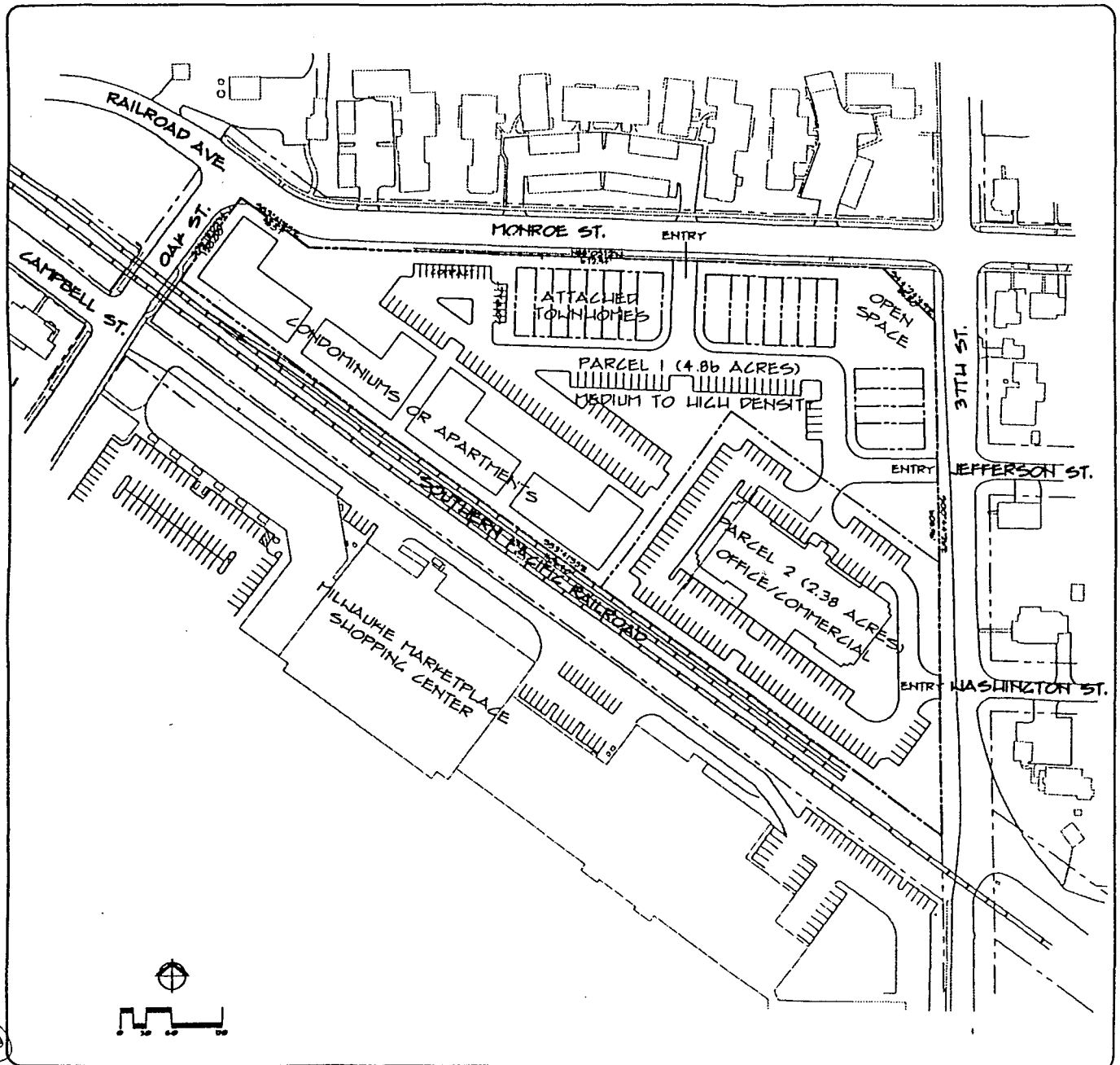
We strongly recommend that the final, adopted, versions of the Overlay District and the Mixed Use Zone retain the flexibility that they were intended to provide. This can only be accomplished by keeping the design guidelines broad (not prescriptive) and emphasizing the importance of site specific design. We endorse a process of cooperation between the City, the developer and the surrounding community in an effort to build projects which reflect the goals and intent of the Regional Center Plan while supporting the goals of those investing in economic development in the City of Milwaukie.

Sincerely,  
WRG Design, Inc.



Kathleen Wadden

cc: Doug King, LD McFarland  
Ben Williams, PE  
File: LDM 001



## SUBAREA 4 REDEVELOPMENT PLANNING

SUBAREA 4 IS CURRENTLY DESIGNED FOR MEDIUM, HIGH DENSITY AND COMMERCIAL USES. THE MCFARLAND SITE, IN SUBAREA 4, IS DESIGNATED FOR HIGH DENSITY RESIDENTIAL DEVELOPMENT. THE PROPERTY PROVIDES A KEY OPPORTUNITY FOR SUCCESSFUL PLANNING AND DESIGN OF TRANSIT ORIENTED DEVELOPMENT AND URBAN DESIGN. SCHEMATIC MASTER PLANNING OF THE SITE HAS IDENTIFIED PEDESTRIAN CONNECTIONS TO LOCAL SERVICES AND TRANSIT. THE POTENTIAL FOR JOINT DEVELOPMENT AND PUBLIC PARTNERSHIPS IS BEING EXPLORED. INTEGRATING COMMUNITY CONCERNS INTO THE FINAL PLAN WILL BE IMPORTANT TO THE OVERALL SUCCESS OF THE PROJECT AS A MODEL FOR THE MILWAUKIE REGIONAL CENTER.

## SCHEMATIC MASTER PLAN MCFARLAND PROPERTY

CITY OF MILWAUKIE, OREGON  
PROJECT NO. - LDM 001  
NOVEMBER 6, 1991



10450 SW Nimbus Ave, Portland, Oregon 97223  
☎ 503/603-9533 FAX: 503/603-9544

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Anchorage  
Bellevue  
Seattle  
Tacoma  
Vancouver, B.C.

99992/00004

November 10, 1997

**VIA FACSIMILE**

City of Milwaukie  
Planning Commission  
6101 SE Johnson Creek Blvd.  
Milwaukie, OR 97206

Re: Regional Center Master Plan; CPA-97-01  
Murphy Plywood Company

Dear Planning Commissioners:

This letter follows up on our appearance on behalf of the Murphy Co. at the Commission's October 28, 1997 hearing regarding the proposed Regional Center Master Plan (RCMP). Having further reviewed the matter, due to locational constraints, the Murphy property is irrevocably committed to industrial uses and will not be capable of redevelopment for office/commercial uses. It should be deleted from the RCMP for the following reasons:

- The Murphy site lies on the border of Metro's mapped Regional Center area. The proposed Comprehensive Plan Amendments implementing the RCMP integrate "downtown Milwaukie and the expanded city center as a Regional center" with a mix of high density residential, office and commercial uses. Expansion of the "city center" to the Murphy property is inappropriate because significant, inherent barriers (Hwy. 224 and the Union Pacific railroad) functionally separate the site from the City's downtown urban core, making commercial/residential development a practical impossibility at this location.
- The RCMP targets the Murphy property as a priority location for "higher density office development." Such development is a practical impossibility at this site because 1) the real estate market does not support the rents necessary to sustain high

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City of Milwaukie  
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Page 2

density office development at this location, and 2) neither the existing or planned transportation infrastructure can accommodate such development.

Removal of this site from the RCMP will not jeopardize the objectives of the overall plan. However, inclusion of the site will merely render it undevelopable as a practical matter. Instead, the location of this site remains one appropriate for industrial development, and the City should maintain its zoning to facilitate redevelopment for such use.

Please include this letter in the record of your consideration of this matter. We appreciate your consideration of this request and look forward to discussing this issue further with staff and the Commission.

Very truly yours,

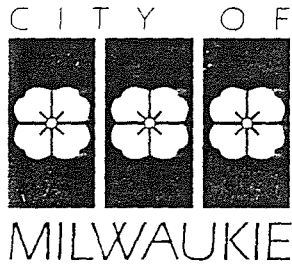
BOGLE & GATES P.L.L.C.



Mark D. Whitlow

cc: Murphy Company  
Maggie Collins, Community Development Director (via fax)

BOGLE & GATES P.L.L.C.



# Memo

**To:** Honorable Mayor and City Council  
**Through:** Dan Bartlett, City Manager  
**From:** Charlene Richards, Assistant City Manager *CR*  
**Date:** November 6, 1997  
**Re:** Local Greenspaces and Trails Projects – Local Share

## Recommendation

Adopt the attached resolution finding the City of Milwaukie Riverfront project infeasible for the City of Milwaukie's Local Greenspaces and Trails project list to be funded by Metro's Greenspaces Bond Measure and approving substitute projects.

## Background

In July 1994, Metro Council passed a resolution to submit to the voters a General Obligation bond of indebtedness of \$138.8 million for greenspaces, including up to \$25 million for local government greenspaces projects. In October 1994, the Milwaukie City Council passed a resolution submitting the City's Local Greenspaces and Trails Project List to be funded by Metro's Greenspaces Bond Measure. Six (6) projects were submitted. See attached Resolution No. 40-1994, including Exhibit A, Attachment A. The Intergovernmental Agreement (IGA) between the City and Metro signed in October 1995, authorized two projects for a total cost of \$348,020. This included the Waterfront property acquisition estimated at \$310,000 and the Kellogg Lake property acquisition estimated at \$39,020. Section 4, page 3 of the IGA speaks to funding requirements including project costs and substitutions. See attached IGA, Attachment B.

To date, approximately \$22,000 of local share funds have been expended for purchase of property on Kellogg Lake. The proposed acquisition of property on the waterfront has reached impasse with an unwilling seller. For the City to submit a new project or projects, the City must first declare a project or projects degraded, cost prohibitive or otherwise infeasible. The basis of the finding of infeasible is that the seller of the Waterfront properties is unwilling to sell.

### PARB Recommendation:

Since the PARB is the recommending body to the City Council on parks and recreation issues, the PARB was asked to consider substitute projects. Substitute projects must meet the criteria for local greenspaces and trails projects. See IGA, Attachment A, page 8, Greenspaces General Obligation Bond Measure Local Share Guidelines. The PARB considered the projects previously submitted to Metro for Local Share funding that met the criteria but did not receive funding. The PARB also opened their discussion to other projects that might meet the listed criteria. To that end, three new projects were developed: the Lewelling Area Wetland acquisition, the Minthorn North Addition, and the Furnberg Park Wetland Enhancements. Following deliberations, the PARB concluded with the following unanimously approved motion:

MILWAUKIE CITY HALL  
10722 SE MAIN STREET  
MILWAUKIE, OREGON 97222  
PHONE: (503) 786-7555 • FAX: (503) 652-4433

The PARB recommends to the City Council that the following City of Milwaukie, Local Greenspaces and Trails substitute projects be considered to replace the Waterfront acquisition project estimated to cost \$310,000, with concentration first on land acquisition as follows:

- 1. Lewelling Area Wetlands \$115,000 (Lewelling NDA)
- 2. Minthorn North Addition \$ 85,000 (Historic Milwaukie NDA)
- 3. Johnson Creek/Springwater Corridor\* \$ 70,000 (Lewelling NDA)
- 4. Ardenwald to Springwater Access Easement\* \$ 5,000 (Ardenwald NDA)

then enhancement to existing wetlands as follows:

- 5. Furnberg Park Wetland Enhancements \$ 30,000 (Linwood NDA)
  - 6. Roswell Wetland Enhancement\* \$ 3,000 (Ardenwald NDA)
  - 7. Willow Place Wetland Enhancement\* \$ 2,000 (Lake Road NDA)
- Total: \$310,000

\* Projects submitted in 1994

Information on project submission date and neighborhoods was not a part of the motion.

**Substitute Projects:**

The PARB submits the above list of substitute projects for Council consideration.

- Four of these projects (3, 4, 6 & 7) were part of the original six projects submitted for funding. See attached forms submitted to Metro by Jim Crumley of the City of Milwaukie. These projects met Metro requirements for funding, though funds were not available. See Attachment A.
- One of the new projects, the Lewelling Area Wetland acquisition(1) unfortunately is no longer a feasible project since the owner has accepted an offer to purchase the property. This property acquisition would have helped meet the City and PARB first funding priority for fiscal year 1997-1998 to acquire neighborhood park property. See Attachment C.
- The Furnberg Park Wetland Enhancements project (5) is listed as the second funding priority of the City and the PARB for North Clackamas Parks and Recreation District funding for fiscal year 1997-1998 as stated in Resolution No. 6-1997:

**II. Upgrade existing facilities to meet expanding needs.**

**A. Furnberg Park** – complete next phase of master plan. (construction) ...”

**(Bolding added)**

The Furnberg Park project would fund capital improvements to the wetlands portion of the park master plan, phase 2 of construction. See attached form prepared by Diane Kean Campbell of the North Clackamas Parks and Recreation District. See Attachment D.

- The Minthorn North Addition (2) would be an acquisition project. The property is contiguous to an existing wetland owned and maintained by the Wetlands Conservancy. The property is north of the Wetlands Conservancy property and otherwise bounded by Railroad Avenue and 37<sup>th</sup> Avenue. This property would provide access to the wetland for public use and for maintenance of the area. See Attachment E.

**Council Consideration and Conclusions**

To submit a new project or projects, the City must hold a public hearing to determine the list of substitute projects. At the conclusion of the public hearing, the Council may by resolution declare the Waterfront acquisition project infeasible and adopt a list of projects to submit to Metro for consideration as substitute projects to replace the Waterfront project estimated to cost \$310,000.

local share 11-6-97

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION FINDING THE CITY OF MILWAUKIE RIVERFRONT PROJECT INFEASIBLE FOR THE CITY OF MILWAUKIE'S LOCAL GREENSPACES AND TRAILS PROJECT LIST TO BE FUNDED BY METRO'S GREENSPACES BOND MEASURE AND APPROVING SUBSTITUTE PROJECTS.

**WHEREAS** on October 18, 1994, the City Council of the City of Milwaukie approved by Resolution no 40-1994 the Local Greenspaces and Trails Project list to be funded by Metro's Greenspaces Bond Measure, attached as Exhibit A; and

**WHEREAS** on October 24, 1995, the City of Milwaukie and Metro entered into an Intergovernmental Agreement Open Spaces Bond Measure, Local Share Component, attached as Exhibit B, providing approved projects described in Attachment "A" and providing funding requirements for substitute projects; and

**WHEREAS** the City has an unwilling seller for the Milwaukie Riverfront acquisition project which makes this project infeasible; and

**WHEREAS** the Milwaukie Riverfront acquisition project was funded at the estimated cost of approximately \$310,000; and

**WHEREAS** the Milwaukie Park and Recreation Board held a public meeting to discuss proposed substitute projects which included the attached substitute project list, and made the following recommendations, attached as Exhibit C; and

**WHEREAS** the City Council held a public hearing on November 18, 1997, to consider the substitute projects considered and recommended by the Milwaukie Park and Recreation Board, and all other substitute projects brought forth at the City Council public hearing held on November 18, 1997; and

**WHEREAS** the City Council has conducted a public process to determine substitute projects consistent with the provisions of the Bond Measure and the Local Share Guidelines;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that:**

Section 1. The Milwaukie Riverfront Acquisition Local Share project is found infeasible due to an unwilling Seller.

Section 2. The City of Milwaukie approves the Local Greenspaces and Trails Substitute Project List, as described in Exhibit D, to be funded by Metro's Greenspaces Bond Measure in lieu of the Milwaukie Riverfront Acquisition project.

Signed by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Craig Lomnicki, Mayor

4

ATTEST:

\_\_\_\_\_  
Pat DuVal, City Recorder

Approved as to form:

\_\_\_\_\_  
O'Donnell, Ramis, Crew, Corrigan & Bachrach, LLP  
City Attorney

Exhibit A

<u>Project Title</u>	<u>Type</u>	<u>Estimated Cost</u>
1. Minthorn North Addition	Acquisition	\$ 85,000
2. Johnson Creek/Springwater Corridor	Acquisition	\$130,000
3. Ardenwald to Springwater Access Easement	Capital Improvement	\$ 5,000
4. Furnberg Park Wetland Enhancements	Capital Improvement	\$ 80,000
5. Roswell Wetland Enhancement	Capital Improvement	\$ 5,000
6. Willow Place Wetland Enhancement	Capital Improvement	\$ 5,000

RESOLUTION NO. 40-1994

**A RESOLUTION APPROVING THE CITY OF MILWAUKIE'S  
LOCAL GREENSPACES AND TRAILS PROJECT LIST  
TO BE FUNDED BY METRO'S GREENSPACES BOND MEASURE**

**WHEREAS** on June 8, 1992, the City of Milwaukie endorsed the intergovernmental planning process coordinated by Metro to preserve greenspaces through the Metropolitan Greenspaces Master Plan; and

**WHEREAS** in July, 1992, the Metro Council adopted the Metropolitan Greenspaces Master Plan calling for the preservation of regionally significant greenspaces, including the Milwaukie riverfront; and

**WHEREAS** on July 28, 1994, the Metro Council passed a resolution to submit to the qualified voters of the district the question of contracting a General Obligation bond of indebtedness of \$138.8 million for greenspaces, including up to \$25 million for local government greenspaces projects; and

**WHEREAS** the measure will be placed on the ballot for election to be held on March 28, 1995, or the earliest available election date in 1995 if the first 1995 election date is changed through an initiative on the November 1994 ballot; and

**WHEREAS** the City of Milwaukie is entitled to receive a local share allocation of the Greenspaces Bond Measure funds estimated at \$363,473, based on the allocation formula in the Metropolitan Greenspaces Master Plan adopted by the Metro Council in July 1992; and

**WHEREAS** in order to inform voters prior to the vote on this ballot measure, local governments that are eligible to receive local share funds from the Greenspaces Bond Measure need to submit an approved Local Greenspaces and Trails Project List to Metro by November 1, 1994; and

**WHEREAS** the City of Milwaukie has incorporated a Recreational Needs Element into the City's Comprehensive Plan to provide for the recreational needs of present and future City residents; and

**WHEREAS** the City of Milwaukie has incorporated a Willamette Greenway Element into the City's Comprehensive Plan to protect, conserve, enhance, and maintain the natural and recreational qualities of lands along the Willamette River; and

1

RESOLUTION NO. 40-1994

Page 2

WHEREAS the City of Milwaukie has incorporated an Open Spaces, Scenic Areas, and Natural Resources Element into the City's Comprehensive Plan to conserve open space and protect and enhance natural and scenic resources in order to create an aesthetically pleasing urban environment, while preserving and enhancing significant natural resources.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that:

Section 1. The City of Milwaukie approves the Local Greenspaces and Trails Project List to be funded by Metro's Greenspaces Bond Measure as described in Exhibit A.

Signed by the Mayor on October 18, 1994

Craig J. Lomnicki  
Craig Lomnicki, Mayor

ATTEST:

Pat DuVal  
Pat DuVal, City Recorder

Approved as to form:

Paula J. Bury  
O'Donnell, Ramis, Crew, Corrigan & Bachrach  
City Attorney

**EXHIBIT A**

<b>Project Title</b>	<b>Approximate Cost</b>	<b>Type</b>
1. Milwaukie Waterfront	\$300,000	Acquisition
2. Kellogg Lake	\$ 23,000	Acquisition
3. Johnson Creek/ Springwater Corridor	\$ 25,000	Acquisition
4. Roswell Wetland Enhancement	\$ 5,000	Capital Improvement
5. Willow Place Wetland Enhancement	\$ 5,000	Capital Improvement
6. Ardenwald to Springwater Access Easement	\$ 5,000	Capital Improvement

LOCAL GREENSPACES and TRAILS PROJECTS FORM  
ACQUISITION

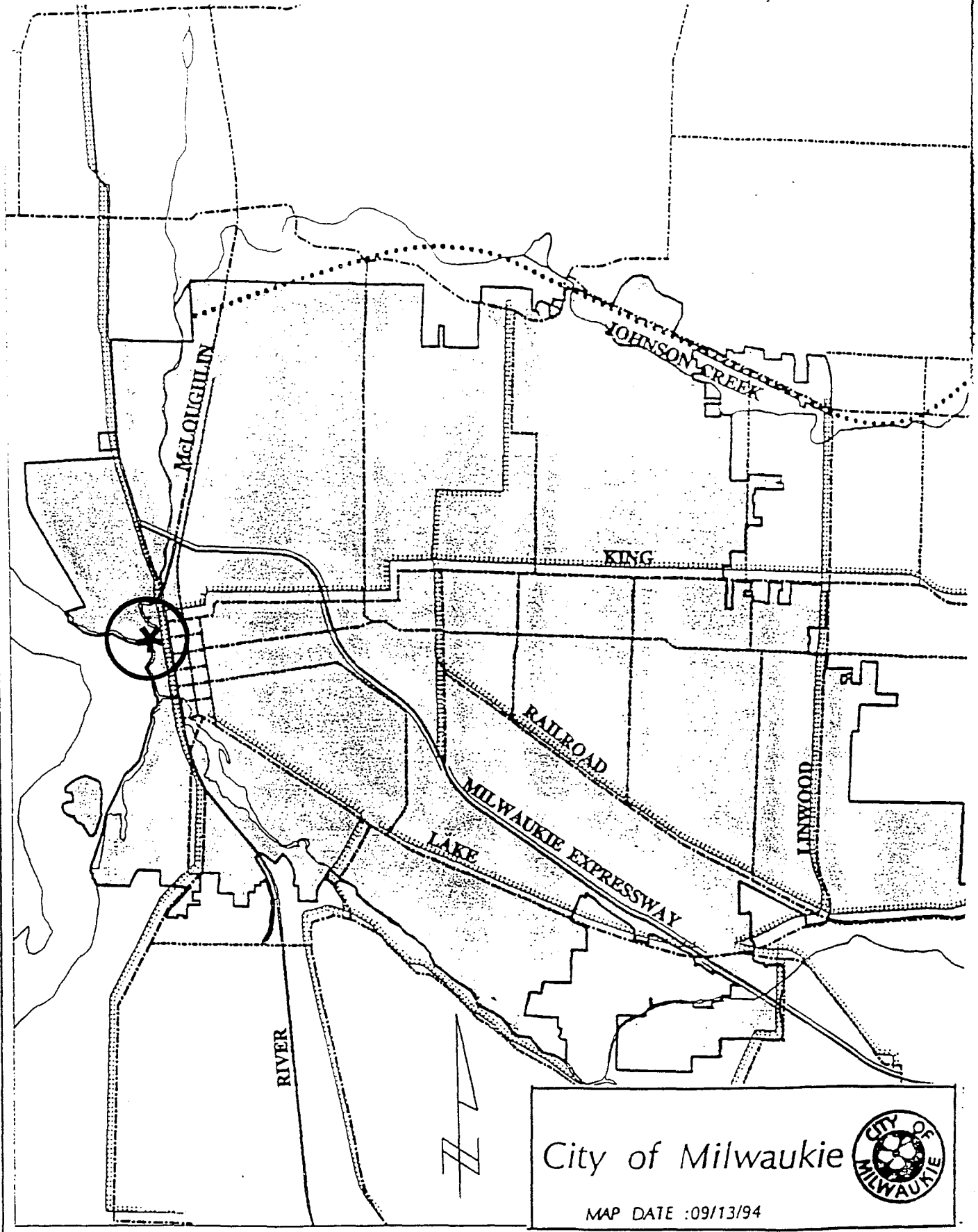
To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)

- 1. Project Title:  
Milwaukie Riverfront
  
- 2. Project Description and Location (include vicinity map on 8.5 X 11 paper):  
Purchase up to four properties along the Willamette River at the  
Confluence of Johnson Creek (approximately 2.5 acres).
  
