

MILWAUKIE  
CITY COUNCIL MEETING  
December 6, 1983  
7 p.m.

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MILWAUKIE SENIOR CENTER

1445th Meeting

5:30 p.m. Executive Session under ORS 192.660 (1) (d). to discuss labor negotiations.

The one thousand four hundred and forty fifth meeting of the Milwaukie City Council was held on December 6, 1983 with the following Councilors present:

Mayor Joy Burgess            Don Graf  
Mike Richmond                Roger Hall  
Ron Kinsella

Also present:

Hugh Brown, City Manager                      Ron Schanaker, Police Chief  
Greg Eades, City Attorney                      Norm Kraft, Acting Finance Dir.  
Topaz Faulkner, Comm. Serv. Dir.              Laurie Perkin, Secretary  
Steve Hall, Pub. Wks. Dir.

Mike Richmond gave the invocation and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Bill Hupp asked what the city's policy was in regard to granting business licenses to sell Christmas trees. City Manager said the city would issue a permit for a 30 day period, that a new policy was being formulated on this issue.

John Plant, 2025 SE Park, complained about the difficult time he has been having with city staff in getting a business license. Mayor asked him to speak to the City Manager about this.

Mayor asked that Item VII g, Correspondence from Milwaukie Loaves and Fishes, be moved up on the agenda. She referred to a letter from Delora Hegg regarding payment for a tabletop and a letter from City Manager responding to the request for payment. Mayor said that Delora Hegg felt the letter to be harsh and would appreciate an apology. City Manager said his letter was meant to be instructional only, that this matter was resolved as far as he was concerned. The Council agreed that the issue be closed.

Public Hearing - C-83-15- Tri Met Transit Center

The Mayor outlined the order of the public hearing and the procedures to be used. It is the applicant's responsibility, she said, to prove the application is consistent with the zoning ordinance and the comprehensive plan. No conflict of interest was declared.

Community Service Director gave the staff report. She gave background on the search for a location for the transit center, other sites which had been considered, objectives of the plan and criteria used in choosing a site. Staff has recommended approval of the site located at the old AG building at the south end of Main Street. They have also

recommended that a Condition # 5 be added to the staff report stating "traffic flows in and around the site, with particular reference to Lake at 21st and Adams Street, must be approved by the Public Works Department".

In addition to material provided in the agenda packet, the following correspondence and responses have been received:

- Memo from Remember Skye, a Tri Met rider, objecting to the Council holding a public hearing at a location which Tri Met does not serve.
- Letter from Joe Bernard, 2036 SE Washington, recommending approval of the proposed site.
- phone call from Bee Hall, expressing concern that a site be approved.

Lee Hames, Project Manager from Tri Met, gave background on Tri Met's search for a location for a transit center in Milwaukie. She introduced Alonzo Wurtz, Manager of Project Development from Tri Met, who spoke of the rationale, impact, affect on traffic, and future bus service. He provided maps showing bus routes and proposed schedule.

Bruce Johnson, 2323 NW Johnson, Landscape Architect, provided a copy of landscape plan showing where trees and parking spaces would be.

Mike Houck, 2433 NW Quimby, Urban Naturalist, said there was no wildlife value to this site. The only concern, he said, would be the possible oil runoff which could be harmful to Kellogg Lake. This could probably be remedied, he said, by drain traps.

Steve Burdick, 705 SE 32nd Ave., talked about economic impacts. He said the increased number of people coming into the town would be of benefit to businesses. He said that Tri Met would lease space to other businesses which would be service-related and of benefit to riders.

A slide show was presented showing the present condition in the area of the proposed site.

#### Questions from Council

Hall asked about pedestrian safety. Lee Hames said this would be controlled through stop signs. Mayor asked about the frequency of busses and problems with Southern Pacific. Southern Pacific is willing to enter into a lease agreement, representatives from Tri Met said. The number of busses will be 27 during peak periods, Wurtz said. Hall asked why Tri Met couldn't use smaller busses. Wurtz said the busses had to be large enough to accomodate a large number of people and the cost of changing busses was considerable. Also, he said, the maintenance costs were higher with smaller vehicles. There was further discussion on the impact on business, parking problems, supervision, and problems with

oil runoff.

The meeting was recessed at 8:45 p.m.

The meeting reconvened at 9:00 p.m.

The following persons spoke in support of the proposal:

George Cathey, Planning Commission Chairman.  
Bill McConnell, 12115 SE Sequoia.  
Andy Catugno, Metropolitan Service District  
Ray Polani, 2717 SW Springarden St.  
George VanBergen, 12366 SE Guilford Drive  
Douglas Donnika, representative for owners of property  
Paul Graham, 11049 SE Main Street  
Wayne Logeman, 2125 SE Bluebird  
Pete Sinclair, 10400 SE Main

Among comments made in support of the proposal were:

- It is essential that better service be provided.
- It is important to solve the present problem.
- It will promote growth of present businesses and encourage new business.
- It will improve the site.
- 43 businessmen have approved the site as well as the North Clackamas Chamber of Commerce.

The following persons spoke in opposition to the proposal.

Al Liane, member of the Planning Commission  
Dan Browne, North Clackamas School District  
Robert Adrian, Principal of Milwaukie High School  
John Foster, member of the Planning Commission  
James Backenstos, 3626 SE Harrison  
Dave Standberg, owner of McNaughtons TV  
Gary Hubbard, owner of Dairy Queen  
Bill Hupp, 2626 SE Washington  
Mel Paulson, 12264 36th

Among comments made in opposition to the proposal were:

- There was adverse testimony at the Planning Commission hearing.
- The transit center will become an "attractive nuisance" and cause problems with students from Milwaukie High School.
- Population growth studies do not support need for a transit center.
- The transit will cause traffic congestion and pollution
- The proposed site will cause a problem with public safety.
- The proposed site does not meet ecological standards.

It was suggested that the transit center be moved out of the core area, to the area near the Southgate Theatre or on the expressway. Bill Hupp objected to the advice of the City Attorney at the November 15 Council meeting in regard to public testimony.

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City Attorney talked about testimony to be considered in land use decisions. He said that testimony from the public should be considered only when it is relevant to the criteria. He said his objection to the testimony before the Planning Commission was that testimony which was not relevant was added to the findings.

Mayor asked for questions from Council. There was discussion on public safety, possibility of a transit center outside the core area, parking problems, cost of Tri Met's study so far, pollution problems, time limit in choosing a site.

Tri Met representatives said public safety would be controlled through use of stop signs, that if a transit center was located outside the core area, no busses would go through downtown, that 23 additional parking spaces would be available as a part of this proposal, that Tri Met has spent approximately \$20,000 thus far in a search for a transit center site in Milwaukie, that there was really no way to solve the problem of air pollution as long as busses were used, and that if the proposed site was to be used, there was a time limit because of the need to coordinate use of space etc. with the Post Office and because the property is on the market.

The public hearing closed at 11:00 p.m. It was MOVED by Hall, SECONDED by Kinsella to extend the meeting for 30 minutes. MOTION CARRIED unanimously.

Council comments:

Hall said he would support the proposal and asked to go on record as holding Tri Met to its agreement for proper maintenance of the transit center. He suggested that property on 21st and Lake Rd. be utilized as extra parking space. Graf said the proposed site would be safer than the present site and that it would divert some of the pollution from the city hall area.

Richmond said he would like to hear of alternative sites, that he felt the negatives of the proposed site outweighed the positive. Kinsella said the proposed site would cause too much congestion and suggested it be moved out of the core area.

It was MOVED by Burgess, SECONDED by Kinsella to deny Conditional Use C-83-15 based on the following findings: 1) The proposal would result in increased traffic congestion on 21st Ave. and Main Streets, 2) The air quality in the downtown area would suffer due to the pollution from exhaust of additional busses, 3) The proposal would possibly adversely affect the ecology of the lake, due to the introduction of oil and tar from the parking area, which may be harmful to fish, 4) Due to its location and lack of on-site supervision, the use of this site would create maintenance and litter problems and provide an "attractive nuisance" for high school students from Milwaukie

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High, 5) The increased bus traffic on Main Street would create safety hazards for pedestrians and vehicles in the downtown area. MOTION CARRIED with the following vote: AYES: Burgess, Kinsella, Richmond. NOES: Graf Hall. It was MOVED by Graf, SECONDED by Kinsella to extend the meeting 30 minutes. MOTION CARRIED unanimously.

#### LEGISLATION

It was MOVED by Graf, SECONDED by Kinsella, that the bills listed for December 6, 1983 be approved for payment. MOTION CARRIED unanimously.

#### CONSENT AGENDA

Approval of minutes - November 8 and 15, 1983. It was MOVED by Graf, SECONDED by Kinsella, to approve the consent agenda. MOTION CARRIED unanimously.

#### OTHER BUSINESS

##### Linwood Ave. speed limit

Public Works staff, the Traffic Safety Commission and the Oregon State Speed Control Board have reviewed the citizen request for a crosswalk near Linwood Covenant Church and Council request for a reduction of the speed limit in this area and has recommended that the speed limit remain the same. It was MOVED by Graf, SECONDED by Kinsella, to accept the recommendation. MOTION CARRIED unanimously. Hall suggested the city ask that property owners remove shrubbery etc. to improve visibility. P.W. Director said city staff would look into this.

It was decided to hold the next regular City Council meeting on December 12 rather than December 20. City Manager said an executive session would be held at 5:30 prior to the meeting to discuss labor negotiations.

City Manager said the Center Roof was now repaired except for minor interior repair. He urged Council to attend meeting on tax proposal at the County on December 12.

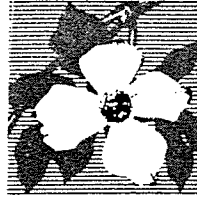
City Manager said he would be on vacation from December 21 to January 3. City Attorney said he will also be gone from December 21 to December 29.

It was MOVED by Hall, SECONDED by Kinsella, that the meeting be adjourned. The meeting was adjourned at 12:00 a.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

# CITY OF MILWAUKIE



*Duglis Paulet*  
OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

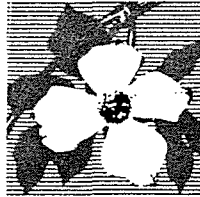
## CITY COUNCIL AGENDA December 6, 1983 7 p.m.

### MILWAUKIE SENIOR CENTER

### REGULAR MEETING

5 p.m. Executive Session - ORS 192.660 (1) (d)

- I CALL TO ORDER
  - a) Call to order
  - b) Invocation
  - c) Pledge of allegiance
- II AUDIENCE PARTICIPATION
- III PUBLIC HEARING
  - a) Tri Met Transit Center, 11222 SE Main, C-83-15
  - b) Proposed transfer of city property, Southwest corner, intersection of Adams and Main
- IV LEGISLATION
  - a) Payment of bills
  - b) Request to repair Water Reservoir # 1
- V CONSENT
  - a) Approval of minutes - November 8 & 15, 1983
- VI OTHER BUSINESS
  - a) Linwood Avenue speed limit
- VII INFORMATION
  - a) Letter from Denny Smith re SB 66
  - b) Contract negotiations CCSD # 1
  - c) Minutes - Traffic Safety Commission, 10/10/83
  - d) Minutes - Planning Commission, 10/11/83 & 11/8/83
  - e) Minutes - Center Advisory Board, 10/21/83
  - f) Letter to/from Mayor re Fire Department
  - g) Correspondence from Milwaukie Loaves & Fishes
- VIII ADJOURN



## MEMORANDUM

December 2, 1983

TO: MAYOR AND CITY COUNCIL  
FROM: HUGH H. BROWN, CITY MANAGER  
SUBJECT: CITY COUNCIL MEETING - December 6, 1983

Prior to the regular meeting, an executive session is scheduled for 5:00 p.m. to discuss labor negotiations. A light supper will be available. Please note the location has been changed to the Senior Center to accommodate an expected large crowd for the Tri Met proposal discussions.

As the scheduled December 20 meeting falls close to Christmas, the second December meeting could be rescheduled for the week of December 12. December 15 (Thursday) is suggested as the Planning Commission meets on Tuesday the 13th.

Have a nice weekend.

A handwritten signature in cursive script, appearing to read "Hugh H. Brown".

Hugh H. Brown  
City Manager

TRI-COUNTY  
METROPOLITAN  
TRANSPORTATION  
DISTRICT  
OF OREGON



**TRI-MET**

4012 SE 17th AVENUE  
PORTLAND, OREGON 97202  
Telephone 238-4893

November 15, 1983

The Honorable Joy Burgess  
Mayor, City of Milwaukie  
10722 S.E. Main Street  
Milwaukie, OR 97222

Dear Mayor Burgess:

On November 9 the Milwaukie Planning Commission did not approve Tri-Met's request for a conditional use permit for a transit center on the South Main site. The Commission decided to set up a committee to work with Tri-Met to find an alternate site. We will, of course, meet with that committee to provide input and information. However, because of the amount of time and money spent on the previous three sites, Tri-Met cannot commit resources beyond our meeting with the committee.

In the meantime, the \$1.2 million which has been set aside for the Milwaukie Transit Center will be reprogrammed to meet needs in other parts of the region. When a site has been selected which has all necessary official approvals from the City, we will be happy to seek funding for the project at that time.

We look forward to working with the City's committee.

Sincerely,

Paul N. Bay  
Executive Director  
Planning and Development

PNB:Pe

cc: Lillian Hames 5 251-1000  
Alonzo Wertz  
Tom Matoff  
Bob Post 238-4893

Milwaukie City Council:

December 2, 1983

This is to express my concern regarding the siting of the TriMet Transfer Center.

The South Main site has many, many distinct advantages. I need not list them again. (Though not stated in the newspaper, I am assuming that the entire block south of Adams Street will be devoted to handling of busses and passenger traffic.) I see little other practical use of the small wedge of property enclosed by 21st, Main, and the S.P. tracks.

Recently, when I was serving on the Traffic Safety Commission, it was shown that it would be next to impossible to build a professional office here and furnish adequate parking, and we voted against such a cramped proposal.

Public transportation has a very important place in the future of this area, and I hate to see every truly progressive step thwarted by ill-timed indecision. I am sure reconsideration is a proper move.

Respectfull,



P.S. Let me add what could well be another beneficial effect of this site selection for the Transfer Center. I see it as a possible deterrent to the present illegal use of Lake Road as a route for thru truck traffic, which these residents are now contending with. I am sure the end effect will most certainly be less, not more traffic on Lake.

MEMORANDUM

November 29, 1983

TO: CITY COUNCIL

FROM: GREG EADES, CITY ATTORNEY *JE*

SUBJECT: PUBLIC HEARING ON USE OF CITY PROPERTY

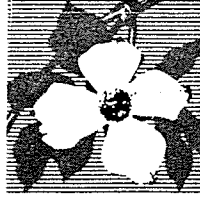
Following the Tri Met hearing, we've scheduled a public hearing on the use of the city property near the AG site to comply with HB 2783. The new statute requires the city either to hold a public hearing or comply with some other formal local procedure when contemplating sale of city-owned property. Since we have no local procedure on this, a hearing is required.

The requirements for the hearing are relatively simple:

1. Legal notice during the week prior to the meeting.
2. A hearing not earlier than 5 days after the notice.
3. Details concerning the terms of the sale.
4. Evidence of value of the property.
5. Opportunity for interested persons to present oral or written testimony.

The hearing doesn't need to be as formal as a land use appeal. You may want to take testimony from the staff, Tri Met and then anyone else wishing to testify, but you need not follow any particular order. It's important to distinguish between this hearing and the conditional use hearing. In the latter, we have to be concerned about the applicant's burden of proof, relevant testimony and applying specific criteria to the application. By contrast, the city property hearing is much less restrictive. There is no proof, no criteria and almost any testimony could be considered relevant. In other words, you are allowed to take the "temperature" of the community if you wish, similar to a budget or revenue sharing hearing. Since adequate notice has already been made, you need only provide for items 3 - 5 above.

Let me know if you have any questions.



## MEMORANDUM

December 2, 1983

TO: MAYOR AND CITY COUNCIL

FROM: HUGH H. BROWN, CITY MANAGER

SUBJECT: TRI-MET TRANSIT SITE PROPOSAL

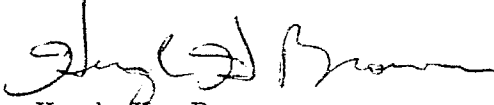
You have prepared for you a very considerable amount of material regarding the proposed transit site. City staff has attempted to thoroughly and accurately reflect the history of transit center proposals in general, and of the current proposal in particular. If you have any questions or additional concerns after reading the material, please give me (or Topaz or Greg) a call on Monday.

If City Council approves the conditional use I recommend proceeding with approval of selling city property to meet the 20% match requirement. Any such agreement should, however, also include the provision that this property shall revert to the city at such time it is to be no longer used for a transit purpose.

After reviewing the background material and exploring the primary alternative (Shell Station/city lot), I conclude the AG site successfully meets the city's criteria for downtown transit improvements. The city joins many others in desiring a move of the transit facility away from City Hall, and if this is accomplished within a year, the AG site offers the best alternative. The Olson brothers, who have first option on the sale of the Shell property, have expressed recently, as well as in the past, a great reluctance to vacate and sell their business. I don't believe it is in the best interests of the project or the city to pursue a forced sale. It is also questionable what downtown support this site would receive with the loss of parking spaces.

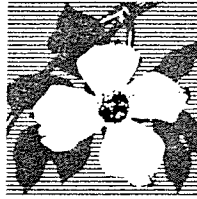
It should be understood that two steps need yet to be accomplished even with city approval of the project. These include approval of the Tri Met Board on January 30, and approval by the federal Urban Mass Transit Administration (UMTA) hopefully by April 1. It is likely though that strong city and community support would help assure approval at the two following steps.

Despite the delays and difficulties that have developed with this proposal, it is still workable and offers considerable benefit to the city. I recommend the city support the Tri Met proposal and approve the sale of city property.