- 3. Estimated Cost (detail other sources in addition to Metro bond measure):  
If all properties are available, approximately \$350,000
  
- 4. Staff Contact/Address/Phone:  
Jim Crumley  
City Of Milwaukie  
Community Development Department  
6101 SE Johnson Cr. Blvd.  
Milwaukie, OR 97206 786-7654
- 5. Date:  
10/5/94

**Must be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX**

**Send to: Mel Huie, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232**

# LOCAL GREENSPACES and TRAILS PROJECTS



City of Milwaukie



MAP DATE :09/13/94

## MILWAUKIE WATERFRONT

LOCAL GREENSPACES and TRAILS PROJECTS FORM  
ACQUISITION

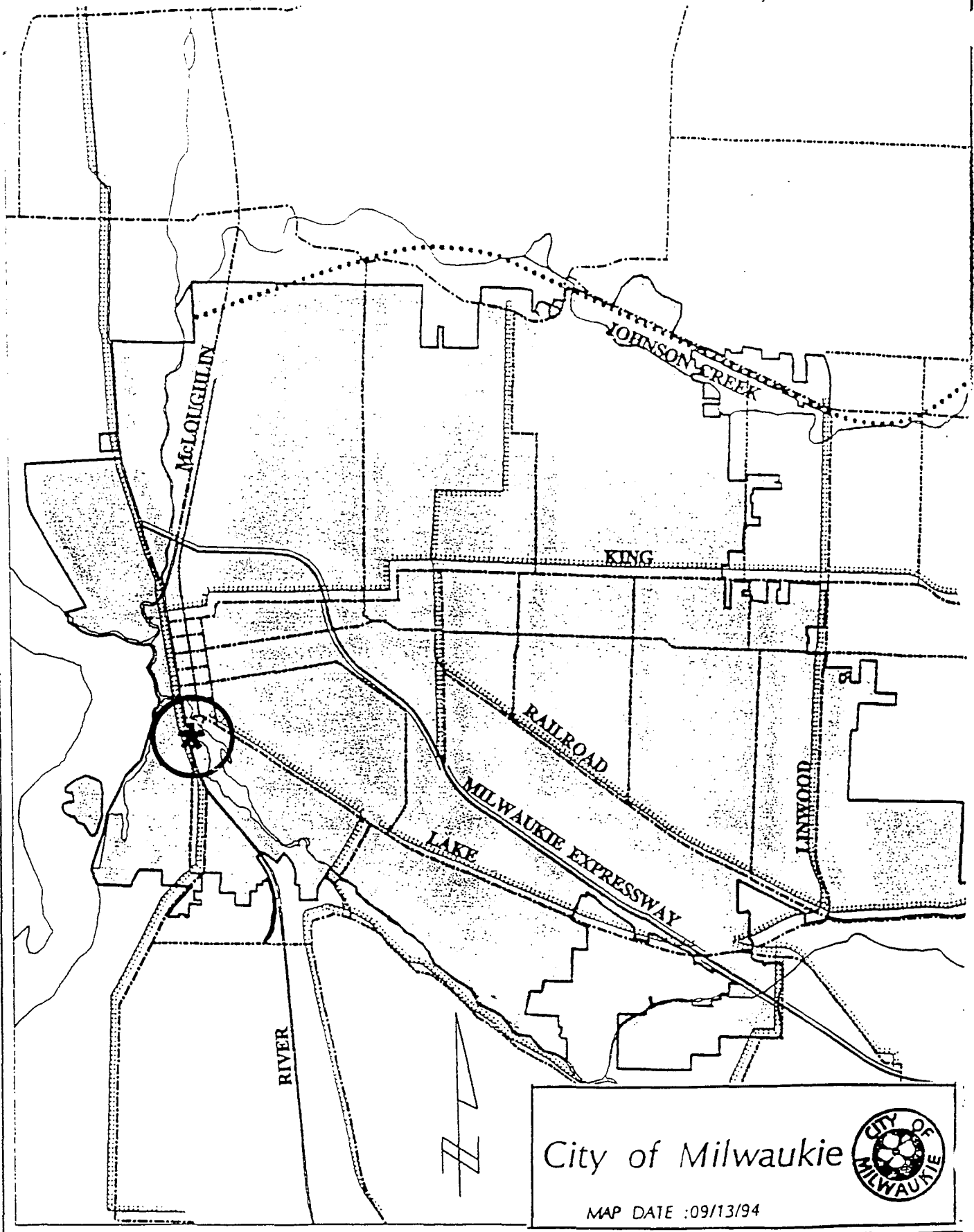
To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)


- 1. Project Title:  
Kellogg Lake
  
- 2. Project Description and Location (include vicinity map on 8.5 X 11 paper):  
Purchase one property located east of McLoughlin Boulevard and west of Kellogg Lake
  
- 3. Estimated Cost (detail other sources in addition to Metro bond measure):  
\$15,000
  
- 4. Staff Contact/Address/Phone:  
Jim Crumley  
City Of Milwaukie  
Community Development Department  
6101 SE Johnson Cr. Blvd.  
Milwaukie, OR 97206 786-7654
- 5. Date:  
10/5/94

Must be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX

Send to: Mel Huie, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232

# LOCAL GREENSPACES and TRAILS PROJECTS



City of Milwaukie 

MAP DATE :09/13/94

## KELLOGG LAKE

LOCAL GREENSPACES and TRAILS PROJECTS FORM  
ACQUISITION

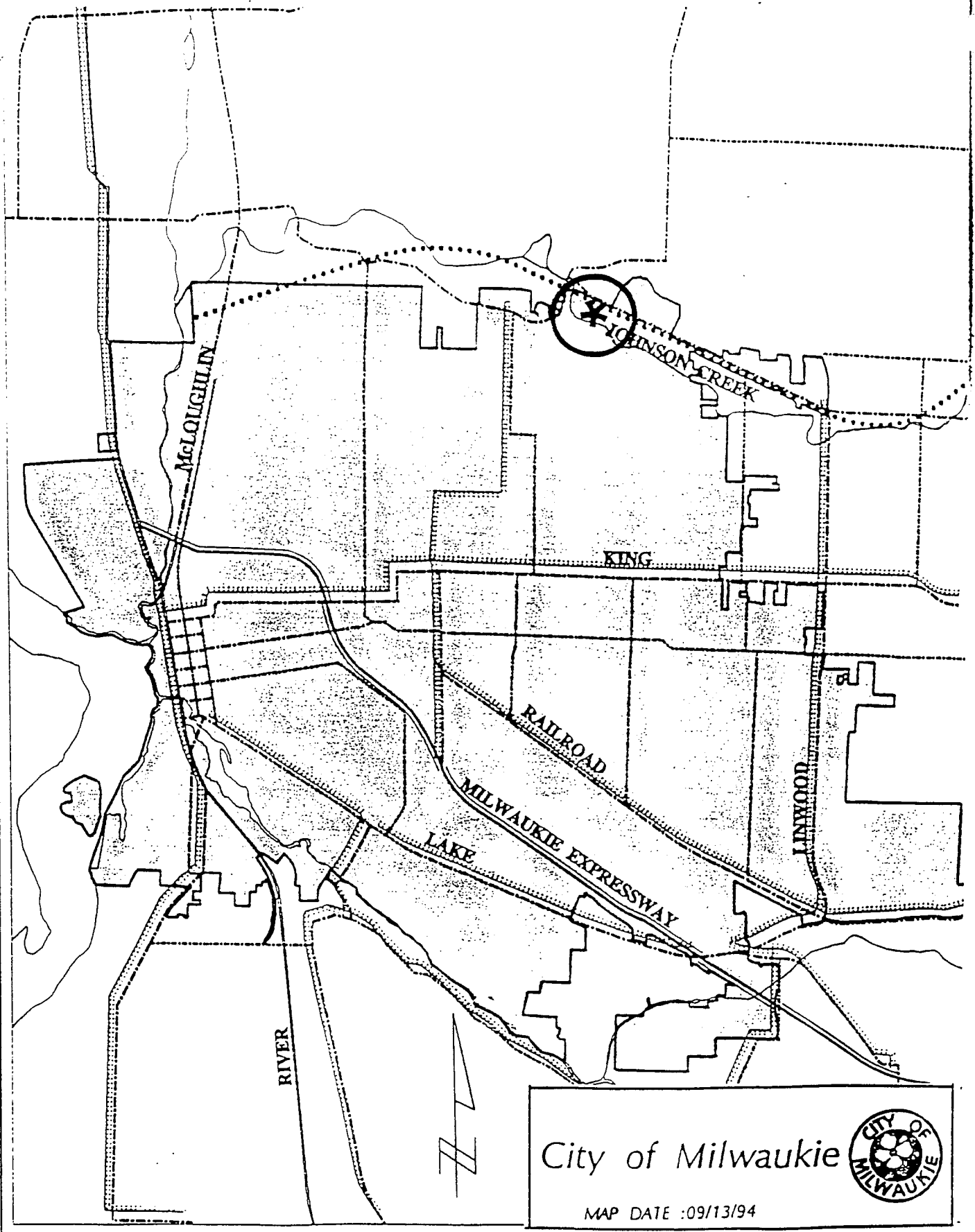
To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)

- 1. Project Title:  
Johnson Creek/Springwater Corridor
  
- 2. Project Description and Location (include vicinity map on 8.5 X 11 paper):  
Purchase up to four properties located between Johnson Creek and the Springwater Corridor
  
- 3. Estimated Cost (detail other sources in addition to Metro bond measure):  
If all properties are available, approximately \$275,000
  
- 4. Staff Contact/Address/Phone:  
Jim Crumley  
City Of Milwaukie  
Community Development Department  
6101 SE Johnson Cr. Blvd.  
Milwaukie, OR 97206 786-7654
- 5. Date:  
10/5/94

**Must be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX**

**Send to: Mel Huie, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232**

# LOCAL GREENSPACES and TRAILS PROJECTS



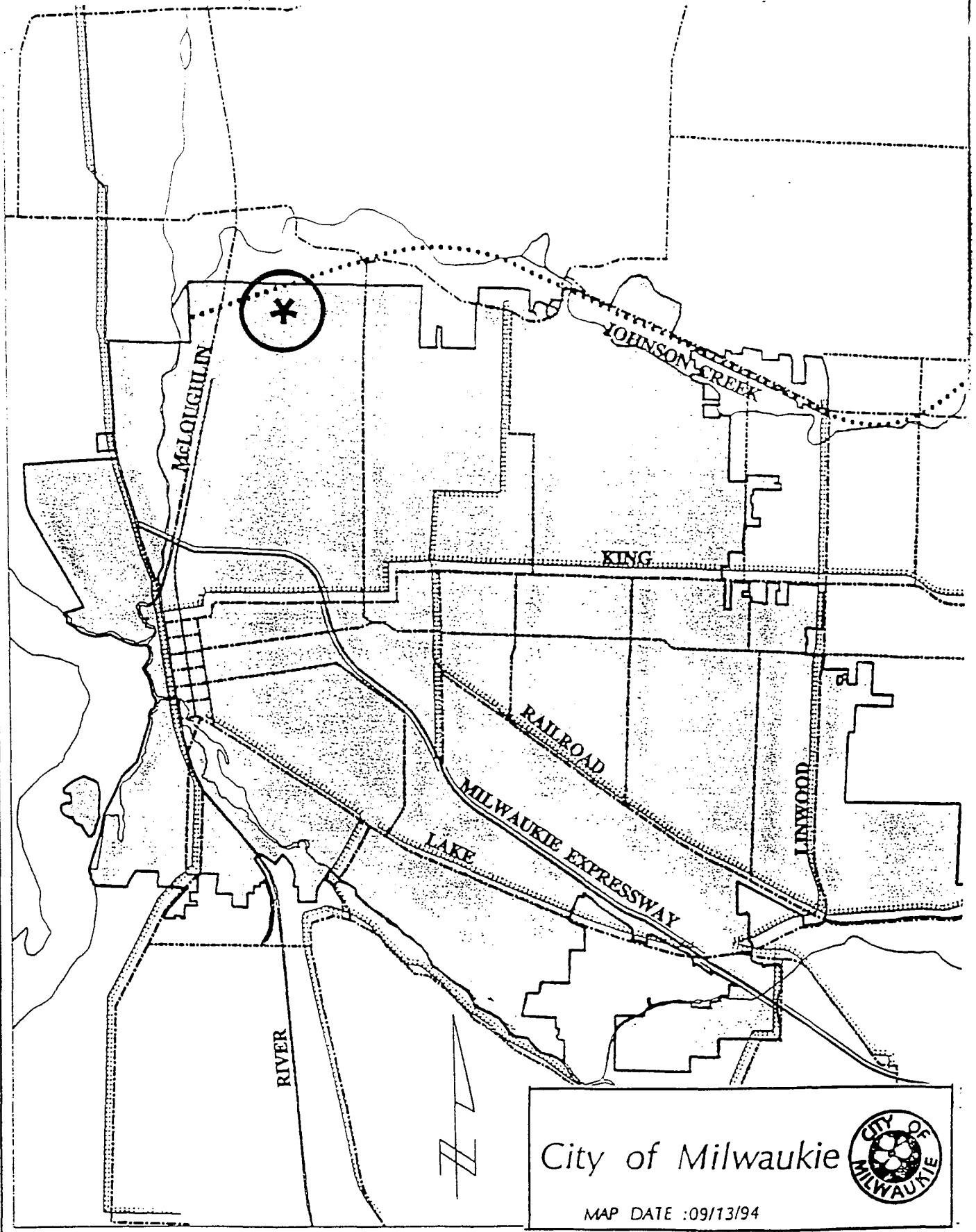
City of Milwaukie 


MAP DATE :09/13/94

## JOHNSON CREEK/SPRINGWATER CORRIDOR



# LOCAL GREENSPACES and TRAILS PROJECTS



City of Milwaukie 

MAP DATE :09/13/94

## ROSWELL WETLAND

LOCAL GREENSPACES AND TRAILS PROJECTS FORM  
CAPITAL IMPROVEMENTS

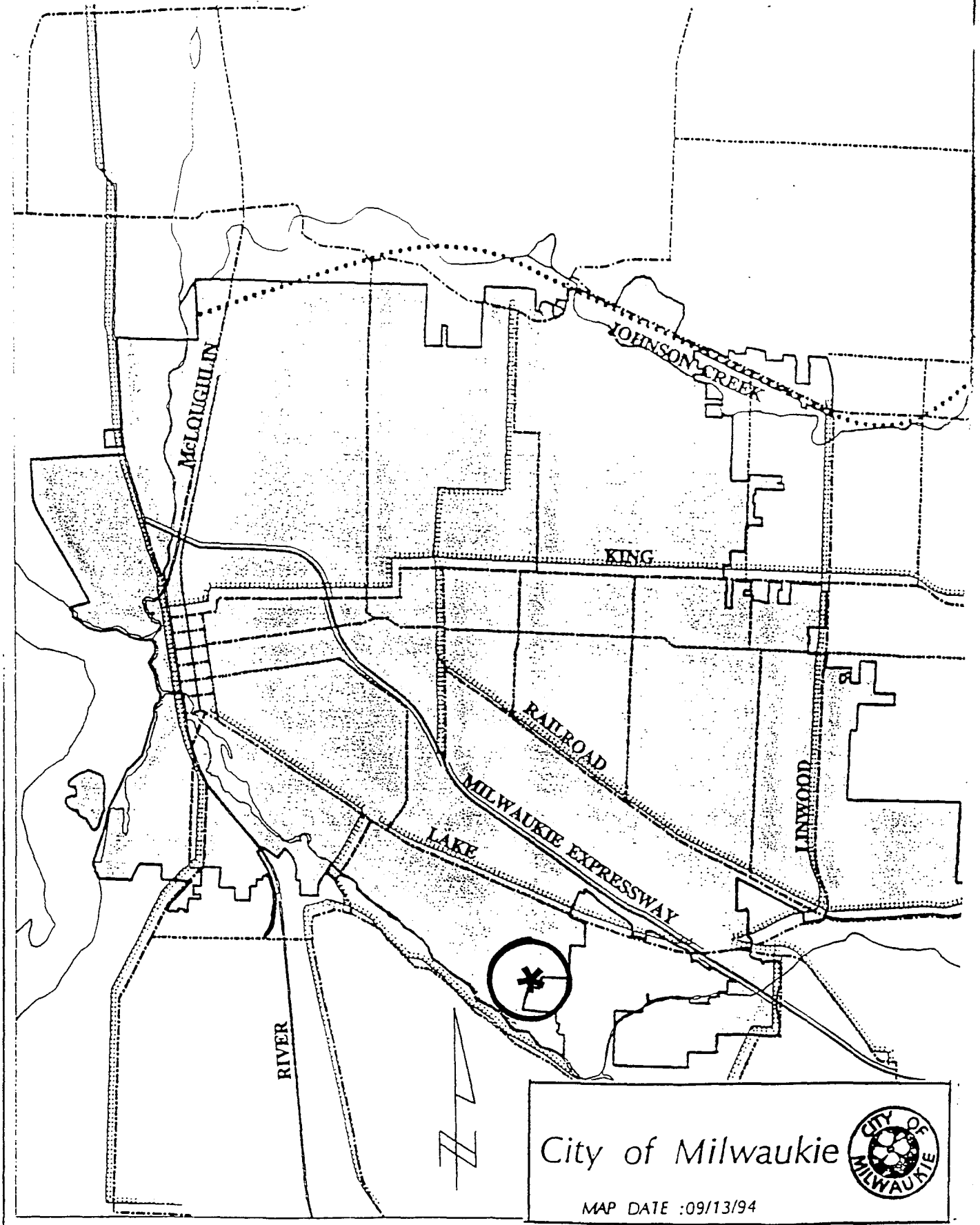
To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)


- 1. Project Title:  
Willow Place wetland enhancement
  
- 2. Project Description and Location (include vicinity map on 8.5 X 11 paper)  
Natural vegetation replacement and enhancement.
  
- 3. Estimated Cost (detail other sources in addition to Metro bond measure):  
\$15,000
  
- 4. Staff Contact/Address/Phone:  
Jim Crumley  
City Of Milwaukie  
Community Development Department  
6101 SE Johnson Cr. Blvd.  
Milwaukie, OR 97206 786-7654
  
- 5. Date:  
10/5/94

**Must Be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX**

**Send to: Mel Huie, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232  
(503) 797-1731**

# LOCAL GREENSPACES and TRAILS PROJECTS



City of Milwaukie 

MAP DATE :09/13/94

## WILLOW PLACE WETLAND

LOCAL GREENSPACES AND TRAILS PROJECTS FORM  
CAPITAL IMPROVEMENTS

To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)

1. Project Title:

Ardenwald to Springwater Access Easment

2. Project Description and Location (include vicinity map on 8.5 X 11 paper)

Purchase and improvement of an easment on private property near Sherrett Street at approximately SE 28th connecting to the Sprinwater trail.