Hugh H. Brown  
City Manager

# CITY OF MILWAUKIE



## MEMORANDUM

TO: HUGH H. BROWN, CITY MANAGER

FROM: TOPAZ FAULKNER, COMMUNITY SERVICES DIRECTOR *J.F.*

SUBJECT: BRIEF HISTORY OF TIMED TRANSFER CENTER SITES  
DISCUSSIONS

DATE: DECEMBER 2, 1983

The informal discussions between City Council, City staff, and Tri-Met staff have been underway for more than four years. The first information on file is dated May 12, 1980, and summarizes a City Council work session at which several sites were reviewed; including the Shell/City parking lot, City Public Works site, and Kronberg property. At that time, funding appeared to be far more available and the discussions included a parking structure at the Shell/Parking lot site, with additional office/shop space, and pedestrian overpass across McLoughlin. The other two sites were considered for park and ride lots. The major restriction for both the Shell/parking lot and Kronberg sites was, and remains, traffic congestion.

In August, 1980, after a joint work session with Metro, Tri-Met and City staff, the Council authorized staff to search the budget for the \$15,000 City match necessary for a \$100,000 market analysis and feasibility study through preliminary engineering for a permanent timed transfer station. No mention is made of the funds being found.

The Shell/City parking block was recommended as the transfer center location in September 1980. Soon after, Tri-Met's funding was reduced and the site was cut to a half block, using part of the City parking lot (Exhibit 1). Objections to the design were raised by the Oregon Department of Transportation based on buses blocking a lane on McLoughlin.

The temporary transit center plan was approved by the City in March, 1981. Start up time for the permanent center was given as June, 1982. The movement of buses and proposed stops downtown is shown on Exhibit 2.

The new Milwaukie U.S.A. Business Association (incorporated in June, 1981) expressed strong reservations about the Shell station being used for the transit site. The association convinced the City to request Tri-Met to move the site one block south to the half block utilized by the Chevron Station and Chinese restaurant, with access to Main Street through one of five shops (see Exhibit 3). The same objection was again raised by O.D.O.T. Several months later, this location proved unusable when the Chevron owner refused to sell, and Tri-Met refused to condemn the land.

Until 1982, Tri-Met's financial status was sufficient to allow them to pay the 20% local match that is required for the Federal grant. However, the provision of the 20% match is now the City's responsibility and must be either in cash or in City-owned property that is incorporated into the timed transfer station design. More specifically, the Federal requirements for accepting City-owned land as the match limit the property involved to only that amount of land actually used for some aspect (i.e. a parking lot) of the timed transfer station. Therefore, the local match provision must be added to the criteria listed below, for siting the station.

1. Location in a downtown core, where all the bus lines come together.
2. Size of site (slightly more than  $\frac{1}{2}$  block.)
3. Access to McLoughlin
4. Traffic circulation & safe bus maneuvering
5. Topography - site must be level
6. Off-street
7. 20% local match

During 1981 and 1982, several informal discussions were held on alternative sites, including: Junior High field on Harrison and 21st; City Hall block; Wiley Security/ Arco Gas Station; Kronberg property; on-street sites; and, the AG site on South Main. At least two of these discussions were during Business Association meetings that had Tri-Met staff as guest speakers. The Junior High field was considered by Tri-Met to be too far off McLoughlin and the school district expressed no interest in selling. At this time, the location would also not meet the local match criteria. The City Hall block has a deed restriction requiring the majority of the property to be maintained in a "park-like" setting. The half-block containing the Wiley Security building and the Arco Station was unusable because of the slope. The location of the Kronberg property has serious access-egress problems for cars. The additional traffic changes necessary for buses would be very expensive. In addition, the bus lines do not

Hugh H. Brown  
December 2, 1983  
page 3

come together at that point. The construction of a bridge across Kellogg Lake, as an extension of Main Street, would be both difficult and expensive, since the Kronberg site is predominantly loose fill. The permanent location of a timed transfer station on-street has met with rejections from City staff and the Business Association, due to loss of parking and unsafe traffic conditions.

The A.G. site was not researched by the Tri-Met staff previously working on this project and there are no records regarding this site. After considerable study, the current Tri-Met staff feels the A.G. site is workable.

Figure 4.1

MILWAUKEE TRANSIT CENTER

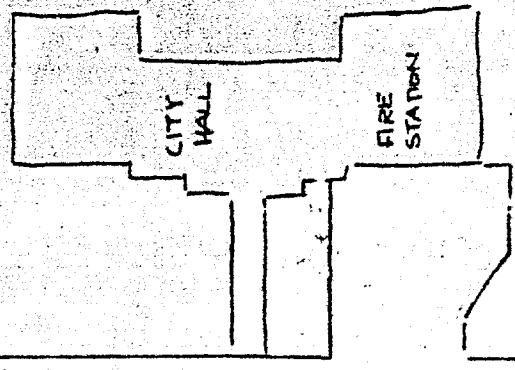
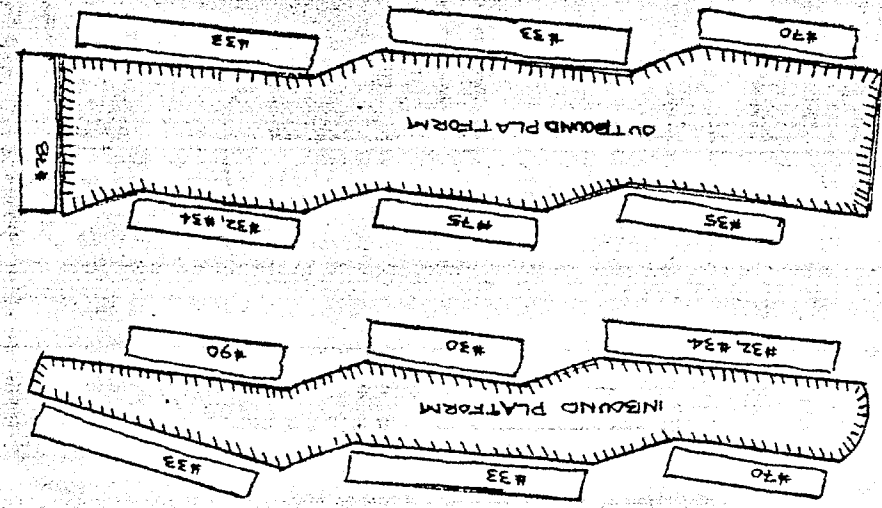
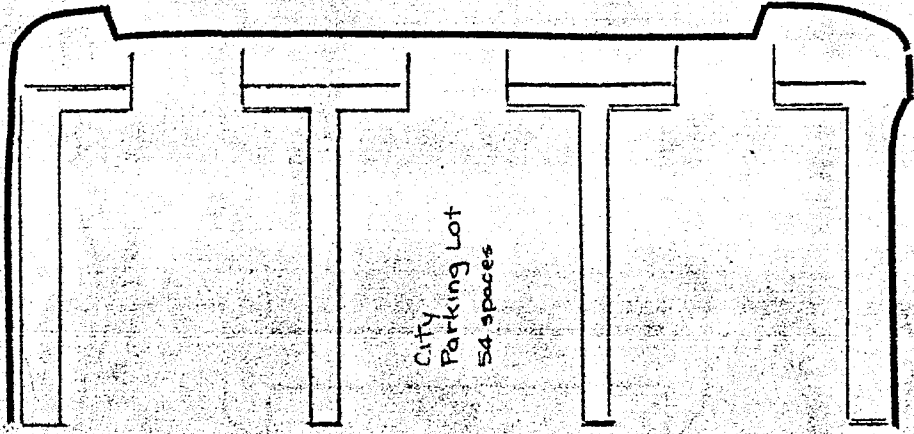
Example of "off-street" alternative with north-south platform or orientation.



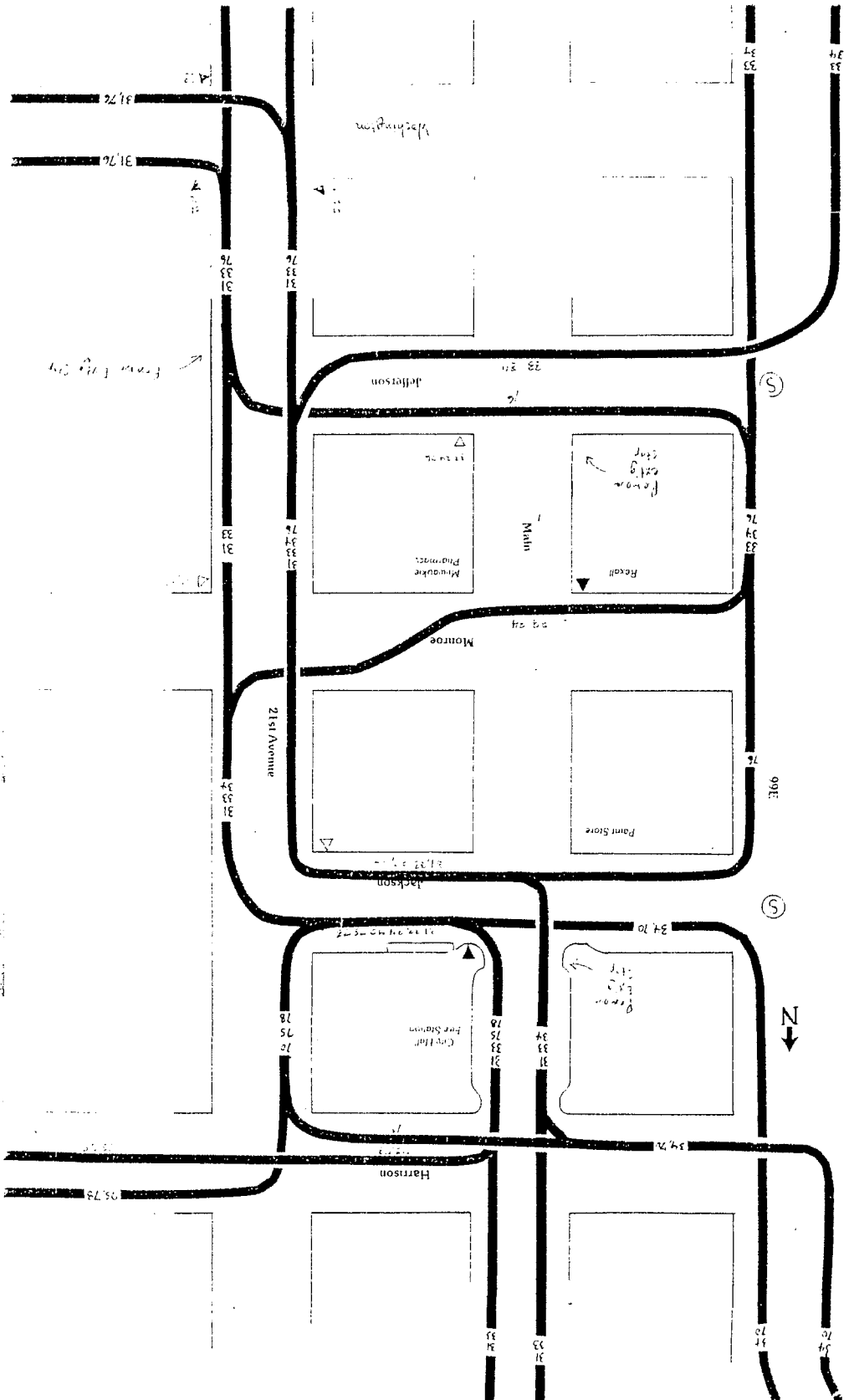
HARRISON STREET

MAIN STREET

JACKSON STREET



10 LAUGHLIN BLVD.



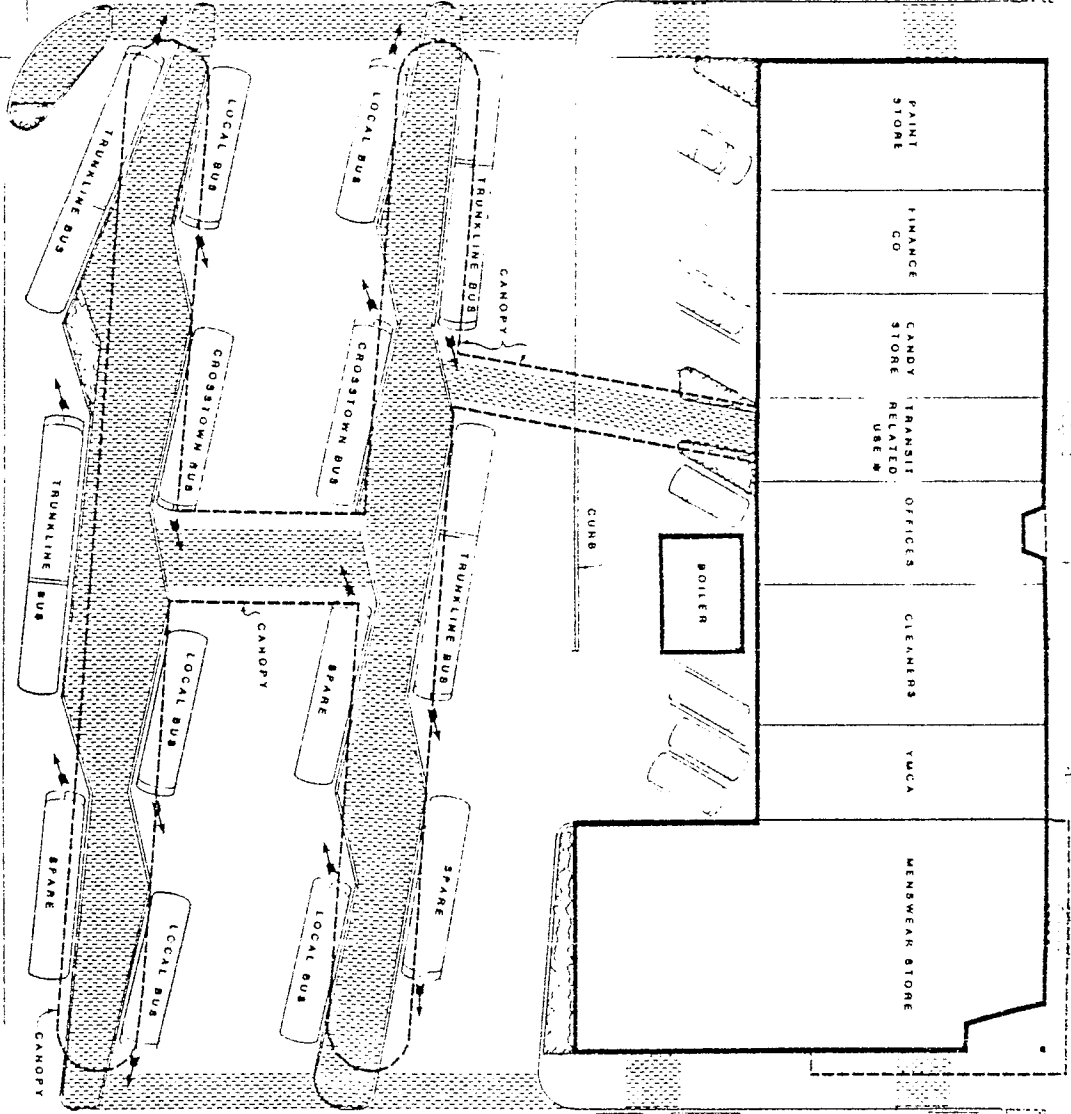
*From City*



Office shop, concrete  
at corner, sheet as  
displayed Dept

N

S. E. JACKSON STREET



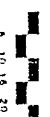
S. E. McLOUGHLIN BOULEVARD

KISS & RIDE

S. E. MONROE STREET

A PROPOSED TRANSIT CENTER  
FOR MAUKIE, OREGON (SITE #2)

12-15-77



TRAFFIC SAFETY COMMISSION

November 28, 1983

Special Meeting

At the request of the Mayor, the Traffic Safety Commission held a special meeting at 5 p.m. November 28, 1983 in City Hall Council Chambers to consider the proposed Tri-Met timed transfer station location on south Main Street in the old AG store building. Members present were Louis Bruneau, Dick Samuels, Delbert Binkley, Karen Bergio, and Jim Stell. Staff members present were Topaz Faulkner, Community Services Director and Steven Hall, Public Works Director.

Faulkner presented the proposal and explained the requirements of the Federal Government regarding the local match funds. She called attention to the informational packet provided for each commission member containing maps, application, staff report, Public Works requirements plus letters and memos from local businesses and affected agencies.

The height of the railroad trestle at the end of Main Street as brought up in a Public Works memo was discussed. Hall noted that the proposed solution was to lower the roadway approximately 6 inches. Bruneau asked what affect that would have on the drainage. Hall stated that all utilities are low enough in that area to allow the street to be lowered without any problem. Faulkner noted that the expense for lowering the roadway is figured into the overall project cost.

Binkley asked if there had been any public comment on placing the station in that particular area. Faulkner said that there had been considerable concern expressed by the Lake Road residents fearing that placing the transit center at this location would mandate the trunk route between Milwaukie and Clackamas Town Center to be on Lake Road.

Samuels asked if this location was intended to be a permanent site for the proposed transit center and if so would it work with the proposed light rail system. Also, if another, more convenient site were available at the time light rail is installed, would Tri-Met then move the location? Faulkner responded that Tri-Met and Metro feel this is a workable location in conjunction with light rail. Tri-Met has indicated that if they had the transit center at a permanent location for five years and then sold to move to another location it would be worthwhile.

Stell asked what the actual make-up of the transit center would be and specifically what purpose would it serve? Faulkner directed the commission to the drawing of the proposed site and explained the layout. Hall mentioned that Greyhound has also expressed an interest in the site which would consolidate all the bus activity at one site and thus free up several downtown parking spots. Faulkner noted that Greyhound could be a tenant in the building along with the Post Office. There would also be an area for concessions, such as a donut shop, as well as restrooms.

There was discussion regarding traffic flow around the transit center. Hall stated that the only problem Public Works could see was about access of traffic wishing to travel west from 21st Ave. to Main Street on Adams. With bus only traffic there would be no vehicle access to the parking in the northbound lane on Main Street. Tri-Met has indicated that if this site is approved they would want to work with Public Works on any problem areas.

Samuels noted that from a Traffic Safety standpoint the proposed plan is far superior to the existing timed transfer center now around City Hall and that it would relieve congestion on the more heavily travelled streets around City Hall.

Stell called attention to a letter from Pete Sinclair from The Milwaukie Bank that sums up the options that had been considered in the past.

There was discussion regarding questions and Tri-Met's answers regarding the relationship of the center to traffic in the downtown area. They feel that there would be benefits in that the buses would not have to make turns in the downtown area plus the traffic congestion around City Hall would be eliminated. Regarding the trunk line: Clackamas County is the entity that has proposed the trunk line routing. Tri-Met has stated that for the next five years they would not be adding any additional buses because of budgetary restraints. In five years, if the trunk route is in place, whether on Lake Road or Railroad Ave., there would be neighborhood meetings to go over a list of considerations including passenger demand, street capacity, neighborhood reactions, travel times, compatible land uses, safety and available funding.

There was also some discussion regarding routing, traffic flow and park and ride.

Faulkner noted that an alternative site for consideration was the City owned parking lot across from City Hall and the Shell Station. Samuels noted that it would be much more costly to purchase and develop than the AG site.

Stell asked about the extent of the postal services going into their portion of the building. Faulkner said that it would be limited services, i.e. mail boxes and counter service but no delivery trucks.

It was moved by Samuels, seconded by Binkley that the Traffic Safety Commission recommend to the City Council to approve the AG store site for development of the transit center. Motion carried by unanimous vote.

Meeting adjourned at 5:40 p.m.

# CITY OF MILWAUKIE PLANNING DEPT. STAFF REPORT

DATE: NOV. 8, 1983

FILE NO: C-83-15

APPLICATION : CONDITIONAL USE REQUEST  
APPLICANT : TRI METROPOLITAN TRANSIT DISTRICT (TRI MET)  
PROPERTY OWNER : MARIANNE BUCHWALTER & JOHN SHIPLEY  
LOCATION : C/O DOUG DONACA  
          : 11222 SE Main St

The southeast and southwest corners of Adams and Main Streets  
Legal Description: 1 1E 36BC T.L. 3100; 1 1E 35AD T.L. 1400

## PROPOSAL:

The applicant is requesting a Conditional Use to allow a Transit Center to be located at the southeast corner of Main and Adams Streets, bounded on the southeast side by the Southern Pacific Railroad with additional parking to be located west of the site along Main Street and adjacent to Kellogg Lake.

## PREVIOUS ACTION:

At the September 27, 1983 Planning Commission hearing, the Commission tabled action on the Conditional Use request until the November 8 hearing. The Planning Commission requested that the applicant provide more information regarding the traffic impacts of the proposed center as well as the impacts of the parking lot within an Environmentally Significant Natural Area.

## SITE CONDITIONS AND PUBLIC FACILITIES:

The site is zoned Central Commercial (C-C). Access to the site is from Adams and Main Streets, which are improved streets with sewer, water and storm drainage facilities.

However, the road surface below the trestle will have to be lowered to accommodate the buses. In addition, part of Main Street to Lake Road will need to be resurfaced as per the specifications of the Director of Public Works.

The site at 11222 SE Main contains the former AG Store building. This area is relatively flat. The parking area located west of the site in between Kellogg Lake and Main Street is vacant property which is fairly flat just off of Main Street then drops steeply to the west toward Kellogg Lake.

## SURROUNDING ZONING:

NORTH: Central Commercial (C-C)  
SOUTH: Residential-Business Office-Commercial (R-1-B)  
EAST: General Commercial (C-G)  
WEST: Residential-Business Office-Commercial (R-1-B,  
further west -- Limited-Commercial (C-L)

(See Zoning Map - Exhibit #4)

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SUMMARY TABLE OF MINIMUM ZONING STANDARDS FOR THE C-C ZONE:

(From Section 3.11, 3.a-j.)

(FOR BUILDING SITE ONLY)

	<u>REQUIRED</u>	<u>PROPOSED</u>
Lot Size	None	Approx. 15,750 square feet
Lot Width	50'	varies from a point to 105'
Average Lot Depth	80'	Approx. 200'
*Front Yard	None	Approx. 5' off of Adams St.
*Side Yard	None	Approx. 5' off of Main St.
*Rear Yard	None	Approx. 70'
Access: Minimize traffic congestion, avoid directing traffic onto residential streets.	35'	Approx. 105' off of Adams St. Approx. 200' off of Main St.
Parking	one space per 50 square feet	8 short-term 19 permanent
Height (maximum)	4 stories or 60' whichever is less	Approx. 2 stories
Open Use	Sight obscuring fence 6' high (if needed)	None Shown
Vegetation	15%	Preliminary Landscape Plan indicates condition can be met.
Lot Coverage	85%	Approx. 65%

\*The site does not abut a Major Street, nor is it within a Transition Area, therefore no special front, side or rear yards are required.

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CRITERIA:

ZONING ORDINANCE:

Section 3.11, 2	C-C Zone, Conditional Uses
Section 2.11, 3.a-j.	C-C Standards
Section 6.01	Conditional Use Procedure

AUTHORIZATION TO GRANT OR DENY CONDITIONAL USES

All applications for Conditional Uses shall be evaluated by the Planning Commission at a public hearing, under the specific criteria listed in Section 6.01 through Section 6.03. The Planning Commission may approve or deny the application. If the decision is to approve, the Planning Commission may impose any conditions deemed necessary to protect the public health, safety or general welfare from potentially deleterious effects resulting from approval of the permit, or to fulfill the public need for services created by approval of the request.

Approval of a Conditional Use shall not constitute a change of zoning classification and shall be granted only for the specific use requested subject to such modifications, conditions, and restrictions as may be deemed appropriate by the Planning Commission, or as specifically provided herein.

Specific Criteria:

- A. The use meets the requirements of a Conditional Use in the zone currently applied to the site.
- B. The use meets the standards for the underlying zone.
- C. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use.
- D. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.
- E. The proposed use is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

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COMPREHENSIVE PLAN:

The proposed parking area in between Kellogg Lake and Main Street is located within an Ecologically Significant Natural Area, as illustrated in Figure 4, of the Comprehensive Plan.

OBJECTIVE #1, Page 14.

To preserve and maintain important natural habitats and vegetation by protecting riparian areas along waterways, major drainages, springs, and significant tree and vegetative cover while providing for compatible recreation and educational activities.

Applicable Policies 1-10, Page 14-15.

1. Natural riparian vegetation along streams and drainageways will be maintained and preserved. Such vegetation will be maintained for a minimum distance of 15 level feet from the mean bank line in areas with slopes of ten percent or less. Where slopes exceed ten percent, an additional foot of vegetation should be preserved for each additional percent of slope increase. Selective cutting, trimming and thinning will be allowed as necessary for access to the waterway.
2. Whenever possible, development will be avoided or substantially reduced in intensity or density within areas of dense standing trees and shrub, particularly next to the major natural drainage courses or springs.
3. Wherever possible, areas of standing trees and shrubs will remain connected particularly along natural drainage courses.
4. Under no circumstances will outright harvesting of natural timber be allowed except as associated with an approved development project and only then with the guidelines of Policy 2 and other applicable policies and standards.
5. Development in areas of standing trees will be designed to minimize the numbers of trees to be cut.
6. Under no circumstances will more than 50 percent of the mature standing trees be removed from any parcel without a one-for-one replacement. Tree replacement will be with species compatible with remaining species.
7. Stormwater flows within and to natural drainage courses will, whenever possible, not exceed natural flows.

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Applicable Policies 1-10, Page 14-15 (CONTINUED)

8. Construction practices for all projects --private and public-- will include steps to ensure that cuts, grading areas and trenches are not exposed to storm water flows which would carry sediment into natural drainage courses or springs.

Previously, Staff indicated there was a possibility that part of the parking lot site was within the floodplain. Upon review of the site survey and HUD Floodplain Maps, Staff has determined that the parking area is not within the Floodplain. The parking lot can be accommodated on the stie without infringing below the bank. The lake itself is within the floodplain. Thus, the Floodplain Comprehensive Plan Policies do not apply to this request.

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As the parking area is located within an Ecologically Significant Natural Area, the Open Space section of the plan is applicable.

OBJECTIVE #1, Page 15.

To conserve desired open space in order to ensure a pleasing aesthetic environment is maintained in residential neighborhoods, and significant natural open areas are conserved for the recreational and educational use of the community.

Planning Concepts:

The purpose of open space will be to provide a diversity of natural visual character within the City and to provide residents with ecological educational experiences in a variety of environmental settings. Within this plan, open space is intended to define and designate vacant land which will remain undeveloped in accordance with the Willamette Greenway Program, significant natural area designation, or other community conservation and development requirements. In most instances, open space will remain in private ownership. Within significant natural areas, however, the right to public access or even full public ownership will be considered.

Applicable Policies 1-6, Page 15-16.

1. Open space will be provided within residential neighborhoods by the private sector through implementation of community conservation and development policies, natural area policies, and the Willamette Greenway Program.
2. The City will provide incentives to the private sector so open space can be conserved without undue hardships to private landowners.
3. The significant natural areas along Johnson Creek, Kellogg Creek and Kellogg Lake, as shown on Figure 4 and defined under OBJECTIVE #1, will be considered open space of special importance to all City residents. Low intensive public use of these areas for walking trails, nature parks, and the like will be encouraged.
4. The City will participate with Multnomah and Clackamas Counties, Port of Portland, School District No. 1, State of Oregon, U.S. Heritage Conservation and Recreation Service, Army Corps of Engineers, and the City of Portland in studying the feasibility of implementing the proposed 40-mile loop system, a proposed regional plan linking the Columbia Slough, Willamette Greenway, Forest Park, Washington Park, Marquam Hill, Tryon Creek State Park, Willamette Park, Johnson Creek and Fairview Creek.

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Applicable Policies 1-6, Page 15-16 (CONTINUED)

5. The City will work with Clackamas County and local residents to establish a continuous pedestrian connection linking the Willamette River and the North Clackamas Park.
6. The City will encourage the dedication of public easements to and through open space areas. Tax deferral program and/or density transfer (so that full development potential may be realized) will be utilized so that open space can be conserved and easements dedicated without undue hardships for private land owners.

Transportation Element, Page 63- 72

Goal Statement:

To provide and encourage a safe, convenient and economic transportation system by providing easy access within the City and to the major transportation networks connecting with the City. In order to lessen the dependency of Milwaukie residents on the automobile as the prime means of travel, the improvement, further development and utilization of alternative travel modes are stressed.

OBJECTIVE #2 - REGIONAL TRAFFIC, PAGE 68-69.

To rely on existing freeways/expressways and major arterials for through movement of regional traffic.

Policies

1. The City will work with MSD, Clackamas County and ODOT to ensure that I-205, the Milwaukie Expressway, McLoughlin Boulevard and SE 82nd Avenue are the only major roads used for through traffic.
2. The City will continue to participate in the MSD System planning Program to identify solutions to the congestion problems along the McLoughlin Boulevard corridor. In evaluating alternatives, the following factors will be considered:
  - . Plans for the downtown improvement and waterfront development will be integrated with highway improvements.
  - . The opportunity will be taken during any improvement or modification to create new and more efficient vehicular access to the riverfront, as well as pedestrian access not in conflict with motorized transportation.

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OBJECTIVE #2 - REGIONAL TRAFFIC, PAGE 68-69. CONTINUED

- . Improved pedestrian and bicycle connections will be provided between downtown and the riverfront through the provision of pedestrian paths, amenities, signals, separated crossings, etc., designed to ensure the safety of pedestrians and bicyclists.
  - . The visual connection between downtown and the waterfront will be improved.
3. Through its Community Conservation and Development Division policies, the City will encourage adequate employment and commercial opportunities are provided locally to minimize the need for locally generated regional working and shopping trips.

OBJECTIVE #5 - REGIONAL TRANSIT OPPORTUNITIES, Page 70.  
To encourage the improvement of transit service for trips through the Milwaukie area and trips leaving the area.

POLICIES

1. The City will continue to participate in the MSD System Planning Program to identify solutions to the congestion problems in the McLoughlin Corridor.
2. The City will aggressively promote the Oregon City Corridor as a high priority area for major transit improvements, whether light rail or other appropriate system.
3. The City will actively encourage and participate with Clackamas County, Multnomah County, Portland, Gladstone, Oregon City and groups representing unincorporated areas along the Oregon City Corridor in an effort to demonstrate to MSD, Tri Met and the Oregon Department of Transportation that major transit improvements should be seriously considered as a high priority.
4. Several sites will be identified and evaluated which will be suitable as major transit stations/transfer points along the Oregon City Corridor.
5. The City will incorporate within its Downtown Improvements Plan and Greenway Design Master Plan consideration of transit-related facilities such as park and ride locations, bus laybys, shelters, special facilities for the handicapped, etc.

OBJECTIVE #5 - REGIONAL TRANSIT OPPORTUNITIES, Page 70. CONTINUED

6. Through its Community Conservation and Development Division Policies, the City will encourage the provision of housing suitable for the elderly, and moderate income families to be located in close proximity to regional transit facilities. The concentration of employment opportunities is also encouraged.

OBJECTIVE #6 - LOCAL TRANSIT OPPORTUNITIES, Page 70.

To encourage the improvement of transit service for trips within the Milwaukie area.

Policies

1. The City will work with MSD, Tri-Met and Clackamas County in locating existing and new transit routes and facilities within the City. The use of minor arterials and collectors for local transit service is encouraged.
2. Improved east-west transit service is encouraged connecting the timed transfer and possible regional transit facilities in downtown to the Clackamas Town Center. Use of King/Harrison, Railroad Avenue and Lake Road for transit corridors is encouraged.
3. Frequent and efficient transit service to Neighborhood Council 2 will be encouraged to serve the many elderly and moderate income families residing in that area.
4. When roadway improvements are planned for arterials or collectors suitable for transit routes, the provision of transit facilities such as bus laybys, shelters, park and ride facilities, etc., will be considered.
5. The timed transfer facility on Main Street will be maintained and improved to provide an attractive, safe, convenient location for transit users.
6. Through policies contained in the Public Facilities and Services Element, pedestrian facilities linking neighborhood areas to transit facilities and corridors will be provided and will have a high priority.
7. Through its Community Conservation and Development Division Policies, the City will concentrate employment opportunities and commercial facilities for easy access to transit corridors. Residential densities will be variable along arterials in support of transit service.

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OBJECTIVE #6 - LOCAL TRANSIT OPPORTUNITIES, Page 70. CONTINUED

8. As industrial development occurs in the area between Railroad Avenue and Milwaukie Expressway, improved traffic and pedestrian circulation is encouraged to improve opportunities for transit service.
9. The City will continue to support Tri Met and Clackamas County efforts to improve facilities and provide programs to assist the transportation disadvantaged.

OBJECTIVE #7 - Rail, Page 71.

To improve the safety and the convenient operation of railroad crossings.

Policies

1. The City will continue to cooperate with the railroads to ensure rail operation results in minimal disruption to traffic and pedestrians.
2. The policies, projects and programs recommended in the Roadway and Traffic Safety Management Plan for railroad crossings are incorporated as part of the Transportation Element. (As amended by Ord. No. 1446, adopted Feb. 4, 1980.)

COMPLIANCE WITH THE ZONING ORDINANCE AND COMPREHENSIVE PLAN:

The use listed under the C-C Zone Conditional Uses which is most closely associated with the proposed use is the passenger terminal. The parking requirement for a Passenger Terminal is one space per 50 square feet of floor area. Staff believes that this requirement is not appropriate for this particular use as the parking requirements of a Transit Center are not the same as a Passenger Terminal. Staff believes that the 14-space parking lot will meet the needs of the Center as many patrons will be dropped off and possibly picked up later, thereby utilizing the "kiss and ride" lot. In addition, there are eight (8) short-term parking spaces existing along Adams Street within the public right-of-way which can continue to be utilized.

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CONDITIONAL USE CRITERIA:

A. Requirements of an Existing Conditional Use:

There is no existing conditional use in effect on the site.

B. Standards of the Underlying Zone:

As illustrated under the Summary Table the request meets or exceeds all of the C-C Standards. There are no open storage areas indicated. However, if there are open storage areas, they must be screened with a sight-obscuring fence at least 6 feet high. Fifteen percent of the site is to be landscaped. A Preliminary Landscape Plan has been submitted. The Final Landscape Plan is to be submitted to the satisfaction of Staff.

C. Goals and Policies of the Comprehensive Plan:

The applicant has addressed the applicable Comprehensive Plan Policies as described in the applicant's addendum report (Exhibit #8.)

The proposed parking area in between Kellogg Lake and Main street is located within and Ecologically Significant Natural Area as indicated in the Comprehensive Plan. On the level portion of the site, east of the bank of Kellogg Lake, there is no significant riparian vegetation to preserve. The applicant will place a retaining structure (i.e. gabions) along the top of the bank to stabilize the soil and preserve the riparian vegetation on the bank. Jute netting or straw will be used to prevent erosion where appropriate during construction. No trees will be cut. The Preliminary Landscape Plan indicates the addition of many trees which will help stabilize the soil and improve the aesthetics of the site as compared to its existing situation.

All storm runoff will drain to the existing storm drain system in Main Street. The Staff recommends that a system with an oil and sludge separation be installed and routinely maintained by Tri Met. This will help ensure protection against surface runoff pollution from the parking lot to the lake.

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C. Continued

Mr. Houck, Urban Naturalist of the Audubon Society of Portland, has made several inspections of the site and has commented on the impacts of the parking lot (Exhibit 8, Page 14.) Mr. Houck indicated that "due to the overall low species and structural diversity of the site, the impact on wildlife, as the site now exists, would be low." He also stated that the planting of trees and shrubs which provide ground cover and food to wildlife would enhance the site as a wildlife habitat. However, in his opinion, without massive planting of noise-reducing vegetation along McLoughlin human use and enjoyment of the site could not be possible.

The Open Space policies also apply to the portion of the site which is within the Ecologically Significant Natural Area. Low intensive public uses are encouraged in Significant Natural Areas. As indicated by the applicant, parking may be considered to be a low intensive use and can be used after peak business hours and on weekends for passive recreational use of the area. In addition, the development of a parking lot with significant landscaping may be a possible catalyst for the future development of that area into a park.

The Transportation section of the Comprehensive Plan applies to this development. Under OBJECTIVE #2 - Regional Traffic, Policy #3 deals with minimizing the need for locally generated regional working and shopping trips. The Transit Center will be integrated with businesses which are compatible with transit such as the post office and hopefully, Greyhound, a cleaners, or a bakery. This will reduce the need for multiple trips and make transit a more attractive alternative.