*transfer  
TRAIL IMP.*

3. Estimated Cost (detail other sources in addition to Metro bond measure):

\$45,000

4. Staff Contact/Address/Phone:

Jim Crumley  
City of Milwaukie  
6101 Johnson Creek Blvd.  
Milwaukie, OR 97206

786-7650

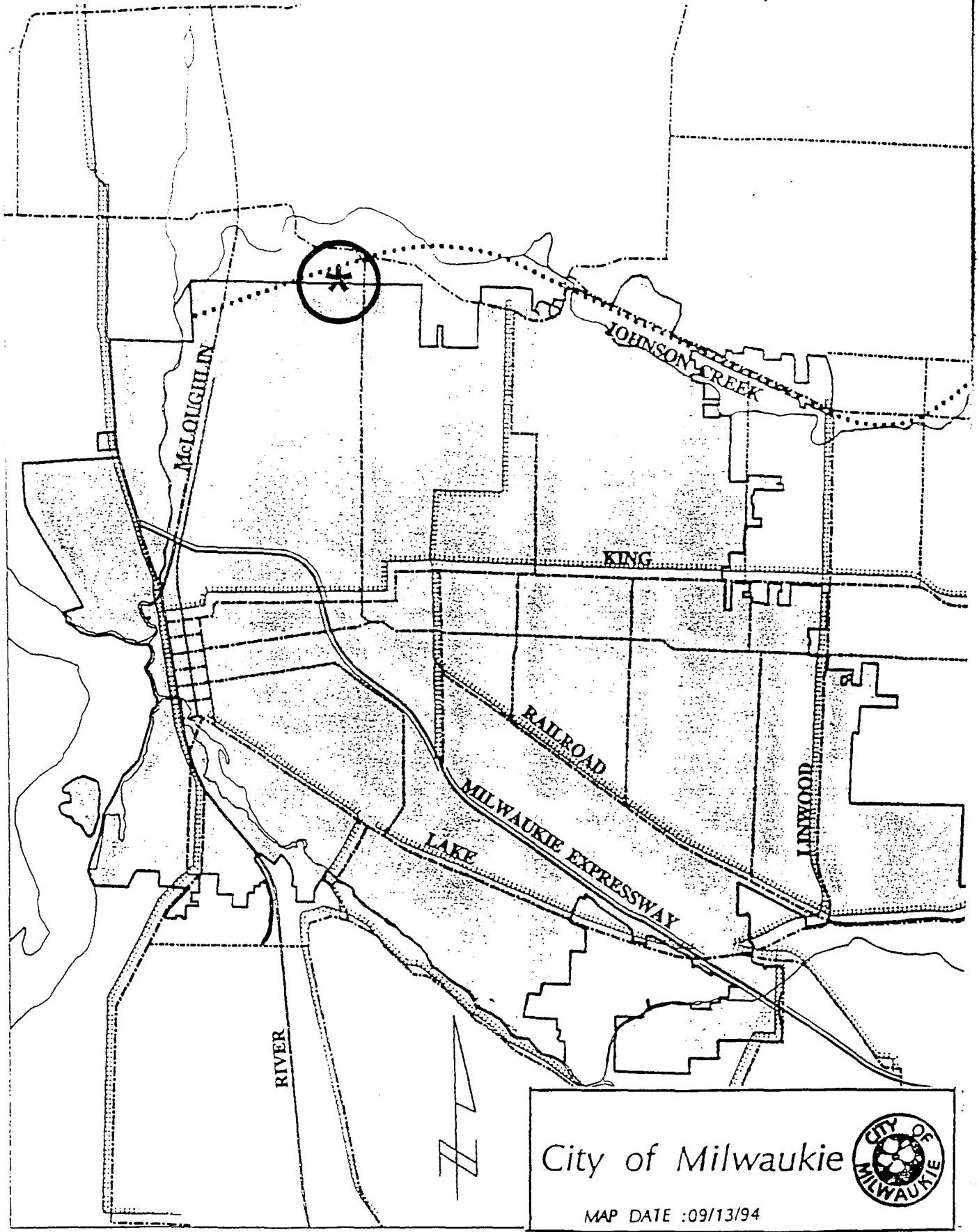
5. Date:

10/5/94

**Must Be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX**

**Send to: Mel Huie, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232  
(503) 797-1731**

# LOCAL GREENSPACES and TRAILS PROJECTS



## ARDENWALD TO SPRINGWATER

Project: Open Spaces Program  
Contract No.

INTERGOVERNMENTAL AGREEMENT  
Open Spaces Bond Measure  
Local Share Component

This Agreement dated this 24 day of October 1995, is by and between Metro, a metropolitan service district organized under the laws of the state of Oregon and the 1992 Metro Charter, located at 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and the City of Milwaukie, located at 10722 S.E. Main Street, Milwaukie, Oregon 97222, (hereinafter referred to as "Recipient"), and shall remain in full force and effect for the period September 1, 1995, to September 1, 1998, (unless extended as provided for herein).

WITNESSETH:

WHEREAS, The electors of Metro approved a ballot measure on May 16, 1995, authorizing Metro to issue \$135.6 million in bonds for Open Spaces, Parks, Trails and Streams (the "Measure"); and

WHEREAS, The Measure provided that \$25 million from bond proceeds be expended by local parks providers for specified projects; and

WHEREAS, Recipient is a local parks provider who has received approval for funding for project(s) as specified in the Measure; and

WHEREAS, Metro and Recipient desire to enter into this Agreement to provide for funding of Recipient's project(s) subject to terms and conditions as provided for in the Measure; and

P.  
"S. ..."

WHEREAS, Metro and Recipient acknowledge that they have authority to enter into this Agreement pursuant to the powers contained in their respective charters and in ORS 190.010.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the parties hereto as follows:

1. Project Declaration

Metro hereby approves the Project proposal(s) and authorizes Recipient to proceed with the Project in accordance with the Scope of Work included as Attachment "A." All real property interests acquired shall be held in the name of Recipient.

2. Funding

Metro's contribution to the Project(s) is limited to \$349,020. Payment of funds by Metro to Recipient will be subject to the procedures set forth in Attachment "B" of this Agreement.

3. Funding Limitation

Metro through the approval of the Measure and the sale of bonds has established this Agreement with the sole purpose of implementing the Metro Open Spaces Program through funding of this Project. Therefore, Metro neither intends nor accepts any direct involvement in this Project which can or could be construed to result in supervisory responsibility during the course of acquisition or construction, and upon completion of the Project and payment of funds as provided for herein there will be no further obligations on the part of Metro.

4. Funding Requirements

Metro has committed to pay from bond proceeds the amount specified for the approved project(s) described in Attachment "A." Recipient may substitute a different project only if the following conditions are met:

a. Recipient through its governing body must find that one or more of the projects described in Attachment "A" have become degraded, are cost prohibitive or are otherwise infeasible.

b. Recipient through its governing body shall conduct a public process and determine the substitute project consistent with the provisions of the Measure and the Local Share Guidelines.

c. The substitute project is subject to administrative approval by Metro's Regional Parks and Greenspaces Department Director, such approval shall not be unreasonably withheld. Metro will designate the name of the Department Director in writing at the time this Agreement is executed. Thereafter, Metro may give written notice to Recipient of any change in the Department Director.

d. Metro's financial obligation under this Agreement shall not be increased. Recipient agrees to comply at all times with provisions of the Measure and the adopted Local Share Guidelines which appear as Attachment "C" to this Agreement and by this reference are made a part hereof.

5. Term

Metro's obligation to provide funds pursuant to this Agreement shall terminate September 1, 1998. It is the intent of the parties that Recipient will have completed the

project(s) and all Metro funding obligated under this Agreement shall have been paid prior to such date. However, in the event of unforeseen circumstances that cause Recipient to be delayed in completing the project(s), Recipient is entitled upon giving 30 days written notice to Metro to extend Metro's obligations pursuant to this Agreement for an additional six months. More than one extension may be granted if necessary to complete the project(s). Recipient must receive approval of the extension from Metro's Regional Parks and Greenspaces Department Director. Metro may deny an extension if it finds that Recipient is not making good faith efforts to complete the project(s) and that the need for an extension is due to Recipient's neglect of the project(s). Any denial of an extension is not effective for 10 days after receipt of notice of the denial, and at Recipient's request is subject to review by the Metro Executive Officer. The provisions of Sections 7, 8, 9, and 10 shall continue in effect after the completion by Recipient of any project(s) pursuant to this Agreement.

6. Situs

This Agreement is entered into within the state of Oregon, and the law of said state, whether substantive or procedural, shall apply to this Agreement, and all statutory, charter and ordinance provisions that are applicable to public contracts in the state of Oregon shall be followed with respect to this Agreement.

7. Limitations on Use

All property acquired by Recipient with Open Spaces funding by Metro shall be maintained for its intended natural resource dependent recreational, natural area or trail activities. Recipient commits to maintain all property acquired pursuant to this Agreement in a manner consistent with Metro's Greenspaces Master Plan. Recipient will not construct or

allow the construction of improvements to the property which are inconsistent with the Master Plan. However, in the event of extraordinary unforeseen circumstances Recipient may after January 1, 2005, authorize a change in use of acquired property. In the event a change in use occurs, Recipient agrees to take the following actions:

- Recipient shall give Metro 180 days advance written notice of its intent to authorize a change in use or sell the property to a third party. Recipient shall obtain an appraisal of the fair market value of the property assuming that the property was not subject to any use restrictions. The appraisal is subject to approval by Metro as to its completeness and reasonableness. After the appraisal value is determined and is approved by Metro, Recipient shall obtain the fair market value of the discontinued property and apply it to completion of a substitute project(s) within 90 days after authorizing the change in use the appraisal value is determined and approved by Metro.
- Recipient shall determine through the process described in Section 4 of this Agreement what substitute project should be funded and completed.

8. Oregon Constitution and Tax Exempt Bond Covenants

Recipient acknowledges that Metro's source of funds for this Program is from the sale of voter-approved general obligation bonds that are to be paid from ad valorem property taxes exempt from the limitations of Article XI, section 11(b), 11(c), 11(d), and 11(e) of the Oregon Constitution, and that the interest paid by Metro to bond holders is currently exempt from federal and Oregon income taxes. Recipient covenants that it will take no actions that would cause Metro not to be able to maintain the current status of the real property taxes as

exempt for Oregon's constitutional limitations or the income tax exempt status of the bond interest. In the event Recipient breaches this covenant, Metro shall be entitled to whatever remedies are available to either cure the default or to compensate Metro for any loss it may suffer as a result thereof.

9. Funding Declaration

Recipient will document on-site, for all acquisitions and capital improvements, and in any publication, media presentations or other presentations, that funding came from Metro. On-site signage that provides recognition of Metro funding shall be subject to prior review and comment by Metro. All signage will be consistent with Metro guidelines for Open Spaces Projects. Recipient agrees to provide maintenance for all signs. Metro may elect to furnish on-site signage for use by Recipient.

10. Indemnification

Recipient shall indemnify Metro and its officers, agents and employees, against all loss, damage, expense and liability resulting from injury to or death of persons, or property damage, arising out of or in anyway connected to the wrongful acts of the Recipient's officers, agents and employees acting within the scope of employment or duties in performance of this Agreement, subject to the limitations and conditions of the Oregon Tort Claims Act, ORS chapter 30.

Metro shall indemnify Recipient and its officers, agents and employees, against all loss, damage, expense and liability resulting from injury to or death of persons, or property damage, arising out of or in any way connected to the wrongful acts of Metro's officers, agents and employees acting within the scope of employment or duties in performance of this

Agreement, subject to the limitations and conditions of the Oregon Tort Claims Act, ORS chapter 30.

11. Termination for Cause

Metro may terminate this Agreement in full, or in part, at any time before the date of completion, whenever Metro determines, in its sole discretion, that Recipient has failed to comply with the conditions of this Agreement and is therefore in default. Metro shall promptly notify Recipient in writing of that determination and document such default as outlined hereinbelow. Notwithstanding any termination for cause, Recipient shall be entitled to receive payments for any work completed or for which Recipient is contractually obligated for which completion or contractual obligation occurred prior to the effective date of the termination, provided that Metro shall not be obligated to make any payment except for work specifically provided for in this Agreement.

12. Documentation of Default

Recipient shall be deemed to be in default if it fails to comply with any provisions of this Agreement.

Prior to termination under this provision, Metro shall provide Recipient with written notice of default, provide a detailed written specification of the nature of the default and allow Recipient ninety (90) days within which to cure the default. In the event Recipient does not cure the default within ninety (90) days, Metro may terminate all or any part of this Agreement for cause. Recipient shall be notified in writing of the reasons for the termination and the effective date of the termination.

Recipient shall be liable to Metro for all reasonable costs and damages incurred by Metro as a result of and in documentation of the default.

If, after notice of termination, Metro agrees or a court finds that Recipient was not in default or that the default was excusable, such as a strike, fire, flood, or other event that is not the fault of, or is beyond the control of Recipient, Metro will allow Recipient to continue work, or both parties may treat the termination as a joint termination for convenience whereby the rights of the Recipient shall be as outlined hereinbelow.

13. Joint Termination for Convenience

Metro and Recipient may jointly terminate all or part of this Agreement based upon a determination that such action is in the public interest. Termination under this provision shall be effective upon ten (10) days written notice of termination issued by Metro subject to that mutual agreement.

Within thirty (30) days after termination pursuant to this provision, Recipient shall submit an itemized invoice(s) for all unreimbursed work within the Scope of Work of this Agreement completed before termination.

Metro shall not be liable for any costs invoiced later than thirty (30) days after termination unless the Recipient can to Metro's full satisfaction show good cause beyond the Recipient's control for the delay.

14. Documents are Public Property

All records, reports, data, documents, systems and concepts, whether in the form of writings, figures, graphs, or models which are prepared or developed in connection with the Project shall become public property.

Nothing in this section or in any other part of this Agreement shall be construed as limiting a Recipient's ability to consider real property transactions in executive session pursuant to ORS 192.660(1)(e) or as requiring disclosure of records that are otherwise exempt from disclosure pursuant to the Public Records Law (ORS 192.410 to 192.505) or Public Meetings Law (ORS 192.610 to 192.690) or local regulations.

15. Project Records

Comprehensive records and documentation relating to the Scope of Work and all specific tasks involved in the Project shall be maintained by Recipient.

Recipient shall establish and maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this Agreement.

16. Audits, Inspections, and Retention of Records

Metro, and any of its representatives, shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all of Recipient's records with respect to all matters covered by this Agreement. Such representatives shall be permitted to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls and other matters covered by this Agreement.

All documents, papers, time sheets, accounting records, and other materials pertaining to costs incurred in connection with the Project shall be retained by Metro and Recipient and

all of its contractors for three years from the date of completion of the Project, or expiration of the Agreement, whichever is later, to facilitate any audits or inspection.

A final determination of the allowability of costs charged to the Project may be made on the basis of an audit or other review. Any funds paid to Recipient in excess of the amount to which Recipient is finally determined to be entitled under the terms of this Agreement constitute a debt to Metro, and shall be returned by Recipient to Metro.

17. Attorney Fees

In the event any suit, action or other proceeding is brought with regard to this Agreement, or to enforce any of the provisions hereof, the prevailing party in any such suit, action or other proceeding, or any appeal therefrom, shall be entitled to reasonable attorneys' fees and court costs.

18. Law of Oregon

This Agreement shall be governed by the laws of the state of Oregon, and the parties agree to submit to the jurisdiction of the courts of the state of Oregon.

All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the state of Oregon, are hereby incorporated as if such provisions were a part of this Agreement including but not limited to ORS 279.015 to 279.320.

Specifically, it is a condition of this Agreement that Recipient and all employers working under this Agreement are subject employers that will comply with ORS 656.017 as required by Oregon Laws 1989, chapter 684.

19. Assignment

Recipient may not assign any of its responsibilities under this Agreement without prior written consent from Metro, except the Recipient may delegate or subcontract for performance of any of its responsibilities under this Agreement.

20. Severability

If any covenant or provision in this Agreement shall be adjudged void, such adjudication shall not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid, if such remainder would then continue to conform with the terms and requirements of applicable law and the intent of this Agreement.

21. Entire Agreement

This Agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement. Recipient, by the signature below of its authorized

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32

representative, hereby acknowledges that Recipient has read this Agreement, understands it and agrees to be bound by its terms and conditions.

IN WITNESS WHEREOF, the parties hereto have set their hands on the day and year set forth below.

CITY OF MILWAUKIE

METRO

By: Craig J. Lomnicki  
Title: Mayor

By: \_\_\_\_\_  
Mike Burton  
Executive Officer

gl  
1256n

MILWAUKIE <sup>(33)</sup>

ATTACHMENT "A"

LOCAL GREENSPACES and TRAILS PROJECTS FORM  
ACQUISITION

To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)

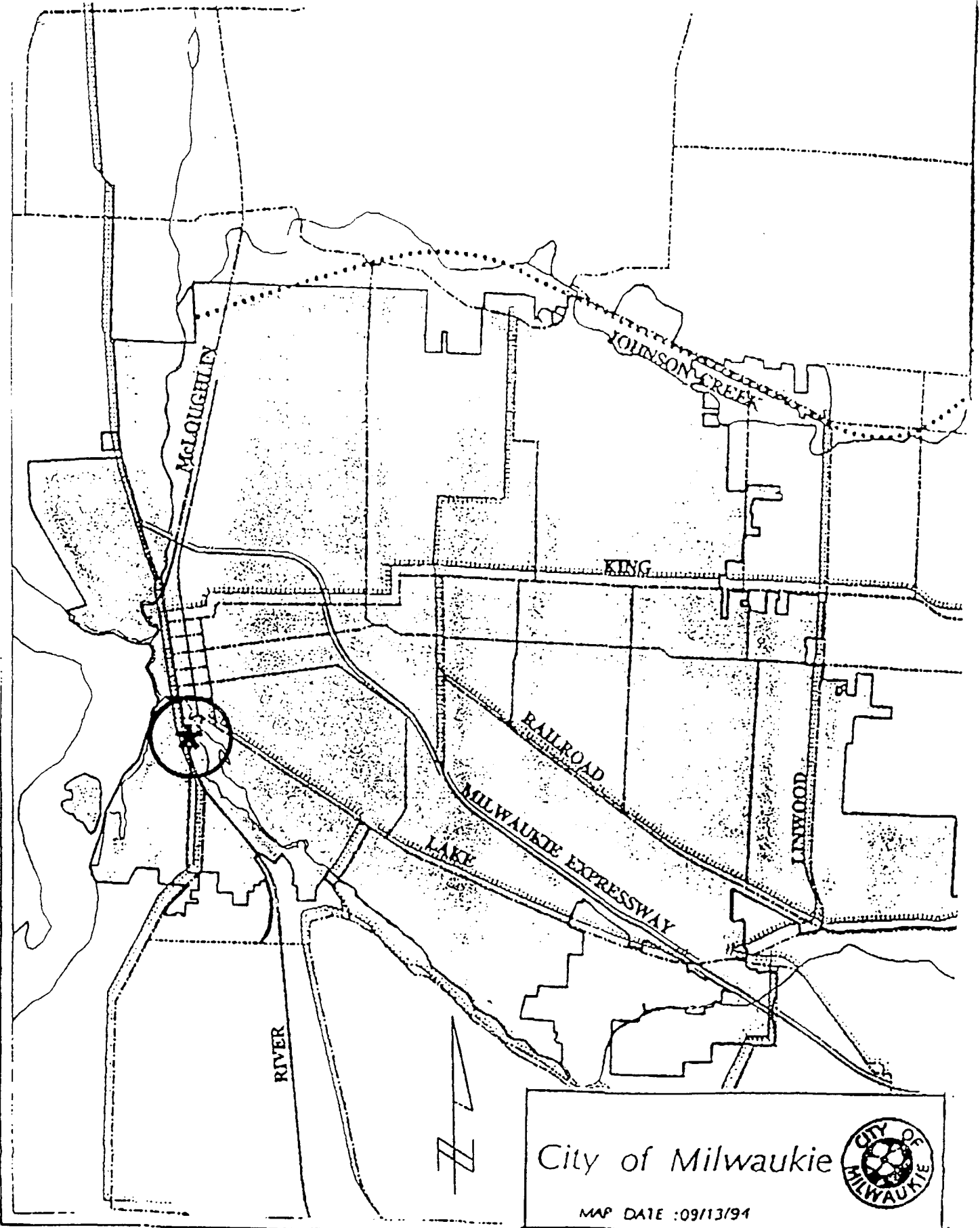
1. Project Title:  
Kellogg Lake
  
2. Project Description and Location (include vicinity map on 8.5 X 11 paper):  
Purchase one property located east of McLoughlin Boulevard and west of Kellogg Lake
  
3. Estimated Cost (detail other sources in addition to Metro bond measure):  
\$ 39,020
  
4. Staff Contact/Address/Phone:  
Jim Crumley  
City Of Milwaukie  
Community Development Department  
6101 SE Johnson Cr. Blvd.  
Milwaukie, OR 97206 786-7654
5. Date:  
10/5/94


Must be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX

Send to: Mel Huic, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232

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# LOCAL GREENSPACES and TRAILS PROJECTS



City of Milwaukie   
MAP DATE :09/13/94

MILWAUKIE

LOCAL GREENSPACES and TRAILS PROJECTS FORM  
ACQUISITION

To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)

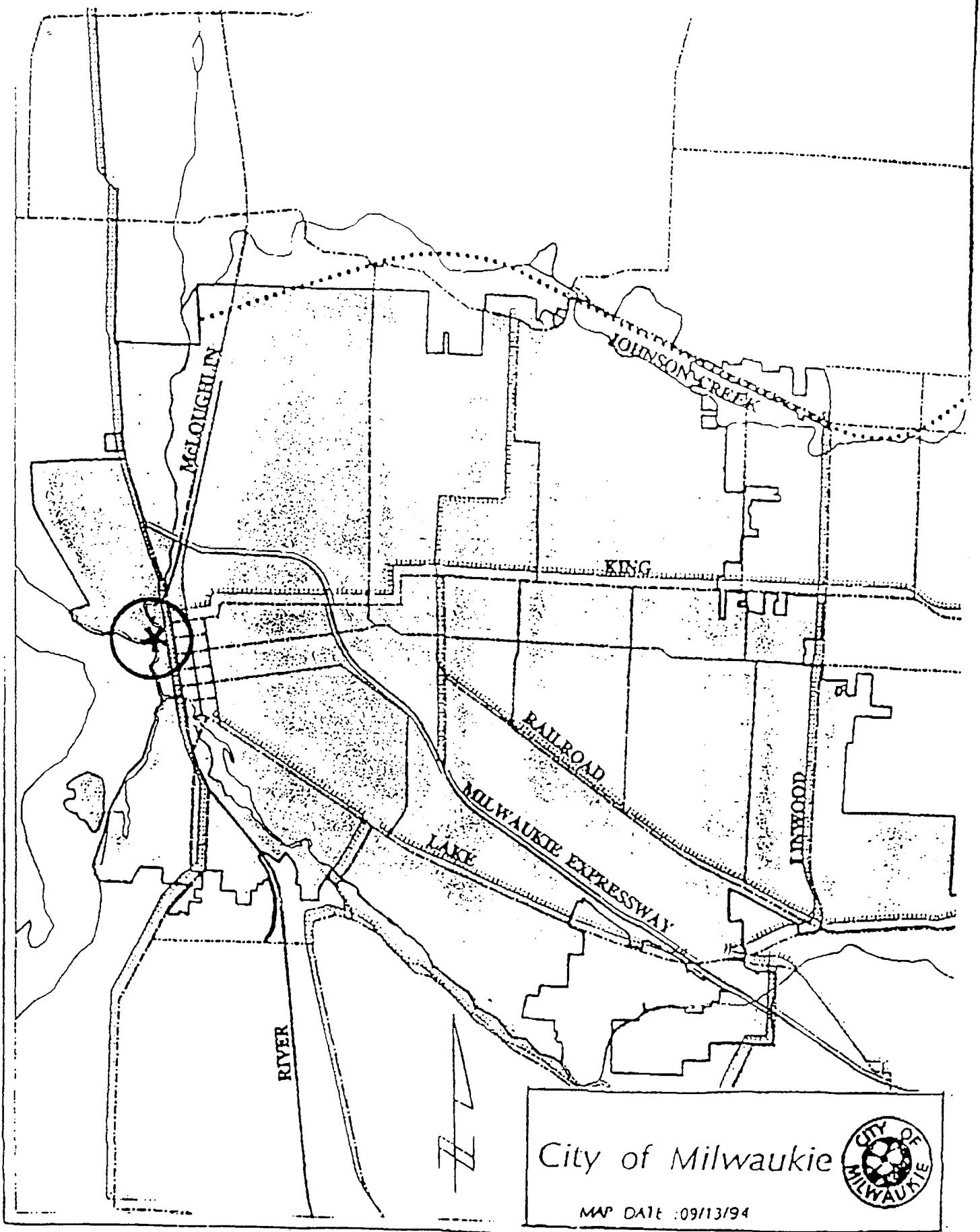
1. Project Title:  
Milwaukie Riverfront
  
2. Project Description and Location (include vicinity map on 8.5 X 11 paper):  
Purchase up to four properties along the Willamette River at the  
Confluence of Johnson Creek (approximately 2.5 acres).
  