OBJECTIVE #5 - Regional Transit Opportunities, Policy #1 deals with congestion problems in the McLoughlin Corridor. By locating the transit center off of McLoughlin Boulevard, Tri Met avoids the potential congestion problems which ODOT feared for the McLoughlin Shell and Chevron locations. Policy #2 deals with promoting the Oregon City Corridor. The location of this Transit Center does not necessarily effect the location nor type of mass transit improvement chosen for the Oregon City Corridor. It is a bus timed transfer station, but compatible with present alternatives. Policy #4 deals with alternative sites for major transit centers. As discussed in the applicant's report, our sites have been considered and this site is the best from the standpoints of financing,

C. Continued

parking impact, and integration with compatible uses. Policy #6 deals with housing and employment opportunities. The zoning east of the railroad allows for the development of elderly and moderate income housing. One strength of this site is that it integrates the transit center with businesses. This is compatible with the Comprehensive Plan's policy of encouraging the concentration of employment opportunities.

OBJECTIVE #6 - Local Transit Opportunities, Policy #1 encourages the use of minor arterials and collectors for local transit service. Lake Road and Railroad/Harmony are minor arterials on which this local service is encouraged. Policy #2 encourages the use of King/Harrison, Railroad Avenue and Lake Road for transit corridors. The Transit Center's location does not establish any of the routes as "transit corridors," but it is compatible with each of the routes.

Policy #9 speaks to the transportationally disadvantaged. The site integrates inter and intra city transportation. Even more importantly it integrates transit and business to lessen the number of necessary trips.

The proposed circulation plan simplifies downtown bus movements compared to the existing transit facility at City Hall. Rather than circuitous existing routings, the proposed plan will route all buses bound for the transit center from the north along 21st Avenue from Harrison to Adams. Most buses departing the Transit Center will travel north on Main before turning east or west on Harrison. This routing pattern will provide all of downtown Milwaukie with all-day transit access and internal distribution via a Main/21st transit couplet.

General traffic circulation in downtown Milwaukie will improve with the proposed bus routing plan for the following reasons:

- a. Buses will no longer make turns in the heart of downtown.
- b. The strictly northbound movement of buses on Main Street and southbound movement of 21st Avenue will be easily understood by bus drivers and other motorists, reducing the likelihood of accidents involving buses.

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C. Continued

A Bus Service Summary for the Center has been provided by the applicant (Table 1, Page 10 of the applicant's Report - Exhibit 8). Figure #3 of the same report illustrates the Bus Circulation Plan for the Center. It should be noted that the addition of the #40 bus line has been anticipated and planned for some time. The addition of this line is not dependent on the location of the Center. It will be added in January of 1984 regardless of the location of the Center. With the addition of this line the services of lines 76 and 78 will be halved. There are no additional routes or frequency trips anticipated for this area within the next 5 to 6 years.

D. Characteristics of the Site:

There are adequate facilities for the proposed use except that Main Street, under the trestle, will have to be lowered to accommodate buses over 10'6" in height. In addition, parts of Main Street to Lake Road will need to be resurfaced in consideration of the weight and frequency of buses using that area. Depending on the actual tenant requirements it appears that the size, shape and location of the Transit Center are suitable for the use. The buses will not be stored on site and will travel one-way adjacent to the railroad, and two-way along Adams and Main Streets. As previously mentioned, there are several topographical and natural features on the site. A portion of the parking area on the west side of Main Street contains steep slopes and all of it is within an Ecologically Significant Natural Area. Staff believes that a parking area can be allowed in a Significant Natural Area if special measures are taken to ensure that erosion is controlled and runoff is kept to a minimum and that the rest of the area is left in Open Space as encouraged by the Plan. In the future, some improvements such as picnic areas and/or a foot path to the Lake may occur. Users to the Open Space Area and Lake would be able to utilize the parking in the off-peak business hours. Staff believes that if special measures are taken during the development of the parking area, compliance with the applicable Plan policies can be attained.

Tri Met consulted Mike Houck, an Urban Naturalist with the Audubon Society, to determine the impact which the parking lot would have on Kellogg Lake. (See Exhibit #8 for Mr. Houck's analysis.) His conclusions are that the currently vacant City-owned parcel is not a significant wildlife or bird habitat. Mr. Houck states that the proposed landscaping would be beneficial and that the parking lot is not detrimental to Kellogg Lake.

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D. Continued

Mr. Houck suggests the use of a thorny hedge at the top of the bank to deter illegal trash dumping into the lake. Tri Met is willing to incorporate this suggestion into its landscape plan. Lighting will be added to an area which is now unlit, thus increasing the visability of the site. Bus drivers and bus patrons will also have a view of the area throughout the day. Wtih more lighting and observation, dumping should be much less of a problem than it is now.

The parking lot has been revised from the original plan of nineteen (19) spaces to fourteen (14) spaces, ensuring that the lot will not go beyond the existing bank.

The fourteen spaces reserved west of Main Street will be used for a "Kiss and Ride" lot. Kiss and Ride is a term used to describe short term parking that serves transit patrons who are dropped off or picked up by car at the facility. Maintenance of the lot will be the same as the Barbur Park and Ride Facility. Currently that lot receives the following maintenance:

- a. Trash is removed from receptacles once a week;
- b. Landscaping is maintained as required on a seasonal basis; and
- c. Special maintnenance of vandalism problems are treated as they are reported.

E. Timeliness of Use:

Tri Met has indicated the need for this use at this particular location on the application form (Exhibit #3). Briefly, it has the potential for rail-bus service, it will result in the rehabilitation of the site and improve bus patterns in the downtown area. Staff believes that the request will be a significant improvement over the existing transit facility. With the exception of some necessary improvements (resurfacing along Main Street to Lake Road), all public facilities and services are available.

The Staff believes that the request is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use. According to the Environmental Assessment Study regarding the Lake Road/Harmony and Railroad/Harmony Corridor alternatives connecting downtown Milwaukie with the Clackamas Town Center, either alternative is compatible with

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E. Continued

the proposed Transit Center site. In other words, the location of the Transit Center does not presuppose the determination of which corridor alternative is selected.

Due to existing revenue shortfalls, Tri Met is unable to commit to the implementation of additional bus service linking Milwaukie to Clackamas Town Center by either of these routes. It is probable, however, that within the next 5 to 6 years (when funds become available) such service improvements will be considered. At that time, Tri Met will present to the Milwaukie City Council and to the general public in public hearings recommended service improvements based on a number of considerations. These considerations include:

- a. Passenger demand;
- b. Street Capacity;
- c. Neighborhood reactions;
- d. Travel Times;
- e. Compatible land uses along the two proposed routes;
- f. Safety; and
- g. Amount of funds available for service improvements.

The proposed South Main Transit Center can be served by either the Harrison/Railroad/Harmony alternative or the Lake/Harmony alternative. Although the Lake/Harmony alternative would have a travel time advantage, there are six other major considerations that would have to be publicly evaluated by the City of Milwaukie in deciding the route future bus service will follow.

The report prepared by Clackamas County sited approximately 150 buses/day as a maximum bus capacity that could be accommodated along the Lake/Harmony alternative. That figure is based solely upon a maximum frequency assumption of 5 minutes service in the peak and 15 minute all day service. The figure fails to take into account any considerations related to passenger demand. In fact, the figure (150 buses/day) assumes population growth and ridership demand projected for the year 2000 - not 1989.

In summary, the location of the Milwaukie Transit Center at the South Main Site will be one of seven factors taken into consideration by the City of Milwaukie when Tri Met can afford to improve service to the Clackamas Town Center.

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IMPACTS OF USE RE: RAILROAD TRESTLE, NOISE, BUS MANEUVERABILITY,  
SECURITY, RAILROAD CROSSING AND COMPARISON OF PREVIOUSLY CONSIDERED  
SITES:

1. Southern Pacific Railroad Trestle:

The existing railroad trestle belongs to Southern Pacific. Tri Met has no control over any of SP's private property. However, Tri Met will construct a seven foot high fence along the right-of-way to discourage pedestrian access to the trestle from the transit center.

Additionally, Tri Met has a north bound bus stop on McLoughlin at SE 26th Avenue, which makes it more convenient to take the bus to the Transit Center than to walk the trestle.

2. Noise Impacts:

The City is currently discussing the possibility of revising its Noise Ordinance with the Oregon Department of Environmental Quality. Tri Met will cooperate with the City in drafting and meeting its standards.

In any event, the existing center would be moved from a relatively quiet environment between City Hall and the Jr. High School to a relatively noisy environment between the Southern Pacific Railroad tracks and McLoughlin Blvd. The noise impacts should be less at the A.G. site, and the Southern Pacific Railroad berm should alleviate the noise impacts on nearby residential areas.

3. Bus Maneuvering Capability and Transit Center Design:

The Transit Center site layout has been designed around the turning and maneuvering abilities of Tri Met's 40-foot standard buses and 60-foot articulated buses. This means that all turns the buses will be making within the Transit Center have been designed to accommodate a 50-foot outside turning radius and 30-foot inside turning radius. Both, of these vehicle types can turn more sharply than these design radii, however. Consequently, the placement of curbs, structures, plantings, etc. within the Transit Center will comfortably accommodate the proposed bus circulation.

IMPACTS OF USE - Continued

4. Security:

The following security measures are available to the proposed Transit Center site:

- a. Tri Met will install high pressure sodium or mercury vapor lights around the station so that the entire station will be highly visible.
- b. All Tri Met buses are equipped with two-way radios which are linked with a 24-hour dispatch center. The drivers are urged to report any suspicious characters to Tri Met and/or local police.
- c. The area is patrolled by both Milwaukie and Tri Met police.
- d. Tri Met mans a vandalism hotline and offers a reward of up to \$200. for information leading to the arrest and conviction of vandals. That information will be posted at the station.
- e. Tri Met has established a vandalism committee which is studying ways to prevent vandalism and that committee will be making other recommendations to prevent vandalism in the future.
- f. Tri Met will be trying to locate active uses in the facility so that there will be people there to observe activities during most of the day.

5. Southern Pacific Railroad Crossing:

Southern Pacific has two trains which go into Lake Oswego in the morning roughly before 8 AM. They also have two trains which come out of Lake Oswego - one at about 5 PM, and one at about 2 AM. The trains are not on a regular, precise schedule which Tri Met can plan around. However, each train is about 50 cars long and takes only about two minutes to clear the crossing. Bus drivers will have to cope with the three trains, which run during peak hours, by making up the time during their normal run.

All Tri Met buses are required by law to stop at all railroad tracks before passing over them, thus addressing the issue of bus passenger safety.

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5. Southern Pacific Railroad Crossing: Continued

Most riders will be using the Transit Center to transfer between buses and will have no need to cross tracks. Parking for "kiss and ride" patrons is located away from the railroad tracks and does not require pedestrian crossing of the tracks.

6. Comparison with Previously Considered Sites:

Four sites have been considered as permanent off-street locations for the Milwaukie Transit Center:

- a. Shell Gas Station
- b. Chevron Gas Station
- c. Parking Lot West of City Hall
- d. A.G. Store

Due to the continuing recession, Tri Met has suffered a great loss in payroll tax and farebox revenues. The result is that unless a local jurisdiction can provide local match through property donations or some other means, Tri Met cannot build a Transit Center. Only two sites meet this criteria - the A.G. Store site and the parking lot west of City Hall. The problem with the parking lot is that Milwaukie has a current parking shortage. A Transit Center there would displace a great deal of parking, and no funds are available to replace that parking.

All four sites are workable from Tri Met's perspective of bus routing, efficiency, and bus maneuverability. The only major negative impact (from a service perspective) came from the Oregon Department of Transportation. ODOT voiced objections to the Shell and Chevron sites since northbound McLoughlin buses would have direct egress and access from the transit center to McLoughlin. ODOT feared that unforeseen circumstances would occur which could cause stationary buses to intrude into McLoughlin tying up rush hour traffic.

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RECOMMENDATION:

The Staff recommends approval of the Conditional Use Request subject to the following conditions.

1. A Final Landscaping Plan is to be submitted subject to approval of Staff.
2. A Final Dimensioned Parking Plan is to be submitted for Staff review and approval.
3. That improvements along Main Street to Lake Road be completed as per the specifications of the Public Works Director.
4. A Drainage and Erosion Control Plan is to be submitted for Staff review and approval.

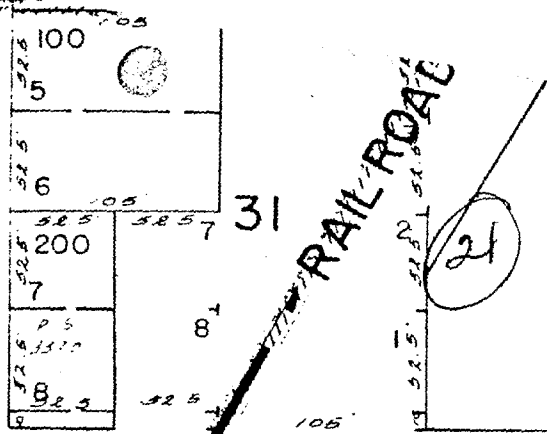
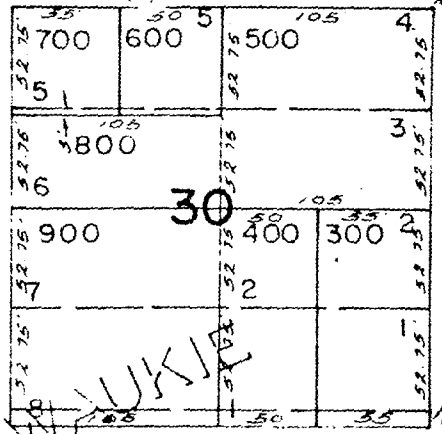
EXHIBITS:

1. Tax Maps
2. Site Plan
3. Application Form
4. Zoning Map
5. Memorandum from Public Works, dated August 30, 1983.
6. Letter from Tri Met, dated September 23, 1983.
7. Figure 4, from the Comprehensive Plan designating Natural Areas.
8. Applicant's Report which includes Revised Site Plan - Options 1 and 2.
9. Memorandum from Public Works, dated September 27, 1983.
10. Preliminary Landscape Plans - too large to reproduce.

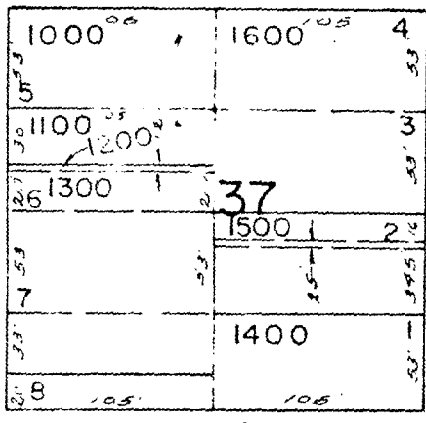
JEFFERSON

STREET

STREET



WASHINGTON

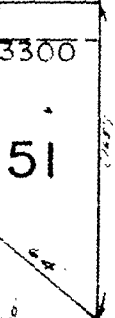
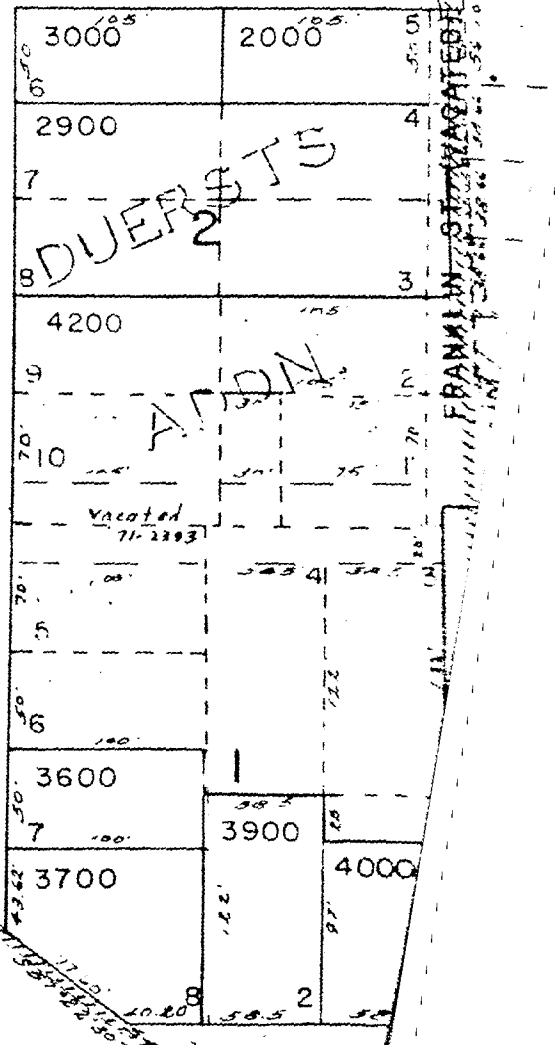
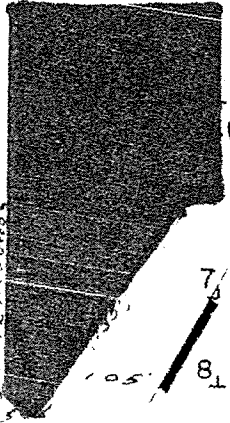


PACIFIC RAILROAD

ADAMS

ST. SOUTHERN

MAIN



LAKE

SEE MAP 1 IE 35A

BIT # 1

9/23/83

MITTED

Staff

pp. 70

ED

52

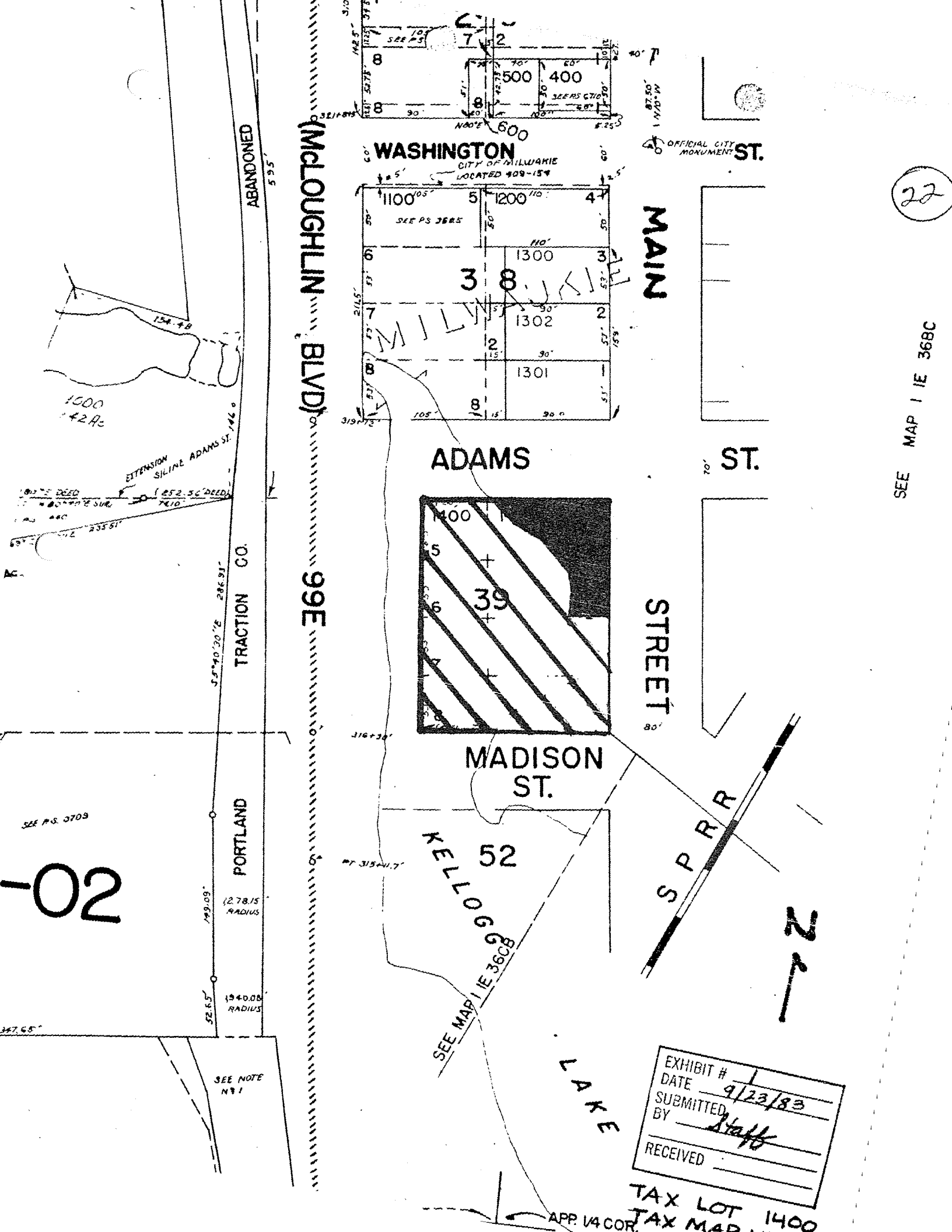
LOT 3100  
MAP 11E 36BC

21



22

SEE MAP 1 IE 368C



McLOUGHLIN BLVD

MAIN STREET

STREET

WASHINGTON CITY OF MILWAUKEE LOCATED 409-154

ADAMS

MADISON ST.

KELLOGG 52

LAKE

EXHIBIT #	1
DATE	9/23/83
SUBMITTED BY	Staff
RECEIVED	

TAX LOT 1400 TAX MAP

APP. V4 COR.

ABANDONED

TRACTION CO.

PORTLAND

SEE NOTE #1

1000  
142A

SEE P.S. 3709  
-02

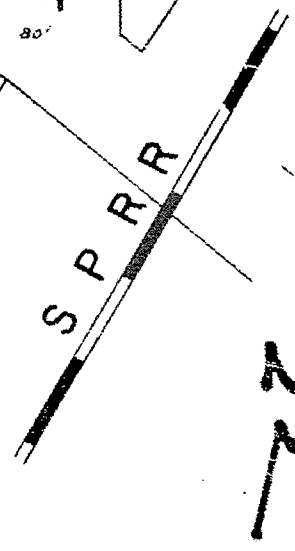
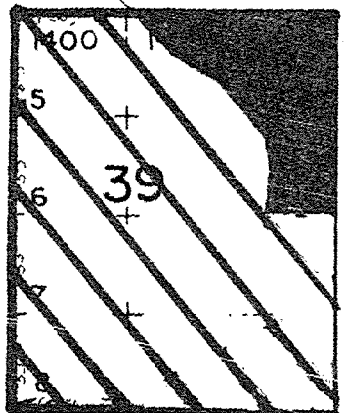
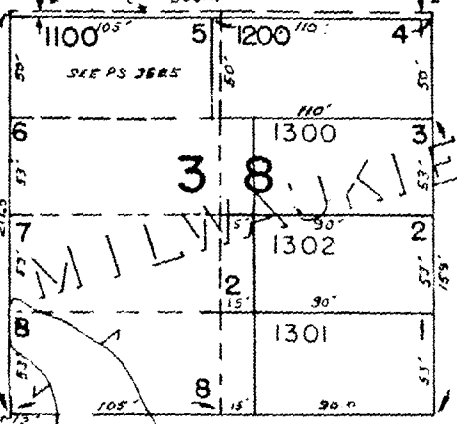
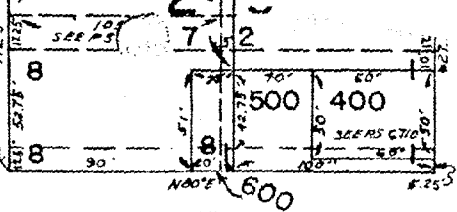
EXTENSION SILINE ADAMS ST. 146.0

S. 5° 40' 30" E 286.91'

179.09'

1278.15 RADIUS

1940.08 RADIUS



22

KELLOGG LAKE

PARKING (19)

MAIL BOXES

#31 IN & OUT

#78

BUSES ONLY

#33 OUT

#32 & 33 IN

MAIN ST.

USPS VEHICLES

LOADING

TENANT (US POSTAL SERVICE)

TENANT

CONCESSIONS & REST ROOMS

#32 OUT

LOADING

SPARE

BUSES ONLY

#34

SHORT TERM PARKING (8)

ADAMS ST.

#70

LAKE RD.

BUSES ONLY

SPRR - TILLAMOOK BRANCH

RAILBUS SPUR

BUSES ONLY

#75

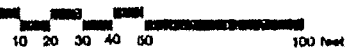
SPARE

21ST AVE.

EXHIBIT #	2
DATE	9/23/83
SUBMITTED BY	Applicant
RECEIVED	

ND

SCALE



1" = 60'

**MILWAUKIE TRANSIT CENTER**  
**SOUTH MAIN STREET OPTION**

23

Milwaukie Planning Commission  
10722 S.E. Main Street  
Milwaukie, OR 97222  
Phone: (503) 659-5171

CONDITIONAL USE  
[WILLAMETTE GREENWAY ZONE]  
[DEVELOPMENT IN THE FLOODWAY (FW)]

APPLICATION IS TO BE SUBMITTED  
IN BLACK PEN, OR TYPEWRITTEN ONLY

Rec. 8/15/83

FOR OFFICE USE ONLY  
No. E-83-15  
Fee \$ Waived (24)

PLEASE READ CAREFULLY. Application will be processed when all questions are answered and accurate site plan is submitted in accordance with Planning Department guidelines. If you have questions, contact the Planning Department at 659-5171.

I HEREBY REQUEST A CONDITIONAL USE on property described below. With this application, I am furnishing 4 copies of a legibly drawn SITE PLAN showing exact dimensions and arrangement of the proposal as well as elevation drawings and any other drawings, topographic surveys, photographs or other material essential to the understanding of the proposed use and its relationship to the surrounding properties as may be required by staff and/or Planning Commission. On the reverse side of this application, I am explaining circumstances for granting my request for a CONDITIONAL USE.

Tri-Metropolitan Transit District

APPLICANT(S): (Print) of Portland Oregon Date: August 12, 1983  
Contracts and Engineering

Mailing Address: 4012 S.E. 17th Ave., Portland ZIP97202 Phone: 238-4920

PROPERTY OWNER(S) (Print) Marianne Buchwalter & John Shipley c/o Doug Donaca Phone: 238-7123

Mailing Address: 11222 S.E. Main St., Milwaukie, Oregon ZIP 97222

REQUEST: Conditional use for a transit center.

Zone Classification: GCC IM Comp Plan Designation: C  
1S 1E 36BC 3100

Legal Description: Township 1S Range 1E Section 35AD Tax Lot(s) 1400  
(Submit metes and bounds description upon request)

Property bounded by Southern Pacific Railroad, Adams,  
Property Location: Madison, and Kellogg Lake. near (cross street)

In granting a Conditional Use, conditions may be attached which are found necessary to lessen the impact of the Conditional Use on nearby property, protect the general welfare of the City, and achieve the purposes of the Zoning Ordinance.

Date of Meeting: September 27, 1983

I CERTIFY that the information contained in this application is true and accurate to the best of my knowledge and I further agree to comply with the provisions of all state statutes and city ordinances and regulations regarding this application.

Signature Douglas Donaca for John Shipley and Marianne Buchwalter  
Cynthia Weston for Lee Hames Date: August 10, 1983

FOR OFFICE USE

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Continued: \_\_\_\_\_ Appealed: \_\_\_\_\_

EXHIBIT # 3  
DATE 9/23/83  
SUBMITTED BY Applicant  
RECEIVED \_\_\_\_\_

CONDITIONAL USE

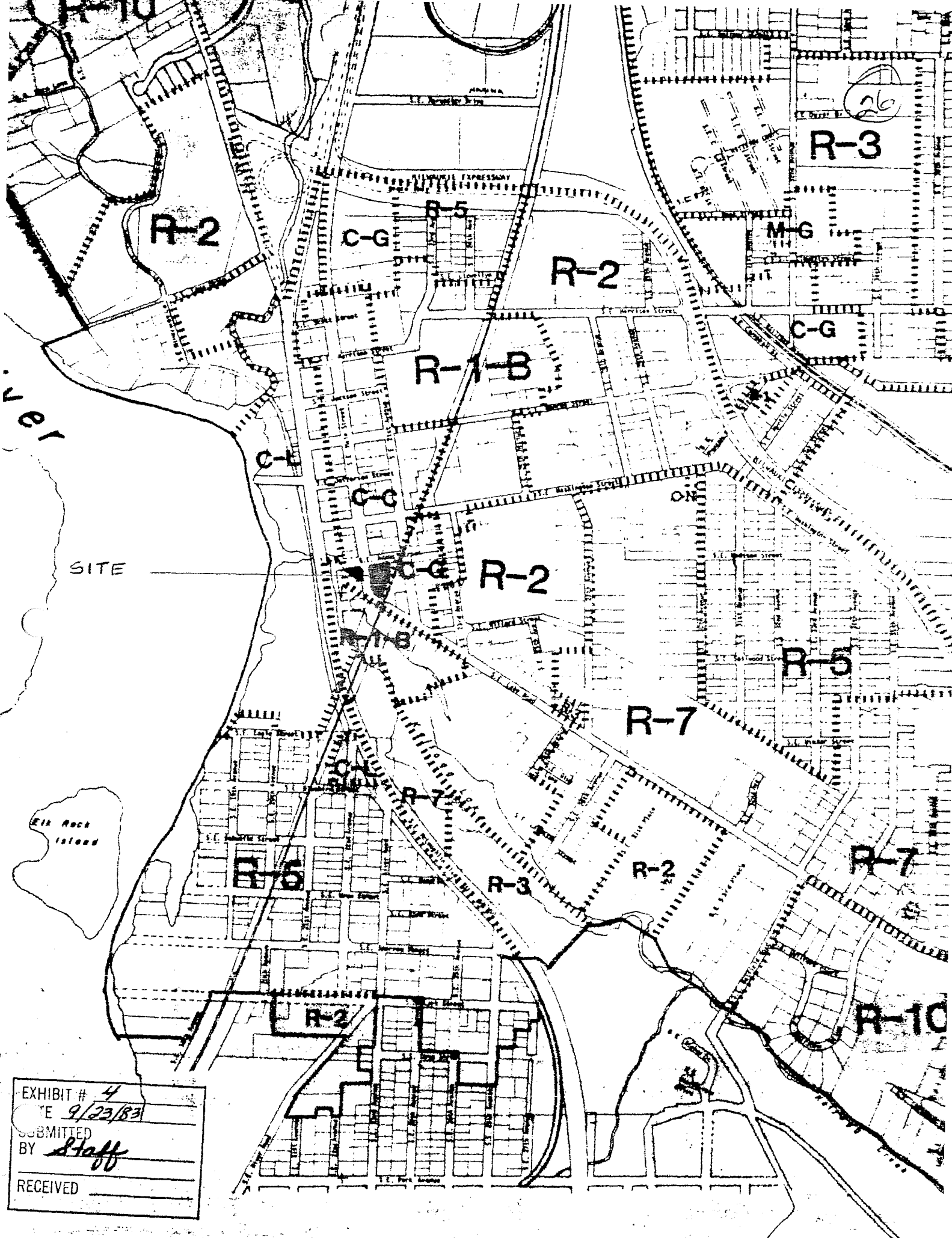
25

What must be shown to gain approval for a conditional use is that the particular use applied for here reasonably addresses the need identified by the Zoning Ordinance. In order to approve a conditional use application, it would be determined that the particular use at the particular location is desirable to the public convenience and welfare and that it is not detrimental or injurious to the public health, peace or safety or to the character and value of the surrounding properties.

Explain fully why you consider this conditional use to be in the best interests of the public and the immediate neighborhood. Please use black, not blue, ink or typewriter.

Tri-Met and the City of Milwaukie are cooperatively working to find a site within downtown Milwaukie for a bus transit transfer center. This site is recommended for the following reasons:

1. It is operationally acceptable to Tri-Met.
2. It does not displace an existing, viable business nor significant core area parking.
3. It offers a natural opportunity for joint development with the U.S. Postal Service and perhaps Greyhound and other tenants moving into the AG store as anchors on the south end of downtown.
4. It holds the potential for rail-bus service between transit centers located in downtown Milwaukie and downtown Lake Oswego.
5. It will rehabilitate, clean up and beautify property which is currently unused and rundown.
6. It will simplify bus patterns downtown making transit service more convenient and easing bus related traffic congestion.
7. It does not exacerbate an already bad rush hour traffic problem downtown.



26

R-3

R-2

R-2

R-1-B

SITE

R-2

R-5

R-7

Elk Rock Island

R-6

R-3

R-2

R-7

R-2

R-10

EXHIBIT #	4
DATE	9/23/83
SUBMITTED BY	Staff
RECEIVED	

CITY OF MILWAUKIE  
M E M O R A N D U M  
PUBLIC WORKS DEPARTMENT

27

DATE: August 30, 1983

TO: Planning Department

FROM: Paul Roeger *PHR*  
Office Engineer

SUBJECT: C-83-15  
Tri-Met Transit Center

The overall layout looks workable, however, there is a clearance problem that needs to be resolved underneath the railroad trestle.

I talked to Gary Brentano of Tri-Met and found that the maximum height of any Tri-Met bus is 10 ft 8 inches. Unfortunately the clearance under the railroad trestle is only 10 ft. 6 inches. This problem could be resolved by lowering the roadway under the trestle. Approval is required from Southern Pacific and all costs must be paid by Tri-Met.

I also see some potential problems in the individual route stop locations, but I would prefer to see the proposed routing and discuss it with Tri-Met. The first priority is to solve the clearance problem.

Tri-Met must be responsible for all site clean-up (trash, garbage cans, etc.), signing installation and maintenance and street pavement markings.

PHR:js

EXHIBIT #	<u>5</u>
DATE	<u>9/23/83</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	_____

*J.*

KCC 9/27/83

TRI-COUNTY  
METROPOLITAN  
TRANSPORTATION  
DISTRICT  
OF OREGON



**TRI-MET**

4012 S.E. 17TH AVENUE  
PORTLAND, OREGON 97202

25

September 23, 1983

Topaz Faulkner  
City Planner  
City of Milwaukie  
10722 SE Main  
Milwaukie, Oregon 97222

Dear Topaz:

I understand that after Tri-Met submitted its conditional use application, the City's ordinance was changed. I hope this letter and its attachments will provide you with the supplemental information necessary to satisfy the new ordinance.

STANDARDS FOR THE UNDERLYING ZONE

1. Access

As shown on the attached bus circulation map, bus patterns will be simplified. Access to and from McLoughlin will be more direct and involve fewer City streets.

2. Clearance Under Southern Pacific Railroad

The existing clearance under the Southern Pacific Railroad bridge is 10 feet 6 inches. Tri-Met's buses require a clearance of 10 feet 8 inches. As a part of this project, Tri-Met will modify the street and storm drains under the Southern Pacific Railroad trestle so that Tri-Met's minimum clearance can be satisfied.

3. Landscaping

The attached landscape plan shows the area to be landscaped, the common botanical names of plantings, and the size at planting and at maturity. Plants were chosen which are native to the area so that irrigation will not be necessary after the first year.

EXHIBIT #	<u>6</u>
DATE	<u>9/23/83</u>
SUBMITTED BY	<u>applicant</u>
	<u>(3 pp)</u>
RECEIVED	_____

COMPREHENSIVE PLAN GOALS AND POLICIES

29

1. Ecologically Significant Nature Areas

Special care has been exercised in the landscape plan to preserve and maintain the natural riparian vegetation on the steeply sloped portions of the site adjacent to Kellogg Lake. No major trees will be removed.

The 19-space parking lot is minimal development and it is placed on land which is now barren.

3. Open Space

In keeping with the City's policy of encouraging low intensive public use along Kellogg Lake, the portion of the site which is a small peninsula in Kellogg Lake is designed to provide public access to the lake and as a passive recreation area.

3. Transit

This facility will be the "time transfer facility... on Main street in the City to improve north-south transfers and circulation within Milwaukie itself", which is cited in the Comprehensive Plan. The specific policy states, "The timed transfer facility on Main Street will be maintained and improved to provide an attractive, safe, convenient location for transit users".

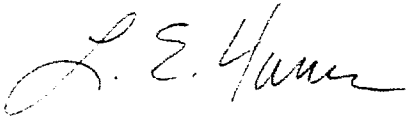
SITE CHARACTERISTICS

All of the development, except for 19 parking spaces, will take place on land which is level and now completely covered with asphalt, sidewalks or buildings. The 19 parking spaces will be placed on barren land immediately west of Main Street. In keeping with the Comprehensive Plan, vegetation is retained on steep slopes.