3. Estimated Cost (detail other sources in addition to Metro bond measure):  
If all properties are available, approximately \$310,000
  
4. Staff Contact/Address/Phone:  
Jim Crumley  
City Of Milwaukie  
Community Development Department  
6101 SE Johnson Cr. Blvd.  
Milwaukie, OR 97206 786-7654
  
5. Date:  
10/5/94

Must be Received by Metro no later than November 1, 1994 (by 5:00 p.m.)  
No Postmark or FAX


Send to: Mel Huic, Metro Regional Parks and Greenspaces Department  
600 N.E. Grand Ave., Portland, OR 97232

36

# LOCAL GREENSPACES and TRAILS PROJECTS



City of Milwaukie



MAP DATE :09/13/94

## ATTACHMENT "B"

**PROCEDURES FOR PAYMENT OF FUNDS BY METRO TO RECIPIENT - OPEN SPACES BOND MEASURE LOCAL SHARE**

Metro has committed to pay to local jurisdictions (recipients) amounts specified for approved projects under the local share component of the Open Spaces Bond Measure. Under the Measure, funds must be expended on projects for acquisition and capital improvements. For purposes of reimbursement, capital cost includes not only the purchase price or cost of construction, but also any other costs incurred to place the asset in its intended location and condition for use. Examples of eligible costs include the following:

- Legal and title fees
- Closing costs
- Appraisal and negotiation fees
- Surveying fees
- Land preparation costs
- Demolition cost
- Architect and accounting fees
- Insurance premiums during the construction phase
- Transportation and freight charges
- Staff overhead costs meeting federal guidelines under the Single Audit Act of 1984

Payments to recipients will be processed in two ways: reimbursement for costs incurred and paid by the recipient or transfer of funds to escrow for land acquisition transactions.

Prior to any reimbursement or transfer of funds to escrow, an intergovernmental agreement must be executed and a designation of signature authority form must be signed.

***REIMBURSEMENT PROCEDURES***

For each request for reimbursement, the recipient shall provide to Metro:

- A completed requisition certificate, signed by an authorized representative of the recipient certifying appropriateness of the charges,
- A schedule of charges being submitted for reimbursement including the name of the vendor or person who was paid, description of charge and amount, and

38



METRO

# Wire Transfer Information Request

600 NE Grand Ave, Portland, OR 97232-2736, 797-1700

---

In order to expedite prompt and accurate processing of wire transfers, please fill out this form and return to Metro with related documentation.

1. Name of bank receiving wire transfer \_\_\_\_\_
  
2. Name of bank branch \_\_\_\_\_
  
3. City and state of bank location \_\_\_\_\_
  
4. ABA number of receiving bank (9 digits) \_\_\_\_\_
  
5. Account name receiving funds \_\_\_\_\_
  
6. Account number of recipient (10 digits) \_\_\_\_\_
  
7. Title report, Escrow number, or other transaction identifier \_\_\_\_\_

**EXHIBIT A**

**REQUISITION CERTIFICATE**

**TO: Metro**  
**FROM: (Local Jurisdiction)**  
**SUBJECT: Metro Open Space, Parks and Streams Bonds**  
**Local Projects**  
**Project: (Project Name)**

This represents Requisition Certificate No. \_\_\_\_\_ for (Project Name) in the total amount of \$\_\_\_\_\_ for the disbursement of funds from the Local Projects Account established with Metro pursuant to an Intergovernment Agreement between Metro and (Local Jurisdiction), the funds so disbursed to be used to pay for local park and openspace purchases and improvements detailed in the schedule attached.

The undersigned does certify that:

1. The expenditures for which moneys are requisitioned hereby represent proper charges against the Metro Local Projects Account, have not been included in a previous requisition and have been properly recorded on (Local Jurisdiction's) books. The expenditures for which moneys are hereby requisitioned are set forth in the schedule attached hereto, which schedule sets forth details of reimbursable expenditures.
2. The moneys requisitioned hereby are not greater than those necessary to reimburse (Local Jurisdiction) for its funds actually expended for local park and openspace purchases and improvements.
3. All of the funds being requisitioned are being used in a manner which will not cause the interest on the Metro Open Spaces Program General Obligation Bonds to be or become includable for federal income tax purposes in the gross incomes of the Owners thereof.

Executed this \_\_\_ day of \_\_\_\_\_, 1995.

**(Local Jurisdiction)**

By: \_\_\_\_\_  
Authorized Officer

Approved for Payment: \_\_\_\_\_  
Metro Project Director Date



METRO

# Open Spaces Bond Measure Local Share

Schedule of Charges

600 NE Grand Ave, Portland, OR 97232-2736, 797-1700

Jurisdiction \_\_\_\_\_

Please make check payable to \_\_\_\_\_

Project \_\_\_\_\_

Attention \_\_\_\_\_

Requisition No. \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

			For Metro Use:			
			Account Code			
Payment was made to:	Description	Amount	Fund	Cost center	Object	Project
		\$				
<b>Total Requisition</b>		\$				

44

**DESIGNATION OF SIGNATURE AUTHORITY  
METRO OPEN SPACES BOND MEASURE LOCAL SHARE**

Please indicate below the individuals from your jurisdiction who will be authorized to sign documents certifying appropriate expenditures and requesting reimbursement from Metro under the Open Spaces Bond Measure local share.

You may wish to designate at least two representatives in order to allow the processing of documents when the principal official is not available. Please type or print the person's name and title and have the person sign their name as they would sign on the documents which will be submitted.

Please submit this completed form to Metro in advance of any reimbursement requests.

Jurisdiction: \_\_\_\_\_

<u>Name</u>	<u>Title</u>	<u>Signature</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

OPEN SPACE ACQUISITION BOND MEASURE

Metro estimates that the Portland-Vancouver metropolitan area will grow by more than 1.1 million people by the year 2040. More homes and businesses will be built to serve this anticipated growth. As communities continue to develop, the protection, acquisition and active stewardship of open spaces, parks, trails and streams must become just as important as planning transportation, water, sewer and other basic infrastructure.

The basis for this land acquisition program is the Metropolitan Greenspaces Master Plan. The Master Plan is the growth management strategy which details the vision, goals and organizational framework of a regional system of natural areas, open space, trails and streams. The primary objective of the Master Plan is protection of natural resource areas in the public interest. The analysis is based on watersheds or stream basins to encourage review of the ecosystem in each part of the region. The Master Plan includes 1989 inventories and maps of 109,000 acres of then existing natural areas in and near the Metro boundaries. In 1989, approximately 9,200 acres were in public ownership. Nearly half of the publicly-owned acreage is located in Forest Park.

One goal of the Master Plan is to improve water quality in the region which is degraded as natural areas are lost. Retaining forested areas on slopes minimizes erosion that pollutes streams. Wetlands and floodplains hold runoff allowing plants and micro-organisms to biologically filter pollutants. Natural areas with riparian corridors will be purchased and preserved. Restoring native vegetation along these waterways will improve water quality.

The Master Plan identifies regional trails, streams and wildlife corridors. The trails provide means of human-powered access to commerce, recreation and natural areas. This includes links between parks, local trails and local communities and access to regionally significant parklands and natural areas. Streams and wildlife corridors protect habitat for maintaining biological diversity. Linked habitat is important for fish and wildlife species that reside in and pass through the region along regular migratory routes.

From the Master Plan inventory a number of existing large acre sites throughout the region were designated as regionally significant open space protection areas. These areas would be used to provide and protect open space and for passive recreational activities, including but not limited to, picnicking, hiking, bicycling, camping, bird watching, and boating.

This referral to the voters of \$135.6 million in general obligation bonds is based on advisory groups recommendations. This proposal has three components. It proposes acquisitions from 14 of the regionally significant areas (approximately 5,982 acres) and regional trail segments from the Master Plan plus local open space and trail projects. The inventory in these target areas has been reviewed in 1994.

The following are the 14 regionally significant natural areas and estimated acreages:

- |   |   |
|---|---|
| Willamette River Greenway - 1,103                             | East Buttes/Boring Lava Domes - 545       |
| Willamette Narrows  | Newell Creek Canyon - 370                 |
| Canemah Bluffs  | Sandy River Gorge - 808                   |
| Cathedral Park to railroad bridge                             | Cooper Mountain - 428                     |
| Oaks Bottom to OMSI   | Buffer and expansion of Forest Park - 320 |
| West side of Multnomah Channel                                |   |
| Jackson Bottom and McKay Creek/<br>Dairy Creek Addition - 333 | Gales Creek - 775                         |
| Tonquin Geological area - 277                                 | Columbia Shoreline - 95                   |
| Tualatin River Greenway,<br>access points - 266               | Rock Creek - 300                          |
| Clear Creek Canyon - 342                                      | Tryon Creek linkages - 20                 |

The following are the five regionally significant trail segments targeted for acquisition:

- Peninsula Crossing Trail (Improvements only)
- Fanno Creek Greenway
- Sauvie Island to Beaverton/Hillsboro Trail
- Clackamas River Greenway (north bank)
- Beaver Creek Canyon Greenway (Troutdale)

They will be the first priority for acquisitions from the bond proceeds. Other regionally significant open spaces and regional trails identified in the Master Plan may be acquired if target areas become degraded, cost prohibitive or otherwise infeasible as determined by the Metro Council after a public hearing. New target areas shall be selected to retain a regional balance of sites acquired. In addition, some new opportunities may arise to acquire natural resource areas not in the Master Plan if funding permits. These will not be approved unless the Master Plan is first amended by the Metro Council after a public hearing on the amendment.

There are various means intended to be used to secure rights to natural resource land. This will include outright purchase of title to the land with the assistance of outside professional realtors. However, other methods insure preservation of the character of the land as open space and may allow its use by the public. Purchase through a nonprofit land preservation organization may enable the program to secure land at below market rates due to the favorable tax benefits that accrue to sellers. Easements, rather than full title to the land, can be donated or sold by a landowner. Donations, bequests and grants will be sought to enable the program to protect and acquire more natural resource land. Donations will be encouraged by allowing some naming of parks, trails and open spaces. Agreements for Metro to acquire any interest in land shall be negotiated with willing sellers. Metro will

exercise its powers of eminent domain only when the Metro Council has determined that extraordinary circumstances exist.

In addition to the regional areas and trails, \$25 million of bond proceeds will be used to buy and make capital improvements on lands for local open spaces and trails. These purchases and improvements will be made by cities, counties and park districts which provide parks services. The local governments shall be permitted to pay administrative costs associated with land acquisition and capital improvements from this local share of bond proceeds or from their own resources. Intergovernmental agreements between Metro and the park providers will be used to assure that the funds are expended for activities related to natural areas. Interests in land acquired from this local share would be for regionally or locally significant natural areas, open space, trails, streams and wildlife corridors, including accessible waterways, that function for fish, wildlife, and people. Capital improvements would be for restoration or enhancement of natural areas, trail construction, access facilities, public use facilities and environmental education facilities. Ownership of lands will be consistent with the Master Plan. Provision must be made for lands acquired with the local share to be maintained for its intended recreational, natural area or trail activities. Agreements for park providers to acquire any interest in land shall be negotiated with willing sellers. Local governments will exercise their powers of eminent domain only where the local governing body has determined that extraordinary circumstances exist.

It is important to identify local projects to be funded and their estimated costs in time to inform the voters prior to the vote on this ballot measure. Therefore, a list of local projects with estimated costs matching nearly all providers' pro rata share has been delivered to Metro. The list of local projects, the sponsoring local government and the estimated acreage are:

Clackamas County	
Springwater Corridor Trail	Land acquisition to complete trail near Boring
Barton Park Quarry Reclamation	Capital improvements of Barton Park; restoration and campground
Damascus Greenspace	Acquire 25-30 acres in the Damascus area for a park
Clackamas River North Bank Park	Acquisition of park land along the proposed greenway trail
Kellogg Creek Natural Area	Natural area acquisition near Jennings Avenue
Boardman Slough Wetland Park	Land acquisition for a wetland park near Gladstone
Mt Talbert	Acquire 15 acres on top and east slope; south of Sunnyside Rd.
Portland Traction Company Right-of-Way	Acquire about 7 miles of rail line between Milwaukie and Gladstone
Meldrum Bar Park, Gladstone	Riparian restoration and picnic shelters of this Willamette River park
Cross Memorial Park, Gladstone	Trail improvements

Glen Echo Wetlands, Gladstone	Land addition to wetland park; trails
Mt. Scott Creek Trail, Happy Valley	Trail construction to provide park access from Sunnyside Road
Scott View Nature Park, Happy Valley	Trail construction
West Waluga Park Trail, Lake Oswego	Perimeter trail and access points around natural area park
Roehr Park Willamette Greenway, L. Oswego	Acquire land and construct trail along park and greenway
Lusher Farm / Cook's Butte Trail, L. Oswego	Acquire land and construct trail between parks
Canal Acres Natural Area, Lake Oswego	Trail construction connecting to Bryant Woods Park
Milwaukie Waterfront	Acquire about 2.5 acres at the confluence of Johnson Creek
Kellogg Lake, Milwaukie	Acquire land west of Kellogg lake and east of McLoughlin Blvd.
Springwater Corridor, Milwaukie	Acquire land between Johnson Creek and the Springwater Trail
Rosewell Wetland, Milwaukie	Natural habitat enhancements to a stormwater detention pond
Willow Place Wetland, Milwaukie	Natural habitat enhancements to a stormwater detention pond
Ardenwald to Springwater Corridor, Milwaukie	Trail construction to connect Ardenwald neighborhood to Springwater
High Rocks River Bank, Oregon City	Acquire park land on south bank of the Clackamas River
Barclay Hills Park, Oregon City	Nature trail construction in the upper reaches of Newell Creek Canyon
Clackamette Park, Oregon City	Picnic shelters, restrooms, fishing dock
Tualatin River Access, Rivergrove	Boat ramp improvement at city park near SW Dogwood Road
Burnside Park, West Linn	Acquire 8 acres of natural area adjacent to city park on Willamette R.
Memorial Park, Wilsonville	Trail construction in park and to the Willamette River Greenway
Boeckman and Mill Creek, Wilsonville	Habitat restoration along creeks at four public schools in area
Wilsonville City Trail System	Capital improvements to complete city trail system to natural areas
Gordon's Run Open Space, Wilsonville	Trail construction along Willamette Greenway near Charbonneau
<b>Washington County</b>	
Henry Hagg Lake / Scoggins Valley Park	Six individual picnic sites, one group picnic shelter, restrooms
City of Cornelius	Natural area project to be determined
Bethany, Reedville, Cedar Mill, Bull Mt. Parks	Acquire land to establish small natural area parks
Tualatin Hills Nature Park	Acquire 22 acres to add to existing park
Koll Center Wetland	Acquire right-of-way access, trail construction, viewing platform
Cedar Mill Creek Corridor	Acquire about 22 acres near Sunset Highway and Cornell Road

Golf Creek Corridor	Acquire about 10 acres west of Sylvan and north of Sunset Highway
Fanno Creek Greenway	Trail construction to connect Fanno Creek Park to neighborhoods
Stonegate Woods, Beaverton	Acquire about 7 acres of wetland forest along Willow Creek
Hart Road Natural Area, Beaverton	Acquire 18 acres to establish greenspace park near SW Hart Road
Johnson Creek Corridor, Beaverton	Acquire about 45 acres along greenway
<b>Washington County continued</b>	
Forest Glen Park / Hiteon Creek, Beaverton	Habitat restoration including native tree and vegetation plantings
Durham City Park	Trail and bridge construction
David Hill Forest Park, Forest Grove	Acquire up to 10 acres to establish greenspace park in NW area of city
Gales Creek Linear Park, Forest Grove	Acquire land along greenway in SW area of city
Fernhill Wetlands, Forest Grove	Trail access, trail construction, interpretive center near Tualatin River
Noble Woods Park, Hillsboro	Trails, picnic shelters, viewing areas for park on Rock Creek
Rood Bridge Road Park, Hillsboro	Restoration, canoe launch, trails, at confluence of Rock Crk & Tualatin
Rock Creek Corridor, Hillsboro	Acquisition along the greenway
Cedar Creek Greenway, Sherwood	Acquisition and trail construction in the riparian zone
Fanno Creek / Summer Creek Greenway, Tigard	Trail construction
Rural Area Park, Tigard	Acquire about 7.5 acres of forest land for a city nature park
Tualatin River Corridor, Tualatin	Acquisition along the south bank of the greenway
<b>Multnomah County</b>	
Burlington Bottom Wetlands, Mult. Channel	Road access, trails, wildlife blind
Howell Territorial Park, Sauvie Island	Picnic shelters, trails, and wildlife viewing blind for 73 acre site
Sauvie Island Boat Ramp	Improvements to launch ramp, boarding docks
Ancient Forest Grove	Trail construction and signage for 38 acre site north of Forest Park
Hogan Cedars	Acquisition along Johnson Creek near Telford Road / Springwater
Oxbow Regional Park, Sandy River	Water system upgrade, picnic shelters, group camp shelters
Blue Lake Regional Park, Fairview	Restore and enhance 10 acre wetland , boardwalks
Fairview Creek Riparian Area, Fairview	Enhancement of 50 acre wetland west of NE 207th connector
Springwater Corridor Trail, Gresham	Trail heads, trail construction, info center, native vegetation plantings
Fairview Creek Headwaters, Gresham	Enhancement of 18 acres, habitat plantings, picnic shelters, trails
Butler Creek Greenway Trail, Gresham	Soft surface trails, bridge over Johnson Creek
Kelly Creek Greenway, Gresham	Acquisition of 4.5 acres, soft surface trails
Beaver Creek Greenway, Troutdale	Acquisition, trails, pedestrian bridge, habitat restoration, erosion control
Wood Village City Park	Habitat improvements, trails, erosion control for 12 acre addition
Springwater Corridor, Portland	Trail heads and trail improvements in SE Portland
OMSI to Springwater Corridor, Portland	Trail heads and trail improvements on east bank of Willamette River
Whitaker Ponds, Portland	Acquisition for greenspace park along Columbia Slough in NE PDX
Don Creek Linkages, Portland	Acquisition in Tryon Creek watershed in SW Portland

M. James Glisan Boat Ramp, Portland	Improvements to launch facility on Columbia River in NE Portland
Terwilliger-Marquam Natural Area, Portland	Acquisition of upland forest in SW Portland
Columbia Slough, Portland	Acquisition of greenspace along or near slough in N and NE Portland
Johnson Creek Corridor, Portland	Acquisition of greenspace along creek in SE Portland
Mock's Crest, Portland	Acquisition of greenspace in N Portland
Kelly Point Park, Portland	Acquisition of adjacent land in N Portland
Oaks Bottom, Portland	Habitat restoration, improvements in SE Portland
Powell Butte, Portland	Habitat restoration, improvements SE Portland
Community Natural Areas, Portland	Acquisition of small greenspaces in NE King or Elliot neighborhoods
Hoyt Arboretum, Portland	Acquisition of adjacent land in NW Portland
Leach Botanical Garden, Portland	Acquisition of adjacent land in SE Portland
Crystal Springs Rhododendron Garden, Portland	Acquisition of adjacent land in SE Portland
40-Mile Loop Trail, Portland	Trail right-of-way acquisition along the 40-Mile Loop
River Place to Willamette Park, Portland	Acquisition and trail construction on the west bank of Willamette River
Fanno Creek, Portland	Acquisition along the greenway in SW Portland
Forest Park Wildwood Trail, Portland	Access and habitat improvements in NW Portland

Other local projects may be substituted if the target areas become degraded, cost prohibitive or otherwise infeasible. Capital improvements of lands acquired with bond proceeds are intended to be a secondary purpose of this entire program. However, for individual purchases or some local projects, greenspaces related capital improvements, may be a primary element. Allowable improvements include, but are not limited to, restoration or enhancement of natural areas, trail construction, nature centers, interpretative displays, facilities for disabled people, access roads and facilities, parking, boat ramps, trail heads, rest rooms, picnic tables, shelters, viewing facilities, water systems, camp sites, fishing piers, signs, fences, and security lighting.

Regionally significant lands acquired by Metro would be "land banked" with the property interest owned by Metro. The Metro Regional Parks and Greenspaces Department may operate and maintain these lands or other cooperative arrangements may be made consistent with the Greenspaces Master Plan. Initially, most of these lands will be held with limited maintenance and development. If the acquisition bond measure is approved by the voters, Metro excise taxes have been committed for this low level of maintenance. No bond funds can be legally used for any operating expenses. Some improvements could be done with bond funds and new grants to start public use. At the same time, user fees and other revenue must be developed to offset increased costs from increased public use. The July 1992 Financial Study identified the following alternatives for such revenue: Parking permits, day-use or camping fees, concessions, volunteer services. Other revenue sources may be investigated depending on the type of improvement.

Other allowable expenditures for this program include acquisition administrative expenses, bond issuance costs and reimbursable bond preparation expenses relating to the design

planning and feasibility of the acquisition program. Administrative expenses include, but are not limited to, assistance from professional realtors, real estate appraisals, title companies and environmental evaluation firms.

The preference is to issue bonds which mature in 20 years. However, to maintain the flexibility to respond to the market existing at time bonds are issued, the maturity period may be up to 30 years.



50 GREENSPACES GENERAL OBLIGATION BOND MEASURE  
LOCAL SHARE GUIDELINES

Local governments will be entitled to receive a portion of the regional greenspaces bond measure funds based on the allocation formula in the Metropolitan Greenspaces Master Plan adopted in July 1992. Projects eligible for local share funding must meet the following criteria:

1. Eligible agency is a park provider as of July 1, 1991.
2. Funds must be expended on Greenspaces related activities only including:

Acquisition

- Fee Simple (or easement) to purchase regionally significant greenspaces and/or trail corridors identified in the Metropolitan Greenspaces Master Plan, and/or locally determined significant greenspaces and/or trail corridors.
- Costs associated with the acquisition of property.

Capital Improvements

- Restoration or enhancement of natural areas
- Trail construction
- Access facilities such as roads that are an integral part of the greenspace, parking, boat ramps, trail heads, Americans with Disabilities Act (ADA) requirements.
- Public use facilities such as rest rooms, picnic tables, shelters, viewing blinds, water systems, camp sites, fishing piers, and associated appurtenances including signs, fences, security lighting, barbecues.
- Environmental education facilities such as nature centers and interpretive displays.

3. The park provider will enter into an Intergovernmental Agreement (IGA) to be approved by the Metro Council and the governing board of the park provider. The IGA shall require signage at the project site in an appropriate location(s) to acknowledge Metro, the park provider, and other project partners; funds from the bond measure shall not be used to replace local funds on project; and funds from the bond measure should leverage other sources of revenue when possible.
4. A list of local share projects with estimated costs, and approved by the governing board of each jurisdiction shall be delivered to Metro no later than November 1, 1994 to be eligible for local share funding.
5. Greenspace sites subject to local share funding will be maintained for its intended recreational, natural area, or trail activities.

**LOCAL GREENSPACES and TRAILS PROJECTS FORM  
ACQUISITION**

To Be Funded by Metro's Greenspaces Bond Measure

(One form per project)

**1. Project Title:**

Lewelling Area Wetlands Acquisition

Acreage:      Approx. 3.5

**2. Project Description and Location (include vicinity map on 8.5 X 11 paper):**

The Lewelling area in the City of Milwaukie has been identified by the City as a neighborhood deficient in parks/open spaces. There are currently wetland areas in this neighborhood that are suitable for acquisition and open spaces preservation.

**3. Estimated Cost (detail other sources in addition to Metro bond measure):**

**TOTAL ESTIMATED COST: \$160,000**

**LOCAL SHARE AMOUNT REQUESTED: \$115,000**

**OTHER FUNDING SOURCES UTILIZED:**

The other funding source utilized will be a Park System Development Charge.

**4. Staff Contact/Address/Phone:**

Diane Kean Campbell, Administrative Analyst

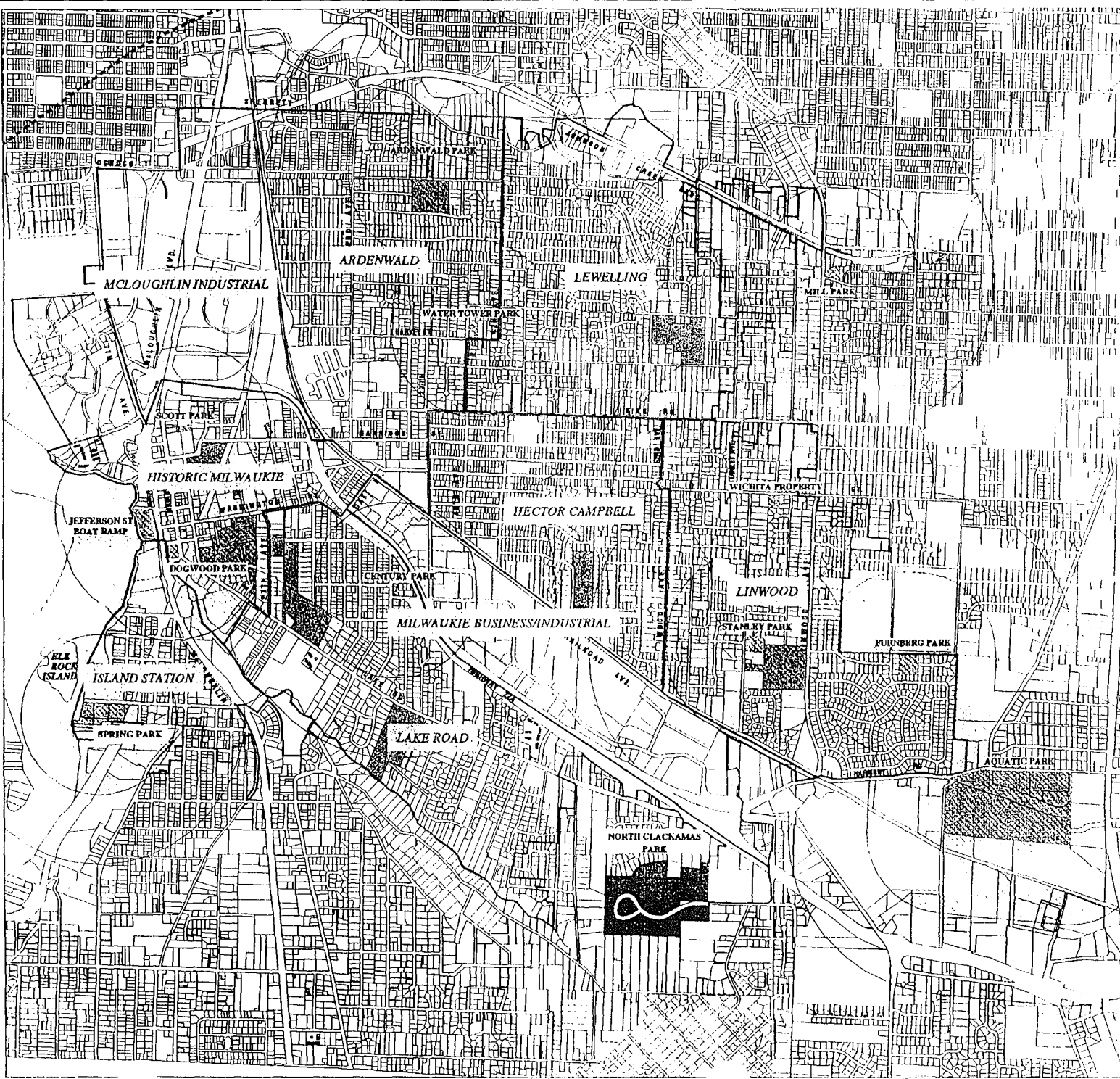
11022 SE 37th Ave.








Milwaukie, OR 97222

(503) 794-8002

fax: 794-8005

# PARKS



-  REGIONAL PARKS
-  LOCAL PARKS
-  SCHOOLS
-  1/2 MILE BUFFER AROUND LOCAL PARKS
-  1/4 MILE BUFFER AROUND LOCAL PARKS
-  BOUNDARY OF 3 MILE BUFFER AROUND REGIONAL PARKS
-  NEIGHBORHOOD ASSOCIATION BOUNDARIES

**LOCAL GREENSPACES and TRAILS PROJECTS FORM**  
**CAPITAL IMPROVEMENT**

To Be Funded by Metro's Greenspaces Bond Measure

(One form per project)

**1. Project Title:**

Furnberg Park Wetland Enhancements.

Acreage:        Approx. 1.3

**2. Project Description and Location (include vicinity map on 8.5 X 11 paper):**

Furnberg Park is a 2.64 acre site owned by the City of Milwaukie and operated and maintained by the North Clackamas Parks and Recreation District. The park includes a 1.3 acre wetland (0.6 acre supporting a shrub/scrub and emergent wetland plant community and 0.7 acre supporting a wet meadow plant community).

The environmental concern which will be addressed by this project involves the frequent occurrence of non-native plants within the wetland and a high level of disturbance of the wetland from human activities and domestic animals. The goals for this project are to restore native plant species within the wetland, enhance wildlife habitat within the wetland, eliminate human and domestic pet impacts to the wetland, and control the non-native species within the wetland.

**3. Estimated Cost (detail other sources in addition to Metro bond measure):**

**TOTAL ESTIMATED COST: \$80,000**

This cost is associated with the improvements to the wetland and wet meadow areas only. The upland portion of the site will not be included in this project. This figure was arrived at through a consultant's estimate.

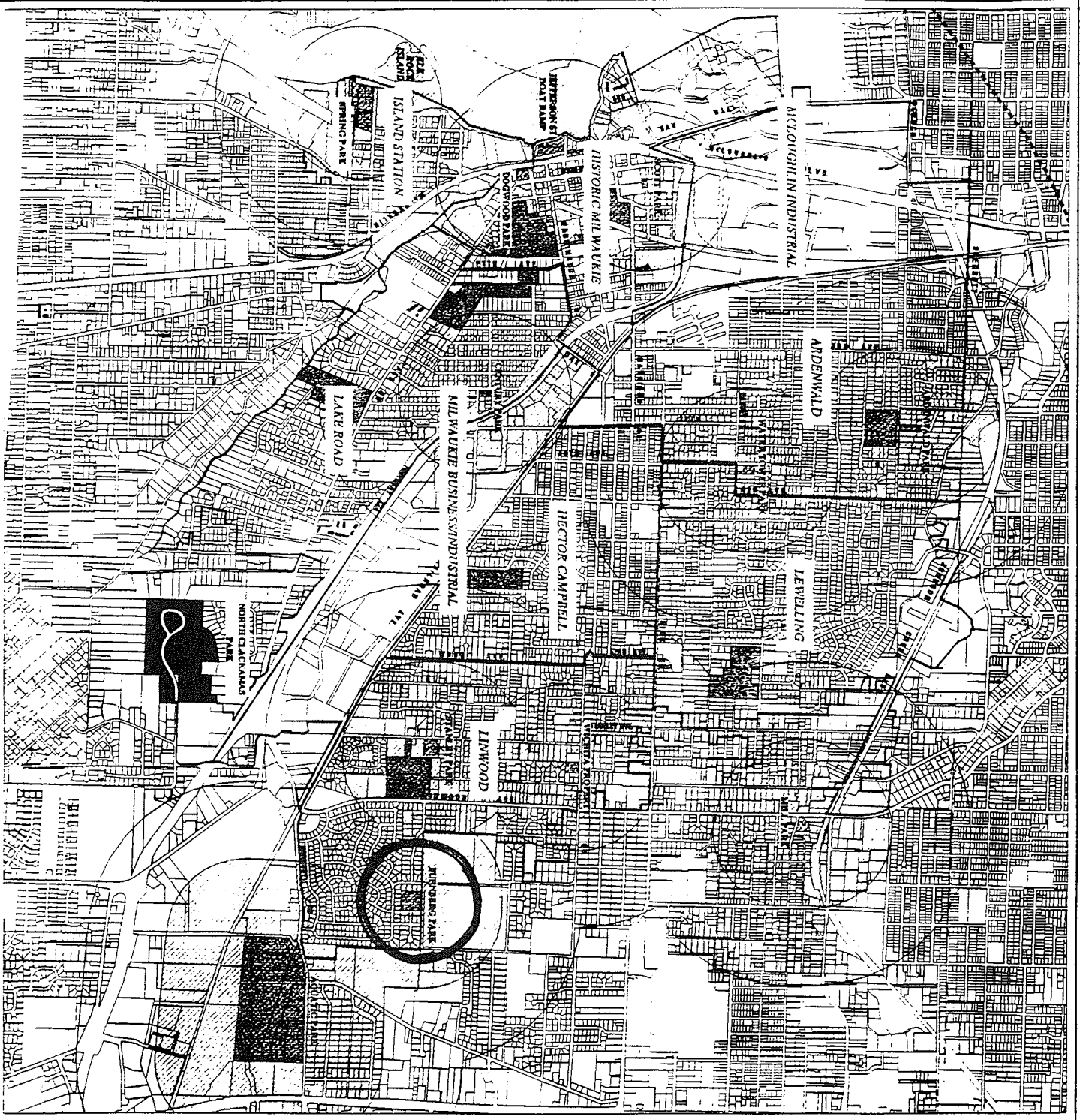
**LOCAL SHARE AMOUNT REQUESTED: \$80,000**

**OTHER FUNDING SOURCES UTILIZED:**








The wetland enhancement is the second phase of the project. The first phase of the project included improvements to the upland areas of the park and was funded by the North Clackamas Parks and Recreation District (NCPRD) capital improvement program. The third phase of the project will include a boardwalk and educational elements within the wetland. The third phase is anticipated to be funded by NCPRD capital funds.

**4. Staff Contact/Address/Phone:**

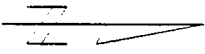
Diane Kean Campbell, Administrative Analyst  
11022 SE 37th Ave.  
Milwaukie, OR 97222  
(503) 794-8002  
fax: 794-8005



# PARKS

-  REGIONAL PARKS
-  LOCAL PARKS
-  SCHOOLS
-  1/2 MILE BUFFER AROUND LOCAL PARKS
-  1/4 MILE BUFFER AROUND LOCAL PARKS
-  BOUNDARY OF 3 MILE BUFFER AROUND REGIONAL PARKS
-  NEIGHBORHOOD ASSOCIATION BOUNDARIES

Furburg Park  
 Wetland  
 Enhancement



City of Milwaukee



LOCAL GREENSPACES AND TRAILS PROJECTS FORM  
ACQUISITION

55

To Be Funded by Metro's Greenspaces Bond Measure  
(One form per project)

1. Project Title: Minthorn North Addition
2. Project Description and Location (include vicinity map on 8.5 x 11 paper):

Purchase of one property located north of the existing Wetland Conservancy Minthorn property. This would provide access to the property via 37<sup>th</sup> Avenue and link to the existing trails on the Minthorn property. A partnership with the Wetlands Conservancy would be developed for future enhancements to the wetland area and trail system.

3. Estimated Cost (detail other sources in addition to Metro Bond Measure):

\$85,000

4. Staff Contact/Address/Phone:








Charlene Richards  
City of Milwaukie  
Community Services Department  
10722 SE Main Street  
Milwaukie, OR 97222                      786-7506

5. Date: 11/4/97

Send to: Mel Huie, Metro Regional Parks and Greenspaces Department  
600 NE Grand Ave., Portland, Oregon 97232

MH/mb  
acq.frm

# PARKS

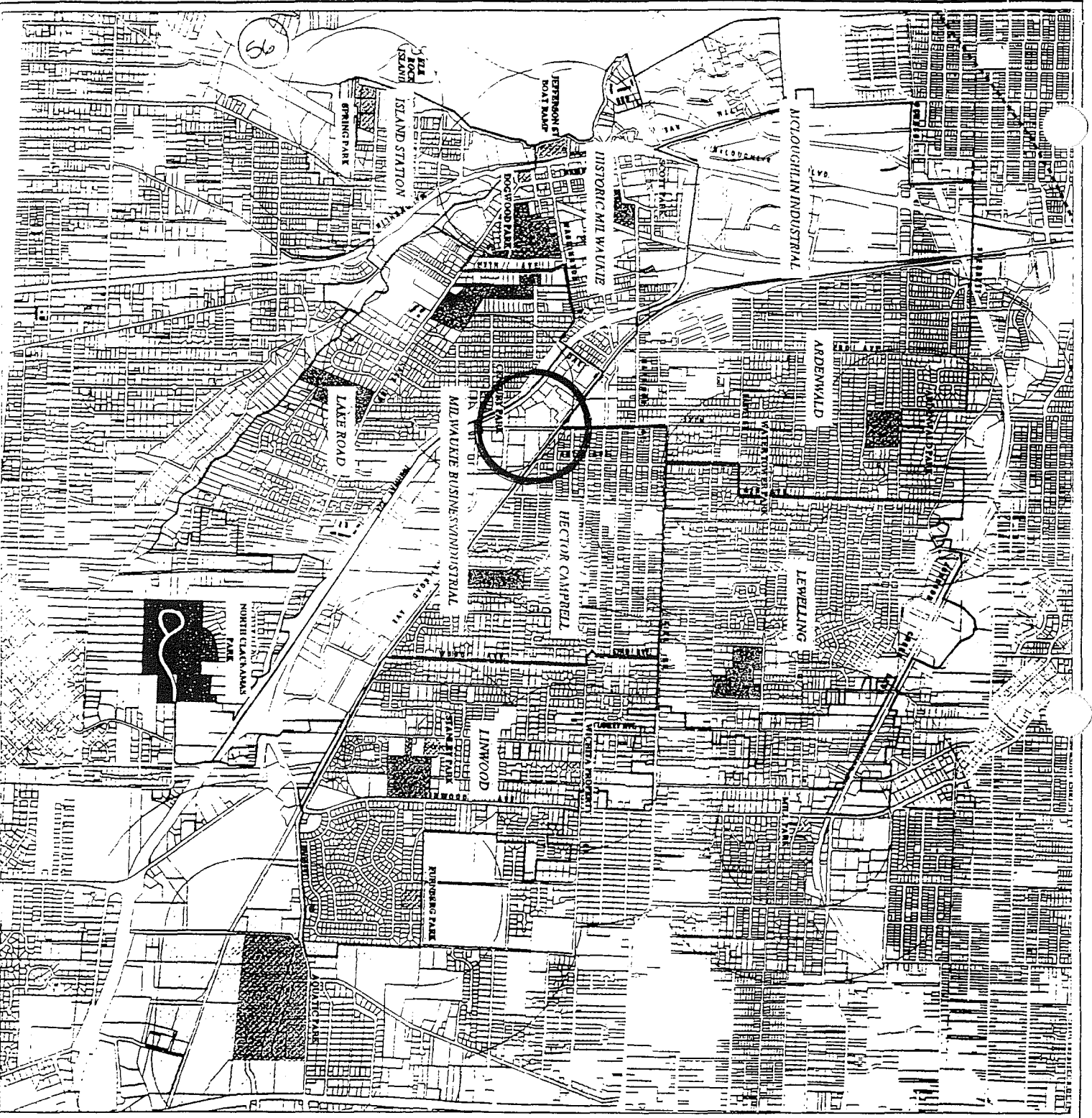
-  REGIONAL PARKS
-  LOCAL PARKS
-  SCHOOLS
-  1/2 MILE BUFFER AROUND LOCAL PARKS
-  1/4 MILE BUFFER AROUND LOCAL PARKS
-  BOUNDARY OF 3 MILE BUFFER AROUND REGIONAL PARKS
-  NEIGHBORHOOD ASSOCIATION BOUNDARIES

Winthorn North  
Addition

City of Milwaukee



MIL 2-03-03



**BOGLE & GATES P.L.L.C.**

A Professional Limited Liability Company

LAW OFFICES

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222 S.W. Columbia  
Portland, Oregon 97201-6793Anchorage  
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Seattle  
Tacoma  
Vancouver, B.C.**FACSIMILE  
COVER PAGE**Main Office: (503) 222-1515  
Facsimile: (503) 721-3666

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November 14, 1997

Total Pages (Including Cover Sheet): 3

Client/Matter: 99992-00001

**SENDER:**

**Sender:** Mark Whitlow  
**Secretary:** Michelle Zuercher

**Phone:** (503) 721-3647  
**Phone:** (503) 222-1515

**Floor:** 14  
**Floor:** 14

**RECIPIENT(S):**

**To:** City Council  
City of Milwaukie

**Fax:** 652-4433  
**Conf:** 786-7507

**MESSAGE:**

Please see attached for your information. Original is to be hand delivered.