An existing building will be remodeled and rehabilitated. Tentative agreements have been reached with the U.S. Post Office and Greyhound for the use of this space.

If you need further information, please feel free to give me a call.

Sincerely,



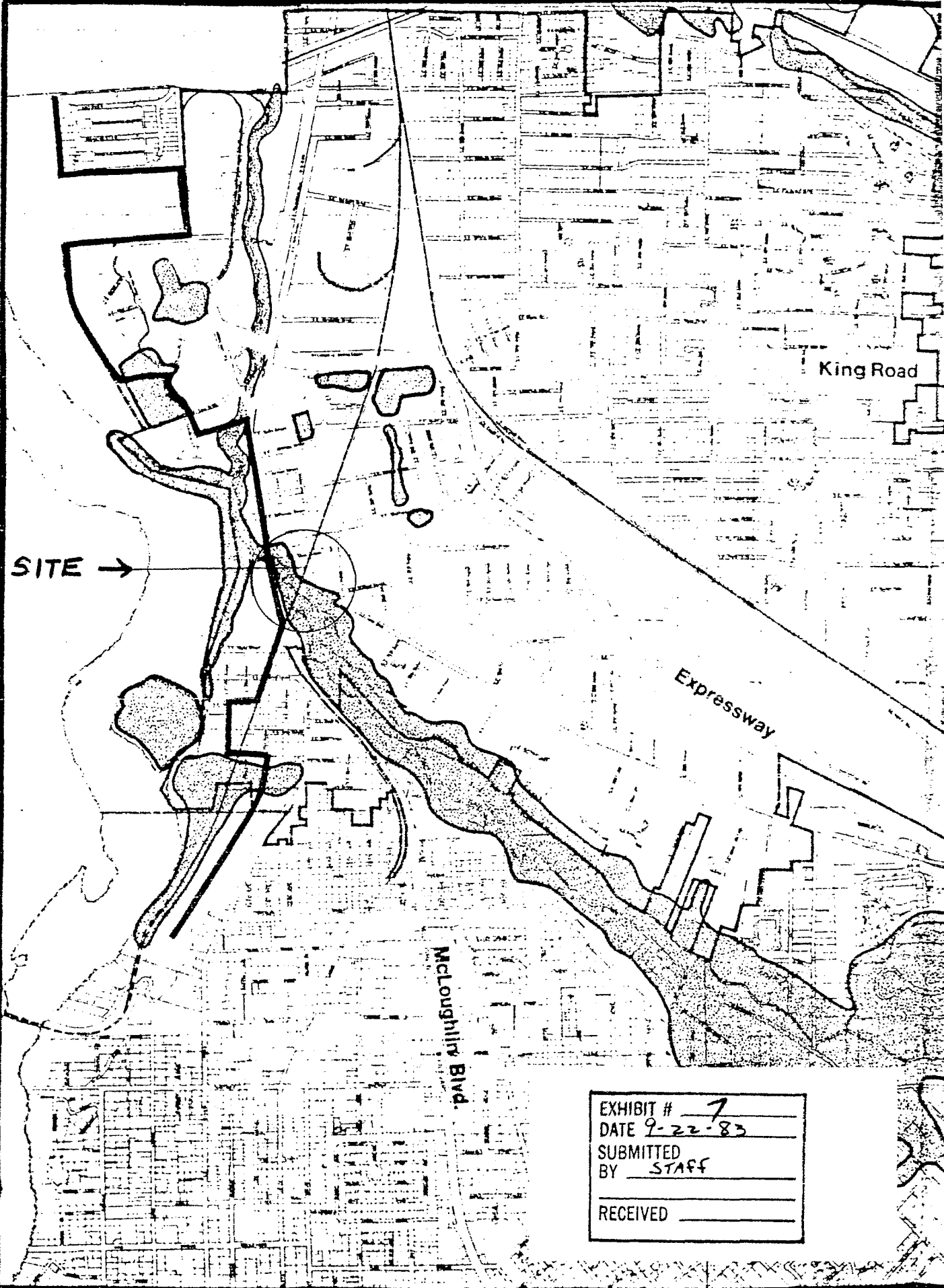
Lee Hames  
Capital Program Planner

LH/bc

cc: Lori Mastrantonio

EXHIBIT #	10
DATE	9/23/83
SUBMITTED BY	Applicant
RECEIVED	

20



SITE →

King Road

Expressway

McLoughlin Blvd.

EXHIBIT #	7
DATE	9-22-83
SUBMITTED BY	STAFF
RECEIVED	

31

REQUESTED DOCUMENTATION FOR THE DEVELOPMENT  
OF THE SOUTH MAIN TRANSIT CENTER,

MILWAUKIE, OREGON

Following an October, 1983 presentation to the Milwaukie Planning Commission, the following information was requested by the Milwaukie Planning staff.

1. Relationship of the Transit Center Site to Traffic in the Downtown Area:

Table 1 lists the bus routes that will be serving the TC after January, 1984 and frequency/volume information for each. Figure 1 shows the proposed bus circulation pattern in the TC vicinity and PM peak hours bus volumes per street. Figure 2 shows the bus circulation pattern and daily (24-hour) bus volumes per street. Figure 3 compares the proposed bus circulation pattern in the downtown Milwaukie area with the existing bus circulation pattern.

The proposed circulation plan simplifies downtown bus movements compared to the existing situation. Rather than circuitous existing routings, the proposed plan will route all buses bound for the transit center from the north along 21st Avenue from Harrison to Adams. Most buses departing the transit center will travel north on Main before turning east or west on Harrison. This routing pattern will provide all of downtown Milwaukie with strong, all-day transit access and internal distribution via a Main/21st transit couplet.

General traffic circulation in downtown Milwaukie will improve with the proposed bus routing plan for two principal reasons:

- a. Buses will no longer make turns in the heart of downtown.
- b. The strictly northbound movement of buses on Main Street and southbound movement on 21st Avenue will be easily understood by bus drivers and other motorists, reducing the likelihood of accidents involving buses.

Based on existing average daily traffic volumes\*, buses will constitute 4 percent of Main Street traffic, 3 percent of 21st Avenue traffic, 2 percent of Harrison Street traffic, and 1 percent of Lake Road traffic.

During the peak hour, buses will make up 3 percent of traffic on Harrison east of 21st Avenue and 3 percent of traffic on Lake Road east of 21st Avenue.

2. Relationship of the Transit Center Site to the Lake Road and Harrison/Railroad/Harmony Trunkline Alternatives:

Clackamas County and the City of Milwaukie are currently assessing the merits of a road construction project connecting downtown Milwaukie with the Clackamas Town Center. The road improvement project will be used by both buses and autos. Two major alternatives are currently being examined: Harrison/Railroad/Harmony and Lake/Harmony.

EXHIBIT #	<u>8</u>
DATE	<u>11/2/83</u>
SUBMITTED BY	<u>Applicant</u>
RECEIVED	_____

Due to existing revenue shortfalls, Tri-Met is unable to commit to the implementation of additional bus service linking Milwaukie to Clackamas Town Center by either of these routes. It is probable, however, that within the next 5 to 6 years (when funds become available) such service improvements will be considered. At that time, Tri-Met will present to the Milwaukie City Council and to the general public in public hearings recommended service improvements based on a number of considerations. These considerations include:

- a. passenger demand;
- b. street capacity;
- c. neighborhood reactions;
- d. travel times;
- e. compatible land uses along the two proposed routes;
- f. safety; and
- g. amount of funds available for service improvements.

The proposed South Main Transit Center can be served by either the Harrison/Railroad/Harmony alternative or the Lake/Harmony alternative. Although the Lake/Harmony alternative would have a travel time advantage, there are six other major considerations that would have to be publicly evaluated by the City of Milwaukie in deciding the route future bus service will follow.

The report prepared by Clackamas County sited approximately 150 buses/day as a maximum bus capacity that could be accommodated along the Lake/Harmony alternative. That figure is based solely upon a maximum frequency assumption of 5 minute service in the peak and 15 minute all day service. The figure fails to take into account any considerations related to passenger demand. In fact, the figure (150 buses/day) assumes population growth and ridership demand projected for the year 2000 - not 1989.

In summary, the location of the Milwaukie Transit Center at the South Main Site will be one of seven factors taken into consideration by the City of Milwaukie when Tri-Met can afford to improve service to the Clackamas Town Center.

3. Southern Pacific Railroad crossing:

Southern Pacific has two trains which go into Lake Oswego in the morning roughly before 8 a.m. They also have two trains which come out of Lake Oswego - one at about 5 p.m. and one at about 2 a.m. The trains are not on a regular, precise schedule which Tri-Met can plan around. However, each train is about 50 cars long and takes only about two minutes to clear the crossing. Bus drivers will have to cope with the three trains, which run during peak hours, by making up the time during their normal run.

All Tri-Met buses are required by law to stop at all railroad tracks before passing over them, thus addressing the issue of bus passenger safety.

Most riders will be using the transit center to transfer between buses and will have no need to cross tracks. Parking for kiss and ride patrons is located away from the railroad tracks and does not require pedestrian crossing of the tracks.

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4. Southern Pacific Railroad Trestle:

The existing railroad trestle belongs to Southern Pacific. Tri-Met has no control over any of SP's private property. However, Tri-Met will construct a seven foot high fence along the right-of-way to discourage pedestrian access to the trestle from the transit center.

Additionally, Tri-Met has a north bound bus stop on McLoughlin at S.E. 26th Ave. which makes it more convenient to take the bus to the transit center than to walk the trestle.

5. Noise Impacts:

The City is currently discussing the possibility of revising its Noise Ordinance with the Oregon Department of Environmental Quality. Tri-Met will cooperate with the City in drafting and meeting its standards.

In any event, the existing center would be moved from a relatively quiet environment between City Hall and the Jr. High School to a relatively noisy environment between the Southern Pacific Railroad tracks and McLoughlin Blvd. The noise impacts should be less at the A.G. site, and the Southern Pacific railroad berm should alleviate the noise impacts on nearby residential area.

6. Bus Maneuvering Capability and Transit Center Design:

The transit center site layout has been designed around the turning and maneuvering abilities of Tri-Met's 40-foot standard buses and 60-foot articulated buses. This means that all turns buses will be making within the transit center have been designed to accommodate a 50-foot outside turning radius and 30-foot inside turning radius. Both, of these vehicle types can turn more sharply than these design radii, however. Consequently, the placement of curbs, structures, plantings, etc. within the transit center will comfortably accommodate the proposed bus circulation shown in Figure 3.

7. Comparison with Previously Considered Sites:

Four sites have been considered as permanent off street locations for the Milwaukie Transit Center:

- a. Shell Gas Station
- b. Chevron Gas Station
- c. Parking Lot West of City Hall
- d. A.G. Store

Due to the continuing recession, Tri-Met has suffered a great loss in payroll tax and farebox revenues. The result is that unless a local jurisdiction can provide local match through property donations or some other means, Tri-Met cannot build a transit center. Only two sites meet this criteria - the A.G. Store site and the parking lot west of City Hall. The problem with the parking lot is that Milwaukie has a current parking shortage. A transit center there would displace a great deal of parking, and no funds are available to replace that parking.

34

All four sites are workable from Tri-Met's perspective of bus routing, efficiency, and bus maneuverability. The only major negative impact (from a service perspective) came from the Oregon Department of Transportation. ODOT voiced objections to the Shell and Chevron sites since northbound McLoughlin buses would have direct egress and access from the transit center to McLoughlin. ODOT feared that unforeseen circumstances would occur which could cause stationary buses to intrude into McLoughlin tying up rush hour traffic.

8. Kellogg Lake and the Transit Center Parking Lot:

Tri-Met consulted Mike Houck, an urban naturalist with the Audubon Society, to determine the impact which the parking lot would have on Kellogg Lake. That analysis is attached. His conclusions are that the currently vacant City-owned parcel is not a significant wildlife or bird habitat. Moreover, Houck states that the proposed landscaping would be beneficial and that the parking lot is not detrimental to Kellogg Lake.

Mr. Houck suggests the use of a thorny hedge at the top of the bank to deter illegal trash dumping into the lake. Tri-Met is willing to incorporate this suggestion into its landscape plan. Lighting will be added to an area which is now unlit, thus increasing the visibility of the site. Bus drivers and bus patrons will also have a view of the area throughout the day. With more lighting and observation, dumping should be much less of a problem than it is now.

The nineteen spaces reserved west of Main Street will be used for a "Kiss and Ride" lot. Kiss and Ride is a term used to describe short term parking that serves transit patrons who are dropped off or picked up by car at the facility. Maintenance of the lot will be the same as the Barbur Park and Ride Facility. Currently that lot receives the following maintenance:

- a. trash is removed from receptacles once a week;
- b. landscaping is maintained as required on a seasonal basis; and
- c. special maintenance of vandalism problems are treated as they are reported.

9. Floodplain:

The top of the bank is not in the floodplain and the parking lot will be at or above the top of the bank.

10. Security:

The following security measures are available to the proposed transit center site:

- a. Tri-Met will install high pressure sodium or mercury vapor lights around the station so that the entire station will be highly visible.

- b. All Tri-Met buses are equipped with two-way radios which are linked with a 24 hour dispatch center. The drivers are urged to report any suspicious characters to Tri-Met and/or local police.
- c. The area is patrolled by both Milwaukie and Tri-Met police.
- d. Tri-Met mans a vandalism hotline and offers a reward of up to \$200 for information leading to the arrest and conviction of vandals. That information will be posted at the station.
- e. Tri-Met has established a vandalism committee which is studying ways to prevent vandalism and that committee will be making other recommendations to prevent vandalism in the future.
- f. Tri-Met will be trying to locate active uses in the facility so that there will be people there to observe activities during most of the day.

COMPREHENSIVE PLAN POLICIES

Ecologically Significant Natural Areas

- a. Policy 1 - Preservation of Natural Riparian Vegetation:

On the level portion of the site, east of the bank of Kellogg Lake, there is no riparian vegetation to preserve. Tri-Met will place retaining structures along the top of the bank to stabilize the soil and preserve the riparian vegetation on the bank itself. In addition, Tri-Met will be adding beneficial landscaping which exceeds the standard of the comprehensive plan.

- b. Policy 2-6 - Preservation of Trees

No trees are slated to be cut and many trees will be added.

- c. Policy 7 - Stormwater Flows

All storm runoff from the transit center will drain to Main Street and its storm drain system. Only the nineteen space parking lot will be an addition to paved surface area.

- d. Policies 8 & 9 - Erosion Control During Construction

Gabians or retaining walls will be placed along the top of the Kellogg Lake bank to prevent erosion. The contractor will be instructed to use jute netting or straw to prevent erosion where appropriate during construction to prevent erosion.

- e. Policy 11 applies to City participation in regional and state programs.

- f. Policy 12 applies to Johnson Creek.

OPEN SPACE

- a. Policy 1 applies to residential neighborhoods.
- b. Policy 2 applies to incentives offered to the private sector.
- c. Policy 3 - Low Intensive Public Uses Encouraged in Significant Natural Areas

The parking lot is the only part of the project in the natural area. The parking lot is a very low intensive use, and can be used after peak hours and on weekends in connection with future Kellogg Lake walking trails or fishing.

- d. Policy 4 applies to the 40 mile loop system along Johnson Creek.
- e. Policy 5 applies to pedestrian paths along the Willamette River.
- f. Policy 6 - Public Easements

The City donated land will remain in public ownership with full public access. Even though the City land between the parking lot and the railroad trestle is not designated as a park or potential park in existing City plans, the parking lot is a possible catalyst for future park development.

- g. Policy 7 applies to tax deferral as an incentive for dedicating open space.

TRANSPORTATION

Regional Traffic

- a. Policy 1 applies to major roads.
- b. Policy 2 applies to McLoughlin Blvd. and the Willamette riverfront.
- c. Policy 3 - Minimizing the Need for Locally Generated Regional Working and Shopping Trips

The transit center will be intergrated with businesses which are compatible with transit such as the post office and hopefully, Greyhound, a cleaners, or a bakery. This will reduce the need for multiple trips and make transit a more attractive alternative.

Regional Transit Opportunities

- a. Policy 1 - Congestion Problems in the McLoughlin Corridor

By locating the transit center off of McLoughlin Blvd., Tri-Met avoids the potential congestion problems which ODOT feared from the McLoughlin Shell and Chevron locations.

b. Policy 2 - Promotion of the Oregon City Corridor

The location of this transit center does not necessarily effect the location nor type of mass transit improvement chosen for the Oregon City Corridor. It is a bus timed transfer station, but compatible with present alternatives.

c. Policy 3 asserts that the City will actively encourage major transit improvements.

d. Policy 4 - Alternative Sites for Major Transit Sites

Four sites have been considered and this site is the best from the standpoints of financing, parking impact, and integration with compatible uses.

e. Policy 5 applies to plans which the City is to prepare.

f. Policy 6 - Housing and Employment Opportunities

The zoning east of the railroad allows for the development of elderly and moderate income housing. One of this sites' strengths is that it integrates the transit center with businesses. This is compatible with the Comprehensive Plan's policy of encouraging the concentration of employment opportunities.

Local Transit Opportunities

a. Policy 1 - Encourages the Use of Minor Arterials and Collectors for Local Transit Service

Lake Road and Railroad/Harmony are minor arterials on which this local service is encouraged.

b. Policy 2 - Encourages the Use of King/Harrison, Railroad Avenue and Lake Road for Transit Corridors

The transit center's location does not establish any of the routes as "transit corridors," but it is compatible with each of the routes.

c. Policy 3 relates to defunct neighborhood councils.

d. Policy 4 relates to ancillary transit facilities along transit routes.

e. Policy 5 supports the concept of a timed transfer facility on Main Street.

f. Policy 6 relates to plans to be developed by the City.

g. Policy 7 reinforces the desire to "concentrate employment opportunities" as addressed above in Policy 6 under Regional Transit Opportunities.

h. Policy 8 relates to industrial development.

i. Policy 9 - Transportation Disadvantaged

The site integrates inter and intra city transportation. Even more importantly it integrates transit and business to lessen the number of necessary trips.