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PLEASE CONTACT OUR OPERATOR AS SOON AS POSSIBLE.

# BOGLE & GATES P.L.L.C.

A Professional Limited Liability Company

LAW OFFICES  
MARK D. WHITLOW

1400 KOIN Center  
222 S.W. Columbia  
Portland, Oregon 97201-6793

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Anchorage  
Bellevue  
Seattle  
Tacoma  
Vancouver, B.C.

99992/00004

November 14, 1997

## VIA FACSIMILE & HAND DELIVERY

City Council  
City of Milwaukie  
6101 SE Johnson Creek Blvd.  
Milwaukie, OR 97206

Re: Regional Center Master Plan  
Murphy Plywood Site

Dear Council Members:

This office represents the Murphy Company regarding the above-referenced property, which is commonly referred to as the Murphy Plywood site and otherwise known as a portion of Subarea 2 of the proposed Regional Center.

This letter is a formal request to exclude the Murphy site from the boundaries of the Regional Center. By doing so, the existing industrial designation would remain in place. That result is appropriate and would better serve the Milwaukie community interests for the following reasons:

- Due to locational factors regarding adjacency to the railroad tracks and expressway, the property will never be suited for high density, residential or office uses. The site will not benefit merely from its proximity to the light rail tracks since no stop or station is planned proximate to the site. The site is otherwise not supportive of pedestrian or transit uses.
- The Murphy Company is presently engaged in environmental site assessment and remediation activities, which are coupled with a general redevelopment plan for the property for its continued industrial use. The redevelopment plan would include the removal of some of the existing antiquated structures, renovation of the rest and construction of modern

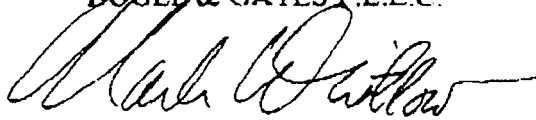
City Council  
November 14, 1997  
Page 2

facilities. Redesignating the property for high density residential and office uses will prevent the development from going forward and will achieve the unintended consequence of retaining the existing outdated facilities.

For the above reasons, the Murphy Company respectfully requests that its property be excluded from the proposed Regional Center boundaries.

Very truly yours,

BOGLE & GATES P.L.L.C.



Mark D. Whitlow

cc: Murphy Company

BOGLE & GATES P.L.L.C.



\*\*\* MEMORANDUM \*\*\*  
November 18, 1997

To: Mayor and City Council  
From: Dan Bartlett, City Manager *DB*  
Re: Consider revisions to Enterprise Zone IGA

Action Requested

Pat Allen has suggested that the local conditions be included in the intergovernmental agreement. His suggestions are included in the attached Draft #3.

Background

Council requested that Steve Rhodes, Pat Allen, and I meet to draft a proposed intergovernmental agreement. That draft is attached.

For "Next Steps," I would suggest a face-to-face meeting with the County Commissioners to finalize this agreement.

cc: File  
cm2050/hd

## AGREEMENT

THIS AGREEMENT, authorized by ORS 190.010, is made this \_\_\_\_\_ day of December 1997, by and between the CITY OF MILWAUKIE, an Oregon municipal corporation, hereinafter referred to as "CITY," and the CLACKAMAS COUNTY, an Oregon municipal corporation, hereinafter referred to as "COUNTY" the promises and agreements of each being in consideration of the promises and agreements of the other.

The parties agree as follows:

1. Term. The term of this Agreement is ~~five years (5) years~~ ten years, beginning on the 1st day of January, 1998, and ending on the ~~30th day of June 2003~~ 31st day of December 2007.

2. Scope of Services.

- A. The COUNTY agrees to assist the CITY in placing the Johnson Creek Blvd. Multimodal Project in the 1998 Regional Transportation Plan.
- B. The CITY and COUNTY will work together with the North Clackamas Surface Water Commission to adopt rules that regulate runoff management in Enterprise Zone areas.
- C. Initial "Local Conditions" in the zone shall require the following:

Three year abatement: 75% of new positions must be at 150% of the Oregon minimum wage then in effect. Non-government mandated benefits may be used to calculate employee compensation.

Five year abatement: The median wage of new positions created must be at 150% of the average wage for Clackamas County as established annually by the Oregon Employment Department through its "Average Covered Payrolls" report.

- D. The COUNTY and CITY will jointly meet to develop a detailed description of the zone managers tasks, and methods to ensure accountability and coordination.
- E. The COUNTY and will designate Thomas J. Vanderzanden or his designee as zone manager for the first year of this agreement.
- F. The COUNTY and CITY will jointly review options for provision of zone management for the second through fifth years of this agreement.

- G. The COUNTY agrees to provide the CITY with regular reports as required by ORS 285.560 to 285.617.
- H. The COUNTY shall keep the CITY informed of all new developments, issues, or concerns affecting, Enterprise Zone operations. COUNTY shall endeavor to notify the CITY in advance of any public announcement that is to be made on the subject. The CITY shall endeavor to notify the COUNTY of any developments or issues concerning the Agreement in advance of any public announcement on the subject.
- I. Unless otherwise specifically prescribed in this Agreement, the following provisions shall govern its interpretation and construction:
- J. When not inconsistent with the context, words used in the present tense include the future, words 'in the plural number include the singular number, and words in the singular number include the plural number.
- K. Time is of the essence of this Agreement. Neither the COUNTY nor the CITY shall be relieved of its obligation to comply promptly with any provisions of this Agreement by any failure of the other party to enforce prompt compliance with any of its provisions.
- L. Unless otherwise specified in this Agreement, any action authorized or required to be taken by the CITY may be taken by the Council or by the City Manager.
- M. Every duty and every act to be performed by either party imposes an obligation of good faith on the party to perform such.
- N. All notices, reports, or demands required to be given in writing under this Agreement shall be deemed to be given when delivered personally to the person designated below, or when five (5) days have elapsed after it is deposited in the United States mail in a sealed envelope, with registered or certified mail postage prepaid, or on the next addressed business day if sent by express mail or overnight air courier to the party to which the notice is being given, as follows:

For CITY

Dan R. Bartlett  
 City Manager  
 10722 SE Main  
 Milwaukie, Oregon 97222

For COUNTY

Stephen A. Rhodes  
 County Administrator  
 906 Main Street  
 Oregon City, Oregon  
 97045-1819

Such addresses may be changed by either party upon written notice to the other party given as provided in this section.

- N. The paragraph captions and headings in this Agreement are for convenience and reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.
- O. Where the performance or doing of any act, duty, matter, payment, or thing is required hereunder and the period of time or duration for the performance during thereof is prescribed and fixed herein, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period or duration of time. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

4. Hold Harmless. Each party agrees to release, defend, indemnify and/or hold harmless the other, its officers, commissioners, councilors, employees, and agents from and against all damages, claims, injuries, costs or judgments which may in any manner arise as a result of the party's performance under this contract, subject to Oregon Tort claims limitations.

5. Termination. This Agreement may be terminated by either party as of the 30th day of June of any year during the term of this Agreement by giving six (6) months' prior, written notice to the other party.

6. Disputes. Disputes regarding this agreement, which cannot be resolved by respective managers, shall first be directed to each party's counsel. Failing resolution, parties shall mutually agree upon a third party mediator.

7. Discrimination. The parties agree not to discriminate on the basis of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, or source of income in the performance of this Agreement.

8. Waiver of Breach. A waiver of any breach of any provision of this Agreement by either party shall not operate as a waiver of any subsequent breach of the same or any other provision of this Agreement.

City of Milwaukie, an Oregon municipal corporation

by: \_\_\_\_\_  
Craig Lomnicki, Mayor

Clackamas County, an Oregon municipal corporation

by: \_\_\_\_\_  
Ed Lindquist, Chair

Approved as to form:

---

Pam Beery, City Attorney

---

Scott Parker, County Counsel

# MEMORANDUM

DATE: November 17, 1997

TO: Dan Bartlett, City of Milwaukie  
Steve Rhodes, Clackamas County

FROM: Pat Allen  
Oregon Economic Development Department

SUBJECT: Intern-Governmental Agreement

Sorry for the delay in getting this feedback to you. Just a couple of points:

1. You may consider making the term of the agreement ten years, which would mirror the term of the Enterprise Zone.
2. Between "B" and "C" I would suggest inserting the following:

Initial "Local Conditions" in the zone shall require the following:

Three year abatement: 75% of new positions must be at 150% of the Oregon minimum wage then in effect. Non-government mandated benefits may be used to calculate employee compensation.

Five year abatement: The median wage of new positions created must be at 150% of the average wage for Clackamas County as established annually by the Oregon Employment Department through its "Average Covered Payrolls" report.

Let me know if you have any questions.

# MEMORANDUM

DATE: November 5, 1997

TO: Milwaukie City Council

FROM: Patrick Allen  
Oregon Economic Development Department

SUBJECT: Enterprise Zones  
Public Hearing Follow up

## Intergovernmental Agreement

Dan Bartlett, Steve Rhodes, and I will meet to outline an intergovernmental agreement between the City of Milwaukie and Clackamas County governing management of the Enterprise Zone program. In that discussion, we will address:

- More specificity on transportation issues.
- A proposal for dealing with runoff management in the Johnson Creek area.
- A specific provision for periodic review of the zone, including zone management, local conditions, and outcome measurement.

## Local Conditions

I would propose to the City and the County the following Local Conditions:

- For the 3-year abatement for companies with 50 or more employees, a minimum wage level for all new positions created of 150% of the Oregon minimum wage in force at the time. Using the \$6.50/hr. figure we are moving to would result in a threshold of \$9.75. Benefits may be used to reach this threshold. The rationale for using benefits is to incent the provision of benefits at lower wage levels, an important gap in benefits, particularly as we try to move people from welfare to work.
- For the 5-year abatement for all companies, retain the 150% of average wage for for the County. The 1996 average wage in Clackamas County was \$27,219. this would result in a threshold of \$40,829. Benefits could be used to reach this this level.

## Child Care

As I mentioned to you last night, as the Chair of the Clackamas County Commission on Children and Families, I am well aware of the critical issues of child care availability in the county. The Commission recently completed a strategic plan to address these issues, and is working on implementation of that plan. However, when we turn to trying to explicitly link child care provision to use of the enterprise zone, we run into an overwhelming cost issue. For example, in the case of PCC Structural, Inc., a 1% increase in their benefits cost (roughly \$350 per employee) results in an added five-year expense of \$5 million. The total five-year benefit they expect to gain from the Enterprise Zone in a best case scenario is approximately \$1.4 million. There is no way this or any other company would agree to take on a \$5 million expense to gain a \$1.4 million benefit.

As an alternative, I would propose that the Oregon Economic Development Department work together with the Oregon Employment Department, the Clackamas County Commission on Children and Families and other entities to develop a strategy for dealing with specific child care needs created by increased industrial development in the proposed Enterprise Zone, whether caused by companies using the tax abatement or not.

#### Other Issues

I will forward to you a copy of our program guide for Enterprise Zones. Please note, a new version is being put together which reflects minor legislative changes and new dates, but the basic content is accurate.

I have asked the County to change the resolution to provide the initial Zone Manager is the Department of Transportation and Development generically, rather than a specific named individual.

Regarding reporting issues related to temporary employees and the geographic distribution of employees, I have asked Art Fish, our Enterprise Zone Program Manager in Salem whether these issues are currently dealt with in standard zone reporting. Additionally, I have asked whether, if they aren't, if such reporting can be added as a local condition. I will pass his answers on as soon as they are available.

I hope this information and these actions are in line with our discussion last night. If I can provide any further information, or if you have questions, please call me at 638-9013.



\*\*\* MEMORANDUM \*\*\*  
November 14, 1997

To: Mayor and City Council  
From: Dan Bartlett, City Manager *Dan*  
Re: Enterprise Zone Draft IGA

Action Requested

Please review and comment on the attached intergovernmental agreement for the enterprise zone.

Background

I have prepared this draft based on Council discussion and the memo from Pat Allen. If Council would like changes, please let me know by Tuesday morning.

cc: File  
cm2048/hd

MILWAUKIE CITY HALL  
10722 SE MAIN STREET  
MILWAUKIE, OREGON 97222  
PHONE: (503) 786-7555 • FAX: (503) 652-4433

## AGREEMENT

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For CITY

Dan R. Bartlett  
 City Manager  
 10722 SE Main  
 Milwaukie, Oregon 97222

For COUNTY

Stephen A. Rhodes  
 County Administrator  
 906 Main Street  
 Oregon City, Oregon  
 97045-1819

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City of Milwaukie, an Oregon municipal corporation

Clackamas County, an Oregon municipal corporation

by:

\_\_\_\_\_  
Craig Lomnicki, Mayor

by:

\_\_\_\_\_  
Ed Lindquist, Chair

Approved as to form:

\_\_\_\_\_  
Pam Beery, City Attorney

\_\_\_\_\_  
Scott Parker, County Counsel

①

**CENTER/COMMUNITY ADVISORY BOARD  
MINUTES  
JULY 11, 1997  
10:00 A.M.**

---

Members present: Janet Witter, Chair, Alan Brunk, Doris Burton, Molly Hanthorn, Dolly Macken-Hambright, Dorothy Harrington, Eleanor Johnson, Jim McCready, Audrey Parsons, Bob Spielman, Harold Stohler, *Carol Stovment*

Members excused: Alice Neely, Katie Rudfelt, Mitch Wall.

Staff: Cheryl Nally, Don Robertson, Joan Young.

MINUTES: June 13, 1997, minutes were approved as correct.

**CORRESPONDENCE:**

A Board application has been received and approved for Julia Schallberger by the C/CAB. It will be forwarded to District Advisory Board and then Board of County Commissioners.

Joan Young introduced Cheryl Nally and gave some background information on Cheryl, the Center's new Human Services Coordinator. Cheryl gave her insights on the Milwaukie Center and discussed the many responsibilities she will have here.

Joan introduced Don Robertson, the Interim Director of North Clackamas Parks District. Don said he was glad to be here and is glad to be working with familiar people.

**COMMITTEE REPORTS:**

North Clackamas Parks Board: No report due to meeting date changed to July 16, 1997.

Budget/Finance: Alan stated the Center's budget has been approved by the Board of County Commissioners. Alan passed out copies of the line items of the approved budget for 1997-98. Joan noted this hand out does not include the Nutrition/Transportation Budget.

Transportation: No report at this time. Eleanor said she was working on Mitch Wall to chair this committee.

Program/Services: Dorothy said the Program Committee met and that Client Services Staff note they are working with older clients (80/90 years old) and that the Program Services are working with much younger people (55-70 years old). Dorothy stated that some programs have been cut and some are on hold due to budget cuts.

The "Our Fair Lady" program was also discussed. It was recommended from the Program/Services Committee that the "Our Fair Lady" program be discontinued at this time. Action was taken by the Board and approved as recommended.

Nutrition/Transportation Programs: Harold reported that the Nutrition Program had exceeded the fund raising goal by over \$200. It was also noted there was a significant

reduction in MOW numbers, thus a reduction of about \$4,000 income annually. Harold made a motion that all memorial and endowment designated donations coming to the Nutrition/ Transportation Programs be funneled to the Endowment Fund and not the general fund from July 1, 1997, on. This was the recommendation from the Nutrition/Transportation Committee. Action was taken by the Advisory Board and the recommendation passed.

Building Review: Doris stated a new type of lights will be installed on the new display cabinet. The stage curtain looks good and complements the area. Doris also gave notice that on Sunday, July 13, the front parking lot will become a one-way grid and will have diagonal parking. Doris said the first week in September the Center will be closed and that the staff will hold a "fire drill." She also stated the outside wood benches need refinishing.

OTHER REPORTS:

AAA Review: No report, all committees are on vacation.

Friends of Milwaukie Center, Inc. Eleanor Johnson, the new Chair of the Friends' Board, said she had made many visitations to the committees to get up to date on Friends' activities. Eleanor said the Friends were looking for ideas, new and old for fund-raising. She also reported on the many, many events coming up.

Director's Report: Joan said that after 17 years we are looking at naming the Milwaukie Center's newsletter. All names will be considered and voted on by C/CAB in August. She reported that, due to a generous donation, all the Center's computers have been up-dated and are all at equal capacity. Joan stated that Susan Opitz will be leaving at the end of July to get her Master's degree. Joan said the Transportation bill at the state level did not pass and this will have an impact on all Centers. Joan asked Don Robertson to give some information as to the selection of the new Director. Don mentioned that a national search for a new Director will take place. Any input should go to Joan Young or June Southworth who have been asked to sit on the first interview panel. The Director should be chosen by late October or early November.

Don expounded on how well the Parks had done in the past 5-1/2 years and thanked the C/CAB for their part in the process.

INFORMATION/ANNOUNCEMENTS:

The Milwaukie pool is open thanks to all the donations received.

AGENDA FOR NEXT MEETING:

- Name our Newsletter contest
- Video of R. K. Brown retirement

Meeting adjourned. Next meeting is scheduled for August 8, 1997, at 10:00 A.M.

Submitted by: Harold Stohler , Secretary

North Clackamas Parks and Recreation District  
**MILWAUKIE CENTER DIVISION**  
Monthly Report for July, 1997

***Programs and Services:***

The Community Garden provides eighteen plots of land for older adults in our community to grow their own produce and flowers. Volumes of vegetables and a lovely crop of flowers are being produced this season!

A Place at the Center, the respite program for older adults with Alzheimer's or related disorders, has new services provided through Clackamas Community College Community Education Program. Regular leadership for music and art activities, along with visits of a storyteller are now provided for this special population.

The Rhythm Band, which has relied upon volunteer leadership for the last year, has now found professional leadership with the costs underwritten through the Friends of the Milwaukie Center, Inc. scholarship fund. This group traditionally serves persons with special needs.

***Fund-raising:***

The Friends of the Milwaukie Center, Inc. held their second annual "Jazz 'n Jams In July" featuring five different bands and Oktoberfest sausage dinner. Generous community donations and volunteer efforts made this a good fund-raiser along with a festive special event.

Mark your calendars! Famous Sunday SALMON Dinner August 10, noon to 2:00 pm! This great meal benefits Meals on Wheels services to home bound older adults -- \$5/adult and \$3/children under 12. Enjoy the music of "Hanks Hungry Five" while you eat!

***Staffing:***

The Center staff say farewell to one of our rank, Susan Opitz, as she moves to Cincinnati, OH, where she plans to attend graduate school to get her Masters Degree in Social Work.

The Social Services office welcomes Cheryl Nally, Human Services Coordinator, and David Van Loo, Client Services Assistant/Respite Program Coordinator. Cheryl has worked in case management and eligibility for Clackamas County Social Services the past seven years. David comes to the Milwaukie Center from Long Beach, CA where he worked as a case manager for a private non-profit agency. David has also worked for a rehab/skilled nursing unit as an activity director.

***Miscellaneous:***

The Friends of the Milwaukie Center, Inc. new Board officers for 1997-98 are: Eleanor Johnson, Chairperson; Marty Foster, Vice Chairperson; William McDonald, Secretary; Art Hanson, Treasurer/Controller. The Friends also welcome new Board members: Mary Blount, Bernnie Kendall, Barbara Ramsey, Margaret Stallman and Harold Stohler.

Center/Community Advisory Board  
Membership Status  
1997

<u>City Appointments</u>		<u>District Appointments</u>	
<u>Positions 1 thru 9</u>		<u>Positions 10 thru 18</u>	
<u>POSITION</u>	<u>Term Expires</u>	<u>POSITION</u>	<u>Term Expires</u>
Position 1 Alice Neely 5925 SE Kent 97222 654-7178	3/98	Position 10 Katharine (Katie) Rudfelt 6522 SE Molt St 97267 659-0458	10/98
Position 2 Alan Brunk 4304 SE Rio Vista 97222 659-0126	3/98	Position 11 Julia Schallberger 2705 SE Courtney #8 97267 659-0826	10/97
Position 3 Doris Burton 4302 SE Rio Vista 97222 654-5194	3/00	Position 12 James (Jim) McCready 15650 S.E. Hanwood Lane 97267 654-1048	10/97
Position 4 Molly Jo Hanthorn 12014 SE 19th 97222 654-3587	3/99	Position 13 Mitch Wall 3385 SE Aldercrest 97222 (H)653-5700 (W)238-0333	10/98
Position 5 Dolly Macken-Hambright 12258 SE Grove Loop 97222 (H)659-7582 (W)659-8908	3/99	Position 14 Carol Storment 2975 S.E. Walta Vista Ct. 97267 654-0931	10/97
Position 6 Audrey Parsons 4335 SE Monroe 97222 (H)659-0671 (W)635-9137	3/00	Position 15 Eleanor Johnson 4343 SE Robin Rd. 97267 654-4420	10/97
Position 7	3/98	Position 16 Dorothy Harrington 12705 SE River Rd #4085 97222 652-6588	10/98
Position 8 Janet Witter 4515 SE Adams 97222 654-0342	3/99	Position 17 Robert (Bob) Spielman 15655 S.E. Cordova Ct. 97267 659-8653	10/98
Position 9		Position 18 Harold Stohler 15127 SE Concord Ct. 97267 654-6657	10/97

CENTER/COMMUNITY ADVISORY BOARD  
MINUTES  
AUGUST 8, 1997  
10:00 am

Members present: Janet Witter, Chair, Alan Brunk, Doris Burton, Molly Jo Hanthorn, Dolly Macken-Hambright, Dorothy Harrington, Eleanor Johnson, Jim McCready, Alice Neely, Audrey Parsons, Katie Rudfelt, Julia Schallberger, Harold Stohler

Members excused: Bob Spielman, Carol Storment, Mitch Wall

Staff: Cheryl Nally, Joan Young

I. Call to Order by Janet Witter at 10:03 am

II. Minutes July 11, 1997, minutes were approved as corrected.

III. Guests none

IV. Correspondence none received

V. Action Item Action was taken on naming the Milwaukie Center newsletter. Over thirty suggested names were received. Staff Donna Lugibihl oversaw this project. The name selected by the C/CAB was "Centerpoint", entered by Bette Polly. The October newsletter will reflect the change.

VI. Committee Reports

a. North Clackamas Parks Board:

In Mitch Wall's absence, Eleanor Johnson reported that Mr. Ward, from County Counsel, spoke about land acquisition for parks and the options to purchase land. Eleanor stated that the City of Happy Valley was showing interest in the NCPRD.

b. Budget/Finance: No report.

c. Transportation: No report.

d. Program/Services:

Molly reported that the committee is looking at adding new members. Cheryl Nally will be one of the staff liaisons. Pat Kennedy told about the new changes to fees that will take place this fall for some of the programs. Joan

23  
Young gave an overview of the in and out-of-district fees and fielded questions regarding this change.

e. Nutrition/Transportation Programs:

Harold reported that the new bus was dedicated on Wednesday, August 6th. He also announced the Sunday dinner fund-raiser on August 10th with a salmon entree.

f. Building Review:

Doris said due to the meeting being next week, there is no report at this time.

g. Committee Assignments:

Janet and the Board reviewed all the committees and made modifications needed. The Transportation committee was incorporated into the Nutrition/Transportation programs. New board members took committee assignments. See attached.

VII. Other Reports

a. AAA Review:

Alice reported on the pending purchase of non-profit PACC by a profit venture health care system, and how the purchase could financially benefit the area. She said all but one of the bills in Salem were defeated that were considered negative, ie. foster care issues.

Alice stated that the Older American's Act is still in limbo and urged members to call or write their congressional representatives.

b. Friends of the Milwaukie Center:

Eleanor reported on the many fund-raising events: Ardenwald Park snack bar, Senior Golf Scramble, Blount Picnic, and Rose Garden Gala. Eleanor said the Bingo program needs volunteers.

VIII. Director's Report

Joan pointed out on the July monthly report (in board packets) and shared new staffing at the Milwaukie Center. Joan gave an update on the NCPRD Director hunt and the process for selection for that position. Joan stated the Center will be closed to the public from September 2 to the 5th for maintenance. MOW will still be delivered that week.

Joan and Alice Neely went to West Linn Center and had a meeting with President Jean Green and others. Joan gave information on the Milwaukie Center and Alice discussed the AAA and Older American's Act.

Joan reported on the many years of the Center's good relations with Providence Milwaukie Hospital and the programs we have with them. Sisters of Providence has plans for a low income senior/disabled housing project next to Providence Milwaukie Hospital.

IX. Information/  
Announcements none

X. Agenda for  
Next Meeting Alice brought up the trainings she has been going to on affordable housing. She thought this would be a good agenda item for next meeting.

XI. Adjourn Meeting was adjourned. Next meeting is scheduled for September 12, 1997 at 10 am.

Submitted by:  
Harold Stohler, Secretary

North Clackamas Parks and Recreation District  
MILWAUKIE CENTER DIVISION  
Monthly Report for August, 1997

***Programs and Services:***

Our new 1997 twenty passenger bus finally arrived! The lift-equipped bus was received through the efforts of the Clackamas County Transportation Consortium, working with Volunteer Transportation, Inc. (VTI). Half of the cost of the bus was covered through federal Department of Transportation allocations. A generous grant of \$12,500 was received from the Collins Foundation to assist in the purchase of the bus. The bus was dedicated on August 6 with County Commissioners Ed Linquist and Bill Kennemer present to add to the festivities. Commissioner Kennemer also interviewed Transportation Coordinator, Marty Hanley and Clackamas County Volunteer Program Transportation Coordinator, Tom Connolly, for the County's "In Focus" program which will soon be broadcast on the government access channel on cable television.

The seventh annual Senior Health Fair was held on August 27 at the Milwaukie Center. This event, co-sponsored by Sisters of Providence and Good Health Plan of Oregon, provided over sixteen stations for older adults in the community to access health information and testing.

***Fund-raising:***

The Nutrition Program held their quarterly Famous Sunday Dinner on August 10. A crowd of over 300 enjoyed a dinner featuring an entree of poached salmon. The net proceeds of \$1132.34 will support the Meals on Wheels program at the Center.

Friends of the Milwaukie Center, Inc. were involved in the following August fund-raising activities:

- Ardenwald Concerts in the Park Snack Booth on the four Thursdays evenings in August.
- Senior Golf Scramble on August 21, with twelve four-person teams in play, netting \$900.
- Volunteers from the Friends served as helpers at the 50th anniversary Blount Employee Picnic, netting a \$500 donation.

***Upcoming highlights:***

Sara Hite Memorial Rose Garden Benefit Gala -- Friday, September 26, 6:00 pm. Celebrate the near completion of the first phase of the Rose Garden -- the roses will be planted in October -- a beautiful addition to North Clackamas Park!

Third Annual Fine Arts Exhibition and Sale -- Saturday and Sunday September 20 & 21, this event is co-sponsored by North Clackamas Arts Guild and the Parks District.

Classes, activities, and more classes for the Fall start September 22 -- register now!

CENTER/COMMUNITY ADVISORY BOARD  
MINUTES  
September 12, 1997

Members Present: Janet Witter, Chair; Harold Stohler, Doris Burton, Jim McCready  
Katie Rudfelt, Molly Hanthorn, Dorothy Harrington, Bob Spielman,  
Alice Neely, Julia Schallberger, Eleanor Johnson, Alan Brunk

Members

Not Present: Dolly Macken-Hambright, Audrey Parsons, Carol Storment, Mitch  
Wall

Staff: Pat Prenger

I. Call to Order: By Janet Witter at 10:05 am

II. Minutes: August 8, 1997, minutes were approved.

III. Guests: Jessica Glenn & Sue Marshall, Regional Affordable Housing  
Advocates, Coalition for a Livable Future

IV. Correspondence: None received.

Alice Neely introduced guests Jessica Glenn and Sue Marshall. They shared vital information about housing issues and needs in the Metro area and programs starting to address these concerns to ensure affordable housing in the future. In the information, they stated that average apartment rents have increased 81% from 1984 to 1994. The average purchase price for homes increased 88% from 1984 to 1994. Thirty-nine percent of the metropolitan residents are low income households by federal standards. They said in Clackamas County, it is estimated that 5437 new affordable rental units will be needed in the next twenty years. They said now is the time to advocate to the Metro Councilors and let them know the concerns about affordable housing options in the Metro region.

V. Committee Reports

A. North Clackamas Park Board

In Mitch Wall's absence, Eleanor Johnson reported that a strip of land that was provided for access of a neighbor to Heddie Notz Park was declared surplus, therefore, will be sold to the neighbor. She also gave information on the North Clackamas School District land on Norma Road that the Parks District hoped to use but instead found significant wetlands. Information on the District Park flood retention project was shared.

B. Budget/Finance

No report.

C. Transportation

No report.

D. Programs/Services

Molly reported on the many activities at the Center this fall and the NCAG Art Show in September.

E. Nutrition/Transportation Programs

Harold reported that both the programs are at this time in the "black". This is due to the fantastic work of staff and volunteers.

F. Building Review

Doris in her report passed out the updated Building Review Committee wish list of the many projects at the Center. Of the twenty one listed, nine are completed, one is being completed now, one was dropped, one was moved to 98/99 budget. All the Board commented on a job well done.

VII. Other Reports

A. AAA Review

Alice reported on the many issues that must be addressed by the federal and state governments that affect all of us. She encouraged all the Board members to advocate.

B. Friends of the Milwaukie Center, Inc.

Eleanor reported on how well the Friends' fund-raising events have gone, including the Ardenwald Parks snack bar, Blount picnic and Senior Golf Scramble. Eleanor invited all to attend the 4th Annual Sara Hite Memorial Rose Garden Benefit Gala, Friday, September 26 at 6 pm.

VIII. Director's Report

Pat Prenger in Joan's absence, said that this meeting was very informative and she had learned more about the interaction of the Board with the Center.

IX. Information/Announcements

None.

X. Agenda for Next Meeting

None.

Meeting was adjourned by Janet Witter, Chairman.

Submitted by:  
Harold Stohler, Secretary

North Clackamas Parks and Recreation District  
MILWAUKIE CENTER DIVISION  
Monthly Report for September, 1997

17

***Programs and Services:***

Closure week during the first week in September provided staff the opportunity to complete major maintenance tasks such as carpet extracting, floor refinishing, and painting; as well as reorganizing offices and focus on planning for the year. Meals on Wheels continued out into the community and our telephone lines were open and busy!

The Milwaukie Center has benefited from several community volunteer projects this last month -- an Eagle Scout refinished all the weather-worn benches outside the Center, and a Cub Scout group helped clean up part of the Wildflower Garden behind the Center.

The Parks District co-sponsored the North Clackamas Arts Guild's third annual Fine Arts Exhibition and Sale on September 20 and 21. Over 300 outstanding artworks were displayed and attendance from the community was strong.

The 39er's Travel Program sponsored their bi-annual Travel Fair on September 23, providing travelogues and vendor displays, which drew avid interest from travelers far and wide. Six different trips were mounted from this program in September, alone!

Fall classes started off with a BANG on September 22, providing opportunities of thirty different classes, workshops and/or guided treks to keep people active and involved.

The Nutrition Program is now offering a "Lite Lunch Fare" Tuesdays, Wednesdays and Thursdays from 11 am to 1 pm featuring homemade soup or salad and sandwiches for terrific prices!

The Friends of the Milwaukie Center, Inc. hosted the North Clackamas County Chamber of Commerce Greeters on Friday, September 12. Over 80 community business people were in attendance at this event which gave us an opportunity to not only showcase the Center, it's programs and services, but also the development of the Rose Garden.

***Fund-raising:***

The 4th annual Sara Hite Memorial Rose Garden Benefit Gala was a festive event on September 26. The event netting over \$2,100 to apply toward the completion of the first phases of the Rose Garden -- where grass is growing, the first group of engraved bricks are set in the walkway and roses are ordered for planting in the garden. Engraved bricks are being sold at 3/\$100 through December 24!

The Friends of the Milwaukie Center Endowment Committee is selling Entertainment '98 and Northwest Getaway books to help further the Endowment fund -- order yours today!

The Friends are holding their fall raffle, selling tickets for two days and one night at Salishan Lodge for a dollar per ticket. The winning ticket will be drawn on Sunday, November 9 at the Nutrition Program's Famous Sunday Thanksgiving Dinner.

Citizen's Utility Advisory Board  
October 1, 1997  
6:00 pm

Chair Alan Fletcher called the meeting to order at 6:04 pm in the conference room at the Johnson Creek Facility.

Present were: Alan Fletcher, Chair  
Bob Hatz  
Jim Backenstos  
Betty Chandler

Staff Present: Jim Brink, Public Works Director  
Connie Ware, Staff Assistant

I DISCUSSION

- A. Staff Update on Current Projects
- B. Review Draft 1999-2003 Capital Improvement Projects

Brink handed out a packet of project report sheets, and began reviewing the 1997/1998 project lists. Highlights included: Financial Consulting Solutions Group (FCSG) is working on the Street SDC which was discussed at the July 9th CUAB meeting. The Sherrett Street Sewer LID has been completed. The City is in the process of finalizing an Intergovernmental Agreement (IGA) with Clackamas River Water for 500,000 gallons of water per day (3/5/97 CUAB meeting discussed options); a new telemetry system is being obtained which will benefit both sewer and water, and will be operated at the Johnson Creek facility. In order to facilitate sewage pumping from south of Johnson Creek, the Johnson Creek pump station is being considered for a relocation to Stanley Avenue. The 37th Avenue stormline has been completed, and a project to drain "Lake Monroe" via drywells in the Park Street area is in the works.

The Water department budget is in good shape. All the water projects were identified in the 1988 Public Facilities Plan (PFP); projects were packaged by neighborhood area. Water succeeded in changing out more than 1000 water meters this summer, with the help of temporary summer employees; unaccounted-for water losses are dropping as a result. Fletcher asked if the PFP addressed the need to upgrade all undersized mains; Brink replied that it certainly did - approximately 75% of the projects identified by the PFP have already been completed, and the remainder will be done by 2001.

The Storm Water Master Plan was the basis of the Storm project list. An unknown is whether the City will purchase a Vactor on it's own to permit the cleaning of 30' deep drywells, or whether the City will share the cost and maintenance of such an expensive machine with another jurisdiction. As the CUAB knows, the Storm department has limited funds for projects, and those on the project list through 2000 are less expensive improvements. Funding for projects in FY 2002/2003 may get tricky, but they are important to connect earlier projects and relieve the burden on Milwaukie's small creeks. The Storm fund generates approximately \$300,000 per year in capital.

The Sewer fund is the least healthy of the utilities (other than Streets!) Due to intergovernmental agreements, Milwaukie pays out a lot to Clackamas for treatment at the Kellogg Treatment Plant, and now connections to the Lentz interceptor cost Milwaukie more than taken in for those same connections (this issue was also discussed at the March 5th, 1997 CUAB meeting). A large number of the sewer mains in the downtown area are very old - some are even clay. This is a problem that will need to be addressed in the future. There was discussion about the Kellogg plant and the costs to upgrade or move it away from Milwaukie. The plant is at or near capacity; consultants are designing a re-direction of flows from the Clackamas Industrial area to the Tri-Cities plant, which will cause Milwaukie's percentage at the Kellogg plant to rise. Although Milwaukie has been attempting to renegotiate the contract, which favors CCSD#1, they are not anxious to change the current arrangement.

Streets has only \$150,000 available per year for CIP projects. The 1998 Overlay Project bids came in low, freeing up some funding that might otherwise have been tied up in that project. Fletcher asked if any estimate has been offered of Milwaukie's share if the Gas Tax and Registration Fee measures are passed by voters; Brink replied that current estimates are almost \$300,000 additional per year if both pass. This amount would allow the Street department to consider safety and improvement projects as well as the current minimal maintenance overlays. Brink noted that the Lake Road Safety Project identified in the Transportation System Plan (TSP) may be offered to the citizens by vote for construction with a revenue bond, as this project has enough impact to the entire city that has some chance of sufficient support.

Fletcher asked Brink if the CUAB needs to vote on any of the projects which had been discussed; Brink replied that this list will be going to Council, and he only needed to be able to say that the CUAB had been advised. Council or the City Manager will have an opportunity to add, subtract or revise project lists; costs and priorities may change before the projects are undertaken.

Fletcher commended staff for their hard work and urged staff to seek a CUAB recommendation if the CIP does not receive strong support by Council. CUAB wants to support all efforts to maintain and repair Milwaukie's infrastructure.

There was some discussion about what kinds of information that neighborhood association members such as Hatz should offer in reports about CUAB meetings. He feels that it would be helpful and encouraging to the neighborhood associations to know that the City is planning many projects to improve the livability and safety of their neighborhoods. It was agreed that Hatz can discuss the information in general terms, but not pass out copies of the project lists, due to their tentative nature.

The meeting was adjourned at 7:16 pm.

The next regular meeting date is November 5th, 1997.

# Minutes

## Park & Recreation Board (PARB)

10/6/97

6:30 PM to 8:30 PM

City Hall

Second Floor Conference Room

**Type of meeting:** Regular

**Attendees:** Tracy Cook, Jeff Marshall (7:05 PM), Dave Murray, Jon Newman, Sandy Peckover

### Agenda Topics

Meeting Call to order at 6:57 PM/Overview - Jon Newman

Minutes from last meeting Jon Newman

Conclusions: Dave Murray moved and Jon Newman seconded the motion to approve the minutes as written. Unanimously approved.

Action items:

Person responsible:

Deadline:

Finalize minutes and send to Council

Charlene Richards

10/10/97

NCPRD Update

Thom Kaffun

Discussion: Delayed until next month.

**7:05-7:45 PM** Special Reports: Metro presentation about possible S/N Light Rail alignments & potential impact on Scott Park

Ted Leybold, Metro; Jennifer Ryan, Tri-Met and Steve Dixon, Otak

Discussion: DEIS (Draft Environmental Impact Statement) As part of the process identify impacts and work on softening impacts on/ mitigation of Scott Park. Looking at developing projects to recreate and or improve, replace and compensate for impact on Scott Park. By end of EIS, create plan for what is right for Milwaukie and Scott Park. Steve Dixon presented an overview of the Scott Park Master Plan and discussed Light Rail impact including defining resources which included natural, cultural and historic and open space. He also discussed mitigation process and context including the study area which included the draft regional center plan and five opportunity areas for possible mitigation. Discussed the guidelines associated with impacting a park area. Areas of concern and interest voiced by PARB members included impact on softball fields at Jr. High site, possible trade of lower pond area for land at Jr. High site or open space in the Masonic Block and need for ball fields, a place for kids to go, near term replacement of park area and a clear picture of when the park will be completed. Ted Leybold stated that as part of the FEIS (Final Environmental Impact Statement) there will be a line item statement in the contract with the feds for what will be built.

Action items:

Person responsible:

Deadline:

Provide more information on Section 4F - federal regulations including need to avoid public parks unless no prudent or feasible alternative and what is appropriate mitigation.

Ted Leybold

<b>7:45-8:10 PM</b>	1. Finalize Neighborhood Association Request Form	PARB
	2. Needs Assessment (Brainstorm PARB list)	PARB
	3. Old Business: Report on two Land Acquisition Request Forms submitted at September PARB meeting	Thom Kaffun
Discussion:		
1.	Presented form to Lewelling NDA – This NDA had already identified what needed, no specifics except existing sites. Form worked. Group wanted foot paths, skateboard park, floating crafts programs in summer recreation program in neighborhood parks: and more active utilize of school grounds for recreation programming.	
2.	Skipped	
3.	Report on Land Acquisition Request Forms	
a)	King Road – BS Enterprises and Willow – previously identified sites were found unsuitable for parks	
b)	Located 3 <sup>rd</sup> site and will follow-up on it	
Action items:	Person responsible:	Deadline:
Report progress on potential land acquisition site	Thom Kaffun	11/3/97
<b>8:10-8:20 PM</b>	Other Business: 1. Update on Metro Greenspaces Grant projects	Charlene Richards
	Other - 2. Lake Oswego Conservation Easement	
Discussion:		
1.	Metro Greenspaces Grant project proposal for Furnberg Park construction did not meet criteria . Staff is pursuing possible Metro open spaces bond measure funding. Will discuss at next meeting.	
2.	Distributed memorandum from Community Development Director. Will discuss setting for future agenda item at next meeting.	
Action items:	Person responsible:	Deadline:
Report on Metro Open Spaces Bond Measure Projects	Charlene Richards	11/3/97
Schedule for future agends - conservation easement	Jeff Marshall/PARB	11/3/97
<b>8:20 PM</b>	Open Period	Jeff Marshall
Discussion: no one present		
<b>8:20-8:29 PM</b>	Next Meeting	Jeff Marshall
Conclusions: Will have all future meetings start at 6:30 PM. Will discuss Metro Open Spaces proposals and Neighborhood Association responses to PARB's request for issues and project and proposal recommendations.		
Action items:	Person responsible:	Deadline:
Add above items to 11/3/97 agenda	Charlene Richards	10/24/97
<b>8:30 PM</b>	Adjourn	Jeff Marshall
<b>Resource persons:</b>	Charlene Richards, City of Milwaukie, and Thom Kaffun, NCPRD	

TO: Mayor and City Council

FROM: Jim Brink  
Public Works Director

RE: 1996 Street Overlay Project  
City Acceptance

DATE: November 7, 1997

ACTION REQUESTED

None. For information only.

BACKGROUND

The 1996 Street Overlay Project was awarded to KF Jacobsen June 18th, 1996.

Due to the fact that the '96 overlay project was scheduled as the finishing touch to ongoing utility projects, work did not begin until those projects were completed, in September 1996. When the main portion of the overlays were completed, there was some asphalt quantity left on the contract, and the Street Supervisor made a decision to request that the contractor return in the Spring of 1997 to complete the contract with some smaller areas of overlay. This was done as agreed.

The contract was completed, and retainage has been released to the contractor, who has been informed that the 1-year warranty period has begun.

/cjw



To: Mayor and City Council

Through: Dan Bartlett, City Manager

From: Jim Brink, Public Works Director

SUBJECT: Public Works Quarterly Report, July 1 - September 30 1997

Action Requested: None. Information only.

Discussion: The following report provides information on Public Works' activities for the 3rd quarter of CY 1997. It also provides information on the expected activities for the 4th quarter.

### Street Division

Maintenance: The street department completed 160 miles of sweeping, approximately 100 pot hole and 12 utility cut repairs, 36 infra-red repairs, crack sealing, 160 miles of chip patching, installation of new signs per request, replacement of damaged signs, restriping, shoulder repairs, responded to 24 citizen requests, installation of pavement markings and hopefully the final replacement of the downtown 3M pavement marking job. Began using Clackamas County community service "clients" to perform maintenance tasks such as removing vegetation along Railroad Av.

Projects: We have completed the 97-98 paving project (RD-98-2) except the punch list. The design of the 1998 CDBG Sidewalk project (RD-98-5) is 90% complete. The Multi Use Path project (RD-98-6) has been awarded to Banzer Construction by ODOT. The Grogan St project (RD-98-3) and the Willow St LID project (RD-98-1) have been designed and are to be bid in Feb 98.

Next quarter: Continue the sweeping,,patching of potholes, shoulder rock repairs, infra-red pavement repairs; complete the downtown pavement markings project under the 3M warranty, departmental cross training for new employees, sign replacement and installation, work on the 97/98 paving project punch list, assist Happy Valley with their needs and continue training of street crew on using the Hansen program.