Rail

Safe Railroad Crossings: See point number 3 under General Points of Interest.

Pedestrian/Bikeway

The site is surrounded by bikeway routes on 21st Avenue and Main/Lake. This ensures good access to the bus system for people who wish to bicycle to the transit center.

CONDITIONAL USE CRITERIA

Site Characteristics

See Site Plan.

The topography is essentially flat on the portions to be developed. The steep banks are protected by retaining walls or gabions.

The transit center will not overcapacitate existing sewer and water systems.

The clearance under the trestle will be altered to accommodate buses.

Landscaping and street furniture will be provided to add esthetic beauty, shade and urban amenities.

Timelines

The proposed site is superior to the existing site because it provides better circulation for downtown, a higher level of safety for people transferring between buses, and convenience to shopping including postal services.

Sewer, water and other utilities are at the site.

The location of the transit center does not preclude the choice of transit trunklines.

In order for the Regional Transportation Plan to work, Milwaukie must have an improved timed transfer center.

There are federal dollars available to Tri-Met now. This situation can and probably will change in the future.

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APPENDIX A

Proposed Schedule for the Development of the  
South Main Transit Center

Milwaukie, Oregon

- November, 1983      Seek Planning Commission approval of conditional use permit.
- Late November, 1983      Seek City Council approval of project and land donation.
- November 28, 1983      Tri-Met board approves application to UMTA to reprogram grant funds to the South Main site.
- January, 1984      Preliminary indication of UMTA's position on grant application, redefine Tri-Met schedule as required via federal response.
- February 1, 1984      U.S. Post Office must have final concept plans complete prior to beginning engineering and architectural designs.
- April - May, 1984      Anticipated UMTA approval date for grant; commence right-of-way acquisition and detailed design.
- April 1, 1984      Post Office has completed final building specs and releases bids for construction.
- August, 1984      Tri-Met releases bids for site and building reconstruction.
- December, 1984      Post Office initiates operation at the South Main Site.
- January, 1985      Tri-Met initiates operation at the South Main Site.

40

Table 1

MILWAUKIE TRANSIT CENTER  
BUS SERVICE SUMMARY\*

<u>Route No.</u>	<u>Direction</u>	<u>PM Peak Frequency</u>	<u>PM Peak Hour Buses</u>	<u>Mid-Day Frequency</u>	<u>Total Daily Buses</u>
31	nb	+ 80 min.	1	80 min.	17
	sb	+ 30 min.	2	80 min.	17
32	nb	40 min.	1	60 min.	27
	sb	10 min.	6	60 min.	29
33	nb	40 min.	1	60 min.	35
	sb	10 min.	6	60 min.	36
34**	nb	20 min.	3	30 min.	42
	sb	20 min.	3	30 min.	40
40	nb	20 min.	3	30 min.	40
	sb	20 min.	3	30 min.	40
70	nb	15 min.	4	15 min.	71
	sb	15 min.	4	15 min.	70
75	nb	+ 15 min.	4	30 min.	42
	sb	+ 20 min.	3	30 min.	39
76**	eb	20 min.	3	60 min.	26
	wb	20 min.	3	60 min.	28
78**	eb	20 min.	3	60 min.	28
	wb	20 min.	3	60 min.	26

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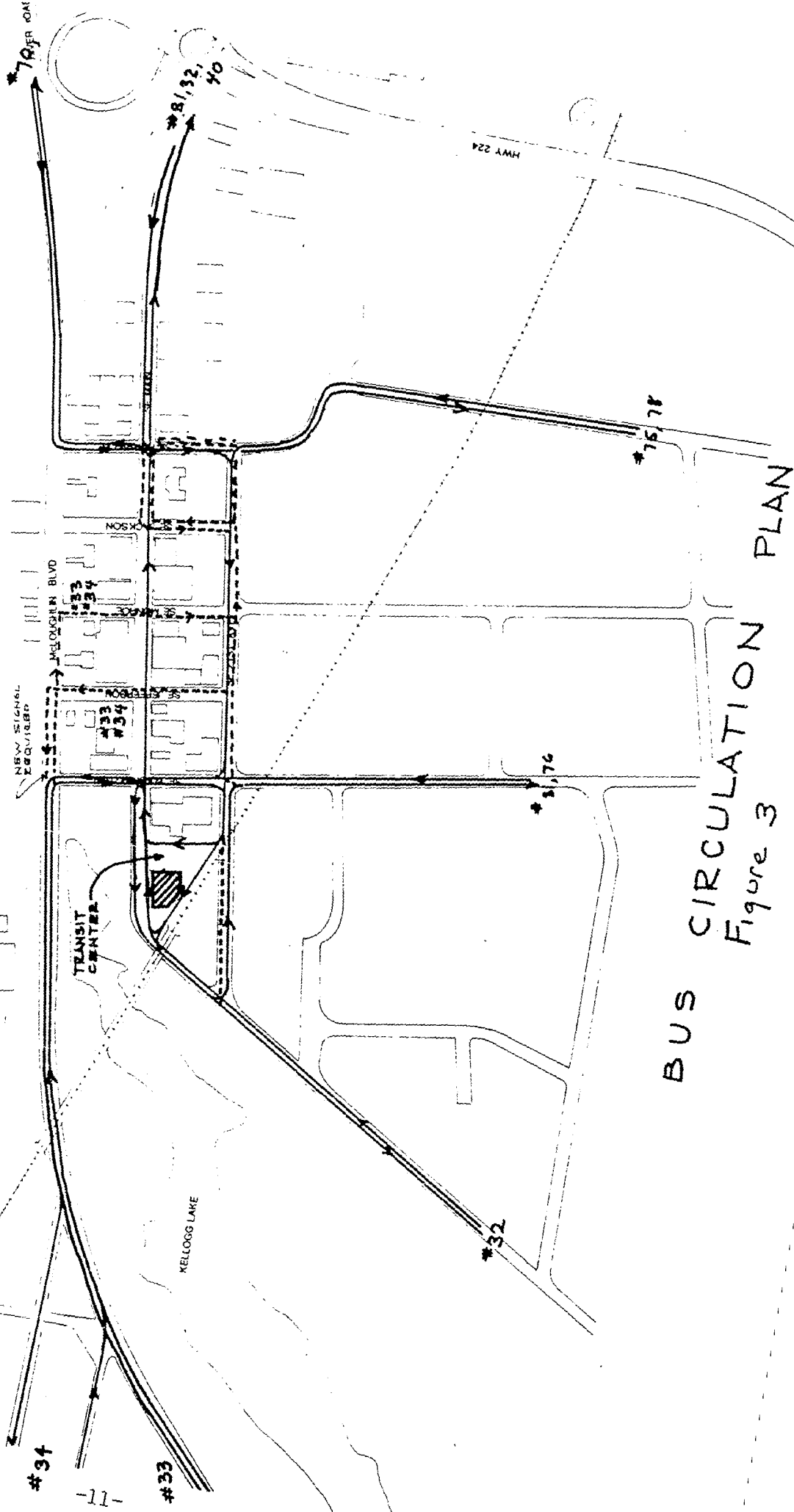
\* Assumes proposed January, 1984 service changes.

\*\* Route 34 through-routes with Routes 76 and 78.

WILLAMETTE RIVER

PROPOSED  
EXISTING

4000  
4400



BUS CIRCULATION PLAN  
Figure 3

4

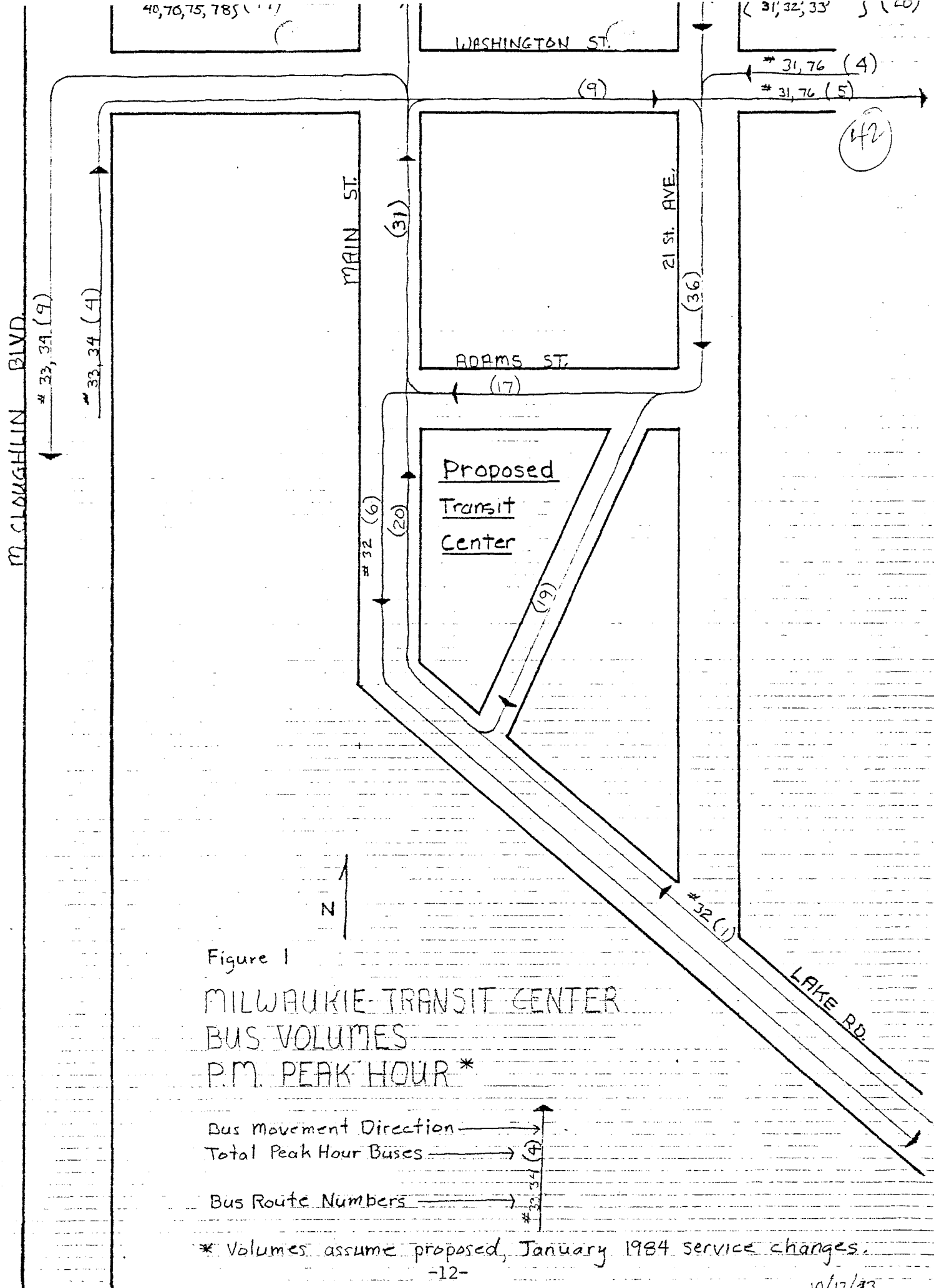


Figure 1  
 MILWAUKIE TRANSIT CENTER  
 BUS VOLUMES  
 P.M. PEAK HOUR \*

- Bus Movement Direction →
- Total Peak Hour Buses → (4)
- Bus Route Numbers → #33, 34

\* Volumes assume proposed, January 1984 service changes.

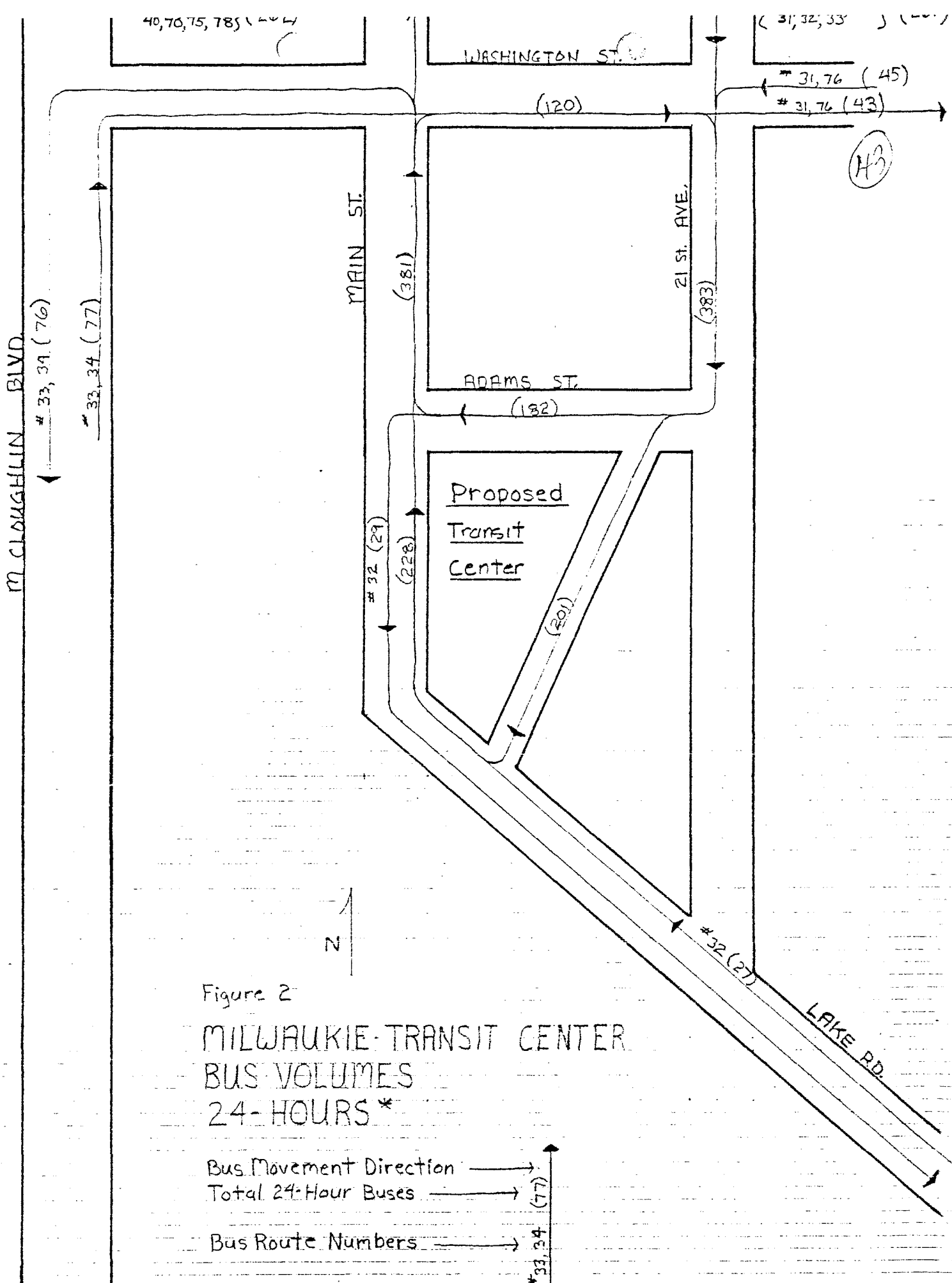
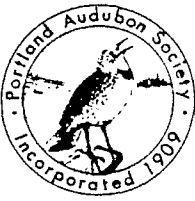


Figure 2  
 MILWAUKIE TRANSIT CENTER  
 BUS VOLUMES  
 24-HOURS \*

Bus Movement Direction →  
 Total 24-Hour Buses →  
 Bus Route Numbers →

\* Volumes assume proposed, January 1984 service changes.



# AUDUBON SOCIETY OF PORTLAND

*A Branch of National Audubon Society*

244

PHONE 292-6855

5151 NORTHWEST CORNELL ROAD

PORTLAND, OREGON 97210  
October 31, 1983

Mr. Steven Burdick  
Inner City Enterprises  
705 SE 32nd  
Portland, Oregon 97214

Dear Mr. Burdick,

This letter is to convey to you in writing the information we discussed after our meeting with Friends of Kellogg Lake, the City of Milwaukie and Kellogg Lake Friends. If you have any questions I can best be reached at 224-1004 where you can leave a message. I have not been able to uncover copies of the Land and Water Conservation fund application forms. I would again suggest that either Nancy Chase (Mult. Co. Planning) or Marlene Salon (Portland Park Bureau Planning, 796-5193) might have additional copies. Alternatively the State Parks Dept. in Salem will be able to supply you with copies.

#### What Is Currently Present On Tri-Met Site:

The area at present has relatively low wildlife habitat value. There is little species or structural diversity. The presence of blackberries (Himalayan) does provide slope stability and some wildlife habitat, but not to the extent that more species and greater variety of how those plants are arranged (layering) would provide. There are good examples of more productive wildlife habitat further upstream where there is both an excellent overstory of mixed deciduous and coniferous trees and layered understory of young trees, shrubs and herbaceous layer. In my opinion the site at present also offers little amenity value to potential park users, due to the intrusion of noise from McLoughlin Blvd.

#### What Would Be The Impact of A Parking Lot On The Site?

Any time land is surfaced with an impervious layer, as in asphalt or cement, there are going to be impacts. There are several species of birds which presently use the ground area at the site for feeding and there are undoubtedly several species of mammals which also use the site. Due to the overall low species and structural diversity of the site the impact on wildlife, as the site now exists, would be low. However, one consideration that was brought up at the site visit is that if Tri-Met, the city or a neighborhood group were to put energy into wildlife plantings the site could be made to represent good wildlife habitat. Plantings of trees and shrubs which provide cover and food values to a variety of wildlife would enhance the site as wildlife habitat. The pervasive noise from McLoughlin would not in general pose a problem for many of the non-game species which would use such an area. I do not believe, however, that human use and enjoyment of the site would be possible without massive planting of noise-reducing vegetation along McLoughlin. It is my opinion that energy spent in

45

making the site more suitable for wildlife could better be spent on protection of the excellent habitat upstream from the railroad tracks.

What Would The Impact of Bruce Johnson's Landscape Design Be?