Work with Engineering on the NTMP project (RD-98-7), the School Trip Safety Program and the Bluebird St/RR crossing safety improvement project (RD-98-4).

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## **Water Division**

**Maintenance:** The field maintenance team completed 9 “dig in” water services and 11 “drop in” water services; changed out 898 water meters; completed 250 utility locates; repaired 2 fire hydrants, 1 water main, and 2 water services; completed 104 turn offs on turn off days; and responded to 10 citizen requests.

The City Hall Service team completed 312 service requests which consisted of final reads, leak investigation, rereads, turn ons, turn offs, and other miscellaneous calls.

**Projects:** The mapping and inventory of the water system are near completion and ready for input into the GIS water coverage. Statements of qualifications were received for the Telemetry Improvement project (WT-98-2) and Public Works is now negotiating the project scope and cost with Technical Systems Incorporated. The 97-98 Waterline Replacement project (WT-98-1) on 34th Av, 36th Av, Barba St, Mary’s Ct, Kathryn Ct, an 35th Av was completed by D. M. Excavation. The CRW Intertie Improvement project (WT-98-4) is being designed by Murray Smith and Associates (MSA).

**Next quarter:** Advertise and award the McLoughlin Blvd Waterline Improvement project (WT-98-3). Harper Righellis was recently selected to design the project. Continue work on the water supply and distribution system master plan using MSA.

## **Sewer Division**

**Maintenance:** 9 citizen requests, cleaned 8540 feet of sewer lines, lift station maintenance, televised 9998 feet of sewer lines, 223 utility locates, 2 sewer generator tests, raised 4 manholes and 2 cleanouts, sewer infrastructure mapping, flagging.

**Projects:** Completed the Sherrett St sanitary sewer LID (SE-98-1); worked with Engineering on Harrison St. project (SE-98-2), repaired line on Grogan St, completed first round of mapping and inventory of the sewer system; repaired flow problem on 36th Av; completed investigation of all properties connected to the Brookside sewer service area; and investigated the I&I situation at the Island Station lift station.

**Next quarter:** Work with Engineering to prepare bids for the Harrison St. project; work with the Water Division on the Telemetry Improvement project (SE-98-3); investigate pipe on Johnson Creek Blvd from 40th Av to Brookside Dr as a prelude to SE-98-5; work on cleaning and TVing Area 3; complete GIS infrastructure corrections; purchase flow monitoring equipment; continue planning to implement manhole inspections and I&I elimination; clean approx. 6000’ of pipe on International Wy.

## **Storm Division**

**Maintenance:** 9 citizen requests; cleaned 3406.5 feet of storm water line; televised 2500 feet of storm main line and 50 feet of mini cam work; completed 228 utility locates, attended 2 NPDES meetings; raised one drywell, repaired 2 sink holes, cleaned 173 catch basins and 1 sedimentation manhole.

Projects: installed 2 catch basins at 36th Av, 1 catchbasin at Harvester Dr, 1 drywell and 1 sedimentation manhole each at Fieldcrest Dr and 47th Av/Harrison St; cleaned and TV'd 37th Av storm and spring lines vicinity the Marketplace, and constructed a control structure vicinity the Wetlands Conservancy.

Next quarter: Repair a catch basin and line on 32nd Av at VanWater St; complete Home Av/Monroe St drainage improvement project (ST-98-4); complete inventory and mapping of the storm system; and investigate storm water problems.

### **Engineering Division**

1. Approval of construction plans for HARVEY COURT subdivision.
2. Inspection of public improvements for SMITH ESTATES subdivision on Logus Road.
3. Design and inspection of Storm line from 38th to 37th south of Drake Street.
4. Submitted grant application for walkways on Roswell Street.
5. Presented 1997 NTMP data collection and results to Council.
6. Presented School Trip Safety Program update to Council.
7. Contracted with MSA for Stanley/JCB sewer lift station analysis and provided zoning data.
8. Initiated 1997 Collector/Minor Arterial Traffic Study initiated.
9. Submitted 8 Traffic Regulations for City Manager approval.
10. "No Thru Trucks" on Monroe Street proposal submitted to City Council along with ordinance to authorize CM to place signs.
11. Worked with developers on Hanna/Harvester Drive and Lava Drive re-construction projects.

### **Next Quarter**

1. Inspection and project management of Island Station Stormline Project.
2. Final GEOFFREY ESTATES subdivision.
3. Final FIRWOOD MEADOWS subdivision.
4. Complete design of 23rd and Harrison Street sanitary sewer re-construction project.
5. Inspection of Multi-Use Path project.
6. Prepare 1998-1999 Overlay project for bid.

### **Building, Engineering Inspector & Front Desk**

#### **This quarter:**

- 1) Issued 126 permits totaling \$36,364.73 in revenue (see attached spreadsheet).
- 2) Conducted 480 inspections (see attached spreadsheet).

## **Facility Maintenance**

Library- The library project is 99% complete. The contractor has a few punch list items to complete and he will turn the new area over to us on Monday, Nov. 3rd . We are scheduled to open the new area to the public on Tuesday Nov. 4th. The Library is having an open house on November 15th which has facilities working on a lot of last minute prep items.

JCB- The new generator is installed and is ready for action. We had a problem with diesel smell on Monday mornings during its exercise period . This has been corrected by changing the exercise time to early in the morning. The new ice machine is installed and working.

PSB- The remodel project is complete. The office area for Rim Group is nearly ready. We are held up waiting for the final order of furniture and partitions to arrive so we can finish.

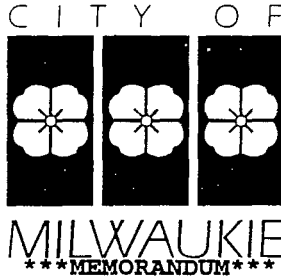
City Hall-The HVAC project is now moving again but in a new direction. Due to the size and cost of the City Hall portion of the project, the State cannot justify the conventional type system and has suggested the we look at some new technology for HVAC systems. If we like the new technology, the State can fund the entire project and call it a pilot type project. We are moving forward with this approach. The new flooring has been installed in the public areas of the building and new surface on the stairways. It looks good and should last for a long time.

Safeway - We were concerned that the Fire sprinkler system would freeze this winter due to the fact that the building does not have a heat source for the HVAC system. We hooked up two forced air gas heaters in the rear of the building to provide enough heat to prevent this from happening. We also had the fire sprinkler system checked out and is in good operating condition. We are now using the building for a storage area.

## **Fleet**

We are working with the Police Department preparing to order three new police patrol vehicles. The vehicles will be purchased through the State bid process.

The sale of vehicles this summer was a big success. We received top dollar for our efforts.



COMMUNITY DEVELOPMENT DEPARTMENT  
October 30, 1997

To: Mayor and City Council  
Thru: *DM* Dan Bartlett, City Manager  
From: *MC* Maggie Collins, Community Development Director  
Re: Activity Report - 1st Quarter, FY 97-98

**Program: Zoning Ordinance Administration and Current Planning**

Land Use Application Processing (from Comprehensive Plan Amendments to Variance Applications): 15 finalized.

Held 10 pre-application conferences.

Staff participated in weekly Development Review Team meetings resulting in a final report presented to the Citywide Strategic Planning Team in September.

Staff participated in weekly building permit review meetings along with Public Works staff and the Building Division staff.

Staff held monthly coordination meetings with NDA Land Use Committee Chairs.

**Program: Comprehensive Plan and Zoning Administration**

Served as staff to two Milwaukie Historic Resources Commission meetings.

Served as staff to six Milwaukie Planning Commission meetings.

Completed and released results of grant-funded "Obstacles to Smart Development" Study by Lennertz and Coyle.

Held final Regional Center Master Plan Steering Committee Study meeting.

Held informational meetings with representatives of the McFarland Site and the Western States Chiropractic Clinic.

**Program: Transportation**

Staff hosted field visit from Portland Bureau of Transportation staff.

Held staff meetings and Council worksession on progress of the McLoughlin Blvd. Feasibility Study.

Staff continued timely review of draft sections of the S/N DEIS Study.

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Participated, in conjunction with PARB staff liaison, in meetings regarding possible direction on Scott Park mitigation (S/N Study; and participated in five S/N South Segment Traffic modeling meetings.

Council adopted Milwaukie Transportation System Plan.

**Program: Natural Resources Planning**

Staff prepared local jurisdiction comments for Greenspaces Technical Advisory Committee.

**Program: Economic Development**

Completed and released results of Downtown Economic Development Assessment Study by E.D. Hovee (Metro TGM grant).

**Other:**

**Training:**

Staff participated in computer training (Windows '95, Word Level 1).

Staff attended "Forecast 97."

**Citywide Activities:**

Staff attended and participated in monthly Neighborhood Service Team meetings in July, August, and September.

Staff participated in RIM Solving Groups, as requested.

Staff participated in Milwaukie Daze Walk-Run events.

Staff participated in Quarterly Neighborhood District Association meeting.

Staff participated in Strategic Planning Team meetings.

Staff served on ECO committee.

**Other Staff Activities:**

Attended South Willamette Crossing TAC.

Exhibited long-range planning information on Milwaukie at the Metro Framework Plan Open House.

Served as a panelist at the Oregon Planning Institute, Eugene, OR.

Served as a panelist at the Metro Housing Conference, Portland, OR.

Made a presentation on livability at the Southgate CPO meeting.

Made a presentation at PARB about the Multi-Use Path.

**Next Quarter:**

Replace vacant Assistant Planner position.

Initiate Citywide Housing Stock Inventory.

Implement approved Work Plan (to be reviewed by Council on 11/18/95.)  
quarterr.wwd.mag.



\*\*\* MEMORANDUM \*\*\*  
November 14, 1997

To: Mayor and City Council *Jan*  
From: Dan Bartlett, City Manager  
Re: Home Building News -- November 1997

Action Requested

I recently received and read the latest issue of the Home Building News. The Land Use Debate and information about new officers may be of interest to the Council.

cc: Department Heads  
File - cm2046/hd

MILWAUKIE CITY HALL  
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# Home Building News

November 1997

## George Lorance Elected HBA Of Metro Portland President

George Lorance, Milgard Windows was elected to be the 53rd President of the HBA of Metro Portland. Ballots were counted and election results were announced at the Oct. 15 dinner meeting.

Lorance is the first Associate Member to be elected President of the association.

Other officers elected were John Godsey, Consulting Eng-

ineering Services, 1st Vice President; Ernie Platt, Matrix Development, Vice President/Treasurer; and Steve Brown, Parkwest Properties, Vice President/Secretary. In most cases, the executive officers move up the chairs to the office of President, starting with the office of Vice President/Secretary.

Also elected to the 1998

Board of Directors were: Builder Directors Randy Sebastian, Renaissance Development; and Vlad Voytilla, Green Mountain Homes. Two other builder directors will be appointed by the new President. Edy McCartney, Parr Lumber, was elected Supplier Director. Dan Rapp, Sunrise Siding, was elected Sub-contractor Director. And

the new Supporting Director is Wendie Kellington, an attorney with Schwabe Williamson & Wyatt.

The Builders Ball and Installation of the 1998 Officers and Board of Directors will be Nov. 14 at the Portland Hilton. Reservations are required for the Black Tie event. Call Connie at 684-1880 to reserve your space.

## Land Use Debate Pits Sizemore Vs. Burton

by John Kirkland

Oregonians are still in favor of land use planning, and a narrow margin believe that Metro is doing a good job of planning or the Portland metropolitan area.

Those were the conclusions of a poll presented at "The Great Debate," a day-long symposium on planning and growth issues held Oct. 16 at the Oregon Convention Center. The event was sponsored by the Home Builders Association of Metropolitan Portland.

The poll results, presented by Tim Hibbits of Davis & Hibbits, Inc., was the launching point for the rest of the day's activities, which included panel discussions and debates.

The "Main Event" was a debate between Bill Sizemore, executive director of Oregon taxpayers' United, and Metro executive Director Mike Burton. The issue between the two debaters — and the theme of the entire conference — is whether the Portland area could continue to plan for high density development within its ban growth boundary, or whether the boundary should be loosened in the hopes of bringing down housing prices and creating more building opportunities.

The Hibbits poll provided ammunition for both sides. Seventy percent of the

respondents said they believed land use planning can help to manage growth in the state and 84 percent said the land use planning goal of protecting farm and forest land was important. Only 15 to 20 percent reject the concept of land use planning completely.

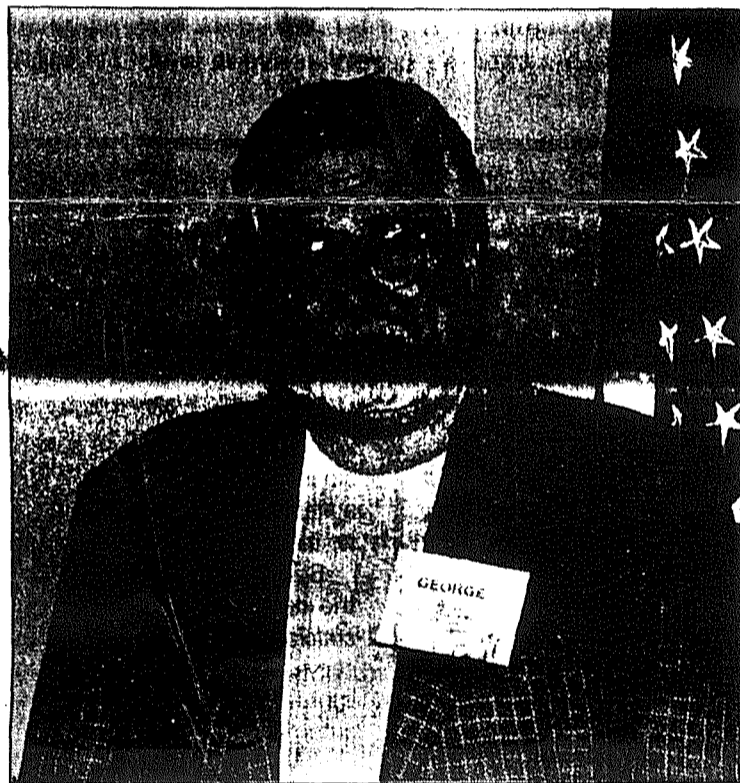
At the same time, 52 percent of the respondents believed an Urban Growth Boundary increases housing costs.

Regarding the UGB in the Tri-County area, 44 percent said it should be kept where it is, even if it means more people living closer together. Some 22 percent want to revise the UGB, even if that means a loss of some farm, forest and open space. And 19 percent wanted to do away with the UGB altogether and let market forces determine growth. About 14 percent were undecided as to what course of action to take.

A ballot measure proposed by Sizemore's group that would eliminate Metro, currently trails by a 49 to 36 percent margin. The earliest it could be put to a vote is November 1998, and Sizemore said that the 15 percent undecided in the poll results made the issue too close to call.

"Metro should be a poster child, not a whipping boy," said Burton in defending Metro as an agency coordinating the efforts of more than 20 local jurisdictions in planning for

*continued on page 2*



**New HBAMP President George Lorance of Milgard Windows. George is the 53rd president of the association, and the first associate member in HBAMP's history. (More photos, page 2.)**

The Directors and Officers of the  
Home Builders Association of Metropolitan Portland  
Cordially invite you and your guests to attend the

## Home Builders Ball

Leadership Recognition and Awards Night  
Friday, November 14, 1997  
6:30 p.m. till Midnight  
Portland Hilton, 921 SW Sixth Avenue  
Details on Page 10

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"Great Debate" features a full day of land-use planning discussions.

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If your building site isn't ready for winter, it's time to get busy.

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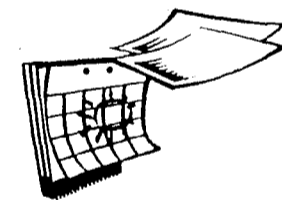
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Mark your calendars with all our upcoming seminars and events.



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The Official Publication of  
The Home Builders Association  
of Metropolitan Portland

### Route to

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# Election '98



Some of the other officers elected in October include (from left) **Builder Director Vlad Voytilla, Green Mountain Homes, who is also chairman of HOME PAC, HBAMP's political action committee; Sub-contractor Director Dan Rapp, Sunrise Siding, who served as Education Committee chair for two years; and Supporting Director Wendie Kellington of Schwabe Williamson & Wyatt. Wendie, an attorney, is very active in land-use issues and serves on the Government Affairs Legal Action Committee.**

## Volunteer Opportunities Galore

With the election of the 1998 HBA officers and the appointment of 1998 Committee Chairpersons, we are asking HBA members to volunteer for one or more of the 1998 committees. Please contact Connie at HBA, 684-1880, if you are willing to donate some of your time to serve on one or more of the following:

**Chapters:**

Clackamas County; Columbia County; East Multnomah County; West Multnomah County & City of Portland; Washington County and Yamhill County.

**Councils:**

Associate Members; Remodelers; Sales & Marketing.

**Committees:**

Auction; Education & Training; Governmental Affairs/Legal; Golf; Home & Garden Show; Membership Marketing; Political Action; Programs/Special Events; Public Relations; 1998 Street of Dreams subcommittees; *Midsummer Night's Dreams* (charity).

There are also appointive positions available on the Board of Directors of the Oregon Building Industry Association.

Please give your association some of your time and serve on one of the committees.

## Great Debate

Continued from Page 1

some of the most explosive growth in the region's history. Eliminating Metro would create more government and an

atmosphere of chaos, he said. Sizemore criticized Metro's 2040 plan as one that would create density levels inside the UGB so high that congestion and crime rates would rise, some parks would be built over,

taxes would increase, commercial and industrial land would dwindle, and housing would become less affordable. He criticized the plan as one that would take away the power of the individual.

"I believe we're better off when we voluntarily make decisions as opposed to living under a plan devised by bureaucrats," he said.

Sizemore, who is toying with the idea of running for governor, criticized Metro's strong advocacy of mass transit, particularly light rail, calling it "a war on the automobile."

"With all the money we're spending on light rail, we could do anything we want with roads," he said.

Burton defended mass transit as a key reason why Portland has been able to preserve its downtown core, avoiding the national trend of urban flight. Metro's

planning also is responsible for making nine out of 11 bridges that cross the Willamette River accessible to bicycles.

"That's because in planning, we put people first," he said. "Metro is democratic. Our vision and our reverence for natural resources is the envy of the nation."

Opportunities to express philosophies on land use planning filled the day, starting with a panel discussion on the Hibbits poll results by Gussie McRobert, mayor of Gresham; Dick Benner, director of the Land Conservation and Development Commission; Mindy Sullivan, director of marketing for Oregon Title Insurance; and Robert Baker, chairman of the Governmental Affairs Committee of the Portland Association of Metropolitan Realtors.

The afternoon saw a panel discussion titled "Who Pays the Costs of Growth" by Terry Moore, economist with the firm Eco Northwest; David Crowe, economist with the National Association of Homebuilders; David Pietka, partner with the appraisal firm Palmer-Goth-Pietka; and Bill Atherton, a Lake Oswego city councilor.

The final event was a debate between Jon Chandler, director of government affairs for the Oregon Building Industry Association, and Robert Stacey, Jr., attorney and the newly appointed executive director of Tri-Met's Policy and Planning H:N

*John Kirkland is editor of the Home Building News.*



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**Home Building News**

*Home Building News is the official publication of the Home Builders Association of Metropolitan Portland.*

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## EDITORIAL

## Growth realities

**T**he growing ranks of no-growth advocates in Oregon need to face reality. Alternatives to growth do not exist. There is only managed growth and mismanaged growth. To pretend otherwise is to set oneself up for mismanaged growth.

When a state like Oregon and a city like Portland become magnets for people looking for the good life, no amount of regulation or legislation will stop the influx. The pace of growth is pretty much out of the locals' hands.

Growth can be steady, measured and manageable, as has occurred in cities like Albuquerque. Or it can be rapid and uncontrolled, as is the case in Miami. There, political turmoil in Central America sent hundreds of thousands of immigrants flooding into South Florida, overwhelming the schools, security forces and social services—and pockmarking the landscape with ugly strip mall shopping centers and characterless housing developments.

Here, the pace is still manageable. The institutions, although strained, are intact, and things work. The foundation to handle growth is in place. And while it is easy to understand why some residents want to shut the state down at its borders, it simply makes no sense to pretend we can do that.

Instead, we need a vision for development, one that can be easily translated into not just bricks and mortar, but parks, trees, bikeways, good public schools, clean water and pure air. We need to set quality-of-life objectives for our region and then make sure that these objectives are built into every piece of the developmental puzzle. We need to reach a consensus and then protect it with daily vigilance. We need to create a plan flexible enough to allow for rationale development but resistant to exceptions.

Where other cities have failed is in their inability to reach a community consensus and stick to it. Master plans are created with painstaking care—and completely ignored at the planning and zoning commission levels. Or communities fracture over-growth/no-growth issues and can't reach a consensus.

Certainly we all want to preserve the good things about life in Oregon. These qualities have drawn people here who have helped stimulate the economy. To keep the economic engine going, we need to be open to growth. At the same time, we get to make some of the rules that govern how that growth evolves.

We can have managed growth or mismanaged growth. That's up to us. But no-growth isn't among our choices. Those who think it is are, by ignoring reality, only choosing mismanaged growth. □



## Champions of

**W**e live in an age of corporate performance companies, household names and are shrouded in paean by national business management consultants, books, and Ivy League business schools.

Concerns ranging from General Electric to Merck and FedEx are hailed and emulated on a scale never before seen.

Who are some of the companies Business Journal readers most admire? Here is what a sampling of our readers has to say.

**Roger Yost**, architect with Yost Grube Hall: "Microsoft, for two reasons. It continues to scramble as though it were in a race. But most im-