Any addition of vegetation, especially more trees and shrubs would both benefit wildlife and users of the site. I believe the land upstream from the actual parking lot could be enhanced by Mr. Johnson's site design. Where possible the blackberries should be replaced by more diverse vegetation (he is aware of good wildlife food and cover species and I would be happy to supply a list as well). His scheme seems to take into account the parking needs on the site as well as amenity values of the area not directly associated with parking. One issue that was discussed the other day was the need for an oil detainment system. I feel strongly that some system must be devised to prevent the surface runoff of oils into Kellogg Lake. The filters that we mentioned sound acceptable if they are regularly maintained.

What Can Be Done About Dumping of Garbage?

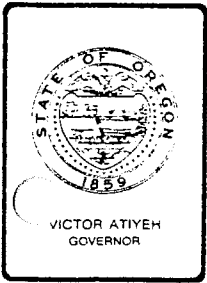
As I mentioned we have a major problem of this nature at Oaks Bottom. I would suggest planting of thorny (Hawthorne) vegetation which would both deter most people from dumping as well as provide food and cover for wildlife. If this vegetation were planted in a dense hedgerow you might effect some reduction in dumping. Signing, with some interpretive information about the lake, might also help with some of the more conscientious citizens. If some interpretive sign could be erected, along with Mr. Johnson's landscaping I would predict less of a dumping problem. Turning the site into an asset to the city would provide a positive inducement to combat the littering problem ( Is this too naive for the location?)

I have made a couple more visits to the lake since our last talk and remain impressed with the wildlife values of the entire lake. I am hopeful that I can offer the Kellogg Lake Friends some assistance in addressing that issue.

Sincerely,  
*Mike Houck*  
Mike Houck

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APPENDIX B  
Correspondence



Department of Transportation  
**HIGHWAY DIVISION**

Metro Region

9002 SE. McLOUGHLIN BLVD., MILWAUKIE, OREGON 97222 PHONE 653-3090

31 October 1983

In Reply Refer To  
File No.:

084-5121-624

LEE HAYMES  
Tri-Met  
4012 S.E. 17th Avenue  
Portland, Oregon 97202

RECEIVED  
OCT 31 1983

Subject: TRANSIT TRANSFER SITE STUDY  
South Milwaukie (Main Street)

Tri-Met is considering a transit transfer site on the south end of Milwaukie on Main Street at the vacant Grocery Store site. As a consideration of this site a question is raised on bus access to and from south McLoughlin Boulevard to the proposed site and the justification of a traffic signal on McLoughlin Boulevard at Washington Street.

As you are aware there are minimum traffic volume requirements for the major street and for the side street that must be met in the placement of a traffic signal. Traffic volumes requirements are met on the major street however existing volume is less than half the minimum volume for the side street. I do not see the generation of traffic required to justify a signal at this location.

Evaluating the current and future signal requirements on McLoughlin Boulevard, it is concluded a traffic signal installation on McLoughlin Boulevard at Washington Street would not provide progression through the system and would create a capacity constraint on McLoughlin. The signal on Jefferson, just a short block to the north, is too close to Washington Street and will interfere with the operation of Washington Street. Also, there is not sufficient left turn storage length between the two streets to allow left turns at both locations.

If a signal appears warranted at Washington Street an investigation of the benefits/impacts must be made on the interaction of this signal with adjacent signalized locations.

Our procedure for installation of new traffic signals is to conduct a traffic study at the suggested location and if a warrant is met, then complete an analysis of a traffic signal at the location. The

Lee Haymes, Tri-Met  
10-31-83


Page 2

49

study must include as analysis of the benefits of such an installation and identify problems and proposed solutions on adjacent highway segments.

When this is satisfied the proposed signal is placed on the Statewide Signal Priority List. There are a number of sources for funding and when a funding source can be identified a signal is installed.

Please call if I can be of further help on this.



THOMAS H. SCHWAB  
Transportation Analysis Manager

THS:ap

cc: Ted Spence

49

APPENDIX C

Site Plans

50

KELLOGG LAKE

EDGE OF BANK  
PARKING

31 OUT

#34

#33 OUT

BUSES ONLY

31 IN

#32 & 33 IN

MAIN ST.

LOADING

TENANT  
(US POSTAL SERVICE)

GREYHOUND

CONCESSIONS  
& REST ROOMS

#32 OUT

SHORT TERM PARKING  
ADAMS ST.

#70

LAKE RD

BUSES ONLY

SPRR - TILLAMOOK BRANCH

#76

BUSES ONLY

78

#75

BUSES ONLY

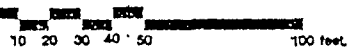
#7

SPARE

21ST AVE.

ND

SCALE



# MILWAUKIE TRANSIT CENTER

## SOUTH MAIN STREET OPTION

51

KELLOGG LAKE

APPROX CREST OF BANK

PARKING - 14 CARS

\*791 OUTBOUND

\*931

\*933 OUTBOUND

MAIN STREET

BUS ONLY LANE

\*931 INBOUND

\*921 \*933 INBOUND

\*932 OUTBOUND

LOADING

\*716

POST OFFICE  
3500 SF

CONCESSIONS  
1750 SF

PARKING - 7 CARS

ADAMS STREET

BUS ONLY

\*717

GEYER HOUND  
loop SF

OVERPASS

\*718 BUS ONLY LANE

EXISTING BUILDING LINE

\*715

MAIL BOXES

EXISTING PROPERTY LINE

LAKE ROAD

BUS ONLY

50'-0"

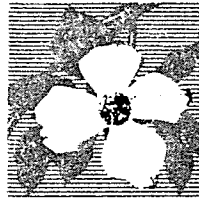
SOUTHERN PACIFIC R.R.

# MILWAUKIE TRANSIT CENTER SOUTH MAIN STREET OPTION #2



# CITY OF MILWAUKIE

\* \* M E M O R A N D U M \* \*



PUBLIC WORKS DEPARTMENT  
in the City Hall • phone 659-5171

September 27, 1983

52

TO: Planning Department

FROM: Paul Roeger  
Office Engineer

SUBJECT: C-83-15  
Tri-Met Transit Center  
Additional Comments

Moving the Transit Center to the south end of town would help to clear up the traffic flow and parking problems around City Hall. The existing conditions are very hazardous requiring people to cross streets to transfer to another bus. Riders do not use cross walks at times and are sometimes in a hurry to get to their bus and cross streets without looking.

The proposed site is a much less congested area with most of the loading area around one block not requiring as many pedestrian crossings.

PHR:js

EXHIBIT #	<u>9</u>
DATE	<u>9/27/83</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	_____



From The Desk Of  
**Paul McTavish**

53

11-8-83

To the City of Milwaukee  
Planning Commission:

In Response to the Proposed Tri-Met Transit Center Re-location I would like to support the Adams and Main St. Site. I feel the removal of the transit center would benefit all of the downtown merchants due to the parking and congestion problems it creates. In our parking lot we have a continuous problem with commuters "park & riding" which hinders my business due to the lack of parking for my customers. The amount of off street parking in the downtown area is so limited that we cannot afford to have the center tying up more of our valuable parking spaces.

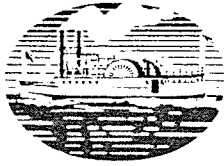
Respectfully Submitted,

Paul McTavish  
Store Manager  
Milwaukee Safeway



... and a little bit more.

EXHIBIT #	11
DATE	11/8/83
SUBMITTED BY	
RECEIVED	



# THE BANK OF MILWAUKIE

10400 Southeast Main Street Milwaukie, Oregon 97222

54

November 8, 1983

City of Milwaukie  
Planning Commission  
c/o Milwaukie City Hall  
Milwaukie, OR 97222

Dear Commission Members:

As a business person who is located in Milwaukie I am genuinely concerned with the growth and improvement in the overall business environment of Milwaukie. These past three years I have been working with the merchants and City staff involving the relocation of Tri-met to a formal Timed Transfer Station. I have visited two existing timed transfer stations and have spoken to merchants who are located near these transit stations. I am convinced that the concept of a Timed Transfer Station is valid and that one is necessary in Milwaukie.

I have been involved in studying three different sites for a Timed Transfer Station. Originally, I was an advocate of the existing Chevron Station/ Restaurant site. For monetary reasons, this site is now not workable. The Shell Station and a portion of the City Hall parking lot site is not in my opinion workable due to the already existing shortage of available long term parking.

We now turn to the existing A.G. location. The Southern end of Milwaukie is in need of economic revitalization. The combination of the Post Office, Tri-met and potentially other accompanying services is workable and necessary. I highly support and recommend the A.G. site given the following concerns:

1. The projected main trunk line between the Clackamas Town Center and downtown Milwaukie is not dependent upon Lake Road due to the location of the Timed Transfer Center.
2. The impact of bus traffic on Main Street will be taken into consideration and another alternative such as 21st Street be considered if Main Street is not workable.

EXHIBIT #	12
DATE	11/8/83
SUBMITTED BY	
RECEIVED	

55

I trust that a decision will be made based upon what is best for the overall Community.

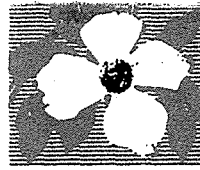
Sincerely,



Pete Sinclair  
President

PS:kl

# CITY OF MILWAUKIE



III a

PUBLIC WORKS DEPARTMENT  
in the City Hall • phone 659-5171

\* \* M E M O R A N D U M \* \*

November 30, 1983

TO: City Manager  
City Council

FROM: Louis Bruneau, Chairman  
Traffic Safety Commission

SUBJECT: Tri-Met Timed Transfer Station  
Traffic Safety Commission Recommendation

The Traffic Safety Commission held a special meeting Monday, 28 November to review the proposed Tri-Met Timed Transfer Station in the old AG food store building on the south end of Main Street.

The Commission felt that the proposed traffic flow pattern and overall design of the center was well planned and from a traffic safety standpoint they could see no problem.

The Commission, by unanimous vote, recommends that this location be approved by the City Council for the purpose of developing a transit center.

js

... public hearing

Public Works Director, City of Milwaukee  
Associate Planner, City of Milwaukee

EXHIBIT #	13
DATE	11/8/83
SUBMITTED BY	
RECEIVED	

57



METRO

METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201. 503/221-1646

MEMORANDUM

Date: November 3, 1983  
To: Milwaukie Planning Commission  
From: Andy Cotugno, Metro Transportation Director AC  
Regarding: Milwaukie Transit Station

I recommend approving one of the sites under consideration for the Milwaukie Transit Station as soon as possible. This station is a key component of the transportation plan for the entire McLoughlin Corridor. With this station, transit service can be better structured to serve internal Clackamas County trips and progress can be made toward expanding transit ridership between Milwaukie and Portland.

The choice of transit station sites is that of the City of Milwaukie. All three sites that have been examined are compatible with other regional aspects of the transit system:

Bus Trunk Routes

Three trunk routes are intended to connect the Milwaukie Transit Station to other points in the region with high speed, frequent service: Milwaukie to downtown Portland, Milwaukie to Oregon City Transit Station and Milwaukie to Clackamas Town Center Transit Station. All three transit station sites are compatible with these routes. In addition, both route alternatives currently under consideration for the Milwaukie to Clackamas Town Center trunk -- Railroad/Harmony and Lake/Harmony -- are compatible with the three sites. Milwaukie should proceed to select the transit station site as soon as possible and select the preferred route to Clackamas Town Center at a later date based upon the merits of those alternatives.

Light-Rail Transit Routes

Similar to bus trunk routes, it is important to "protect" the ability to build Light-Rail Transit (LRT) in the three corridors connecting to Milwaukie Transit Station -- to downtown Portland, to Oregon City and to Clackamas Town Center. Based upon studies done to date for the Portland to Milwaukie corridor, several alignments are possible to enter downtown Milwaukie via River Road or Main Street and pass through downtown to a park-and-ride

EXHIBIT #	14
DATE	11/8/83
SUBMITTED BY	
	(zpp)
RECEIVED	

58

lot on McLoughlin Boulevard south of the railroad trestle. These LRT routes are compatible with all three Milwaukie Transit Station sites. In addition, an extension to Oregon City is readily available. For a future extension to Clackamas Town Center, all three sites are compatible with a Lake Road route if preferred by the City of Milwaukie. If a Railroad/Harmony route is preferred, a station would have to be located in the vicinity of Harrison Street if and when the Railroad/Harmony LRT extension is built. At that time, bus transfer operations would have to be relocated from the southern site to Harrison Street but the southern site would remain in operation as a local LRT station and excess land could be redeveloped. Since the possibility of LRT to Clackamas Town Center is very long-range (15+ years), the investment in the southern site would be cost-effective.

Conclusion

Milwaukie should proceed to approve a site as soon as possible without regard to LRT or bus trunk routes. Decisions can be made in the future on these issues since all of the Milwaukie Transit Station sites are compatible.

ACC:lmk

CC: Tri-Met



METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

59

# MEMORANDUM

RECEIVED  
SEP 01 1983

Date: August 30, 1983  
To: Bill Lieberman  
From: Andy Cotugno *[Signature]*  
Regarding: Milwaukie Transit Station

After discussions between Tri-Met and Metro staff, this memorandum summarizes the present understanding we have regarding the proposed south-end Milwaukie Transit Station.

1. Because the long-term LRT alignment would involve a route to the park and ride south of downtown Milwaukie near Kellogg Lake, the short-term bus station is compatible with all future LRT options. If it was necessary to move the bus transfer elements of that station to the north when/if a Clackamas Town Center LRT connection was built, a LRT station would still exist at the south end site to serve surrounding development, and the land occupied by the bus transfer station could be sold for redevelopment.
2. The long-term location for a bus/LRT transfer station in Milwaukie will be made as part of the McLoughlin Corridor Alternatives Analysis/DEIS, which now seems likely to be timed to coincide with Phase III of the Regional LRT System Plan which will examine extensions to the Clackamas Town Center. As such, the final decision on the bus/LRT station location can take into consideration the affect of future extensions to CTC at that time.
3. The only remaining problem appears to be Clackamas County's Railroad/Harmony project and its relationship to a Lake/Harmony bus trunk. Tri-Met should work closely with Clackamas County to define the best trunk route location and the reorientation of southeast service to utilize the facility in the most efficient manner possible.

cc: Tom Matoff  
Lee Hames  
Steve Hall  
Tom VanderZanden

EXHIBIT #	<u>15</u>
DATE	_____
SUBMITTED BY	<u>[Signature]</u>
RECEIVED	_____

PLANNING COMMISSION MINUTES

REGULAR MEETING

NOVEMBER 22, 1983

MEMBERS PRESENT

JOHN LITTLEHALES  
JOHN FOSTER  
REBECCA SWEETLAND  
GEORGE CATHEY  
BETTY ROHOLT  
BOB BROWN  
AL LIANE

STAFF PRESENT

TOPAZ FAULKNER, PLANNING DIRECTOR  
LORI MASTRANTONIO, ASSOCIATE PLANNER  
CAROL LEE, SECRETARY  
GREG EADES, CITY ATTORNEY

Mr. Cathey called the meeting to order at 6:35 PM, explaining the procedures of the meeting. At the Planning Commission Meeting of November 8, 1983 the public hearing was closed, no further testimony would be received. The hearing would begin with Commission's deliberation.

- 3.1 TRI MET TRANSIT CENTER (C-83-15)  
Continued from November 8, 1983 Public Hearing  
LOCATION: 11222 SE Main St.  
PROPOSAL: Conditional Use request to allow a Transit Center within a Central Commercial Zone.

Mr. Cathey said he had listened to the tapes of the November 8, 1983 Planning Commission Meeting and feels he is prepared to vote on the action regarding C-83-15. Mr. Laine stated that he was in opposition to Mr. Cathey voting if the request was to be reconsidered. Greg Eades said it has been the practice of the Planning Commission and City Council to allow any member the opportunity to vote on any action requested if he felt he was adequately informed of the topic. Mr. Brown concurred, and mentioned that there had been several times when a Commissioner was absent for the first part of the hearing but was allowed to vote at the second part, which also included Ms. Roholt being absent at the September 27, 1983 public hearing but voting during the November 8, 1983 public hearing for the Conditional Use Request C-83-15. Greg explained the action of the Commission at the November 8, 1983 Planning Commission Meeting; he said, the Motion to approve the request failed and Staff was directed to develop findings, if those findings are approved the decision will be final.

Mr. Littlehales declared a conflict and temporarily stepped down from the panel.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

C-83-15      Continued

Lori presented the Staff Report, reviewing the Findings regarding the request for conditional use to allow a Transit Center at the AG building off of Main and Adams Street. At the meeting held November 8, 1983 the Commission directed Staff to prepare findings as suggested by three of the Commissioners supporting the denial of the request.

Mr. Laine referred to the memorandum, from the Planning Director, dated November 22, 1983, regarding findings for the Tri Met application C-83-15. Mr. Laine said the Commission has established a precedent which in a court of law is enforceable. He expressed that he is opposed to the statement from the Planning Director which indicates that adverse testimony is not a legally supportable finding.

Mr. Foster requested the Commission call for a vote of the proposed findings as presented in the Findings, Conclusions, and Order for C-83-15.

Mr. Brown stated that the statement under Conclusions, Page 2 of the Findings, Conclusions, and Order, dated November 22, 1983, is not appropriate as the Commission did not vote that the request does not meet the criteria under the Conditional Use procedure or the specific Comprehensive Plan policies.

Lori explained that after the motion for approval of the request was defeated the Commission directed Staff to develop findings supporting denial of the request.

Greg said the Commission is required to make a decision which is supported by findings.

Ms. Roholt asked Greg to clarify the question of whether or not Mr. Cathey had the right to vote. Greg said he could not remember any time when the Council or the Planning Commission had decided that it was not appropriate for a member to vote on a matter of which they did not participate in the prior hearing. It has always been allowed if a member had been adequately informed of the issue by listening to tapes or reading meeting minutes. He also mentioned there are no requirements in either the State Law or Zoning Ordinance on the subject. All that the law requires is that comments regarding conflict of interest are received either from the Commission or audience, and then the person can vote if they want to.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

C-83-15 Continued

Mr. Cathey apologized for being harsh in his attempt to keep the meeting in order. There was discussion among the Commissioners regarding the correct procedure to be followed. There were several interuptions from persons in the audience. Mr. Cathey said there would be no further testimony because the public hearing was closed. Mr. Brown agreed that Finding #1 of Staff's Findings and Reasons is correct in that a parking lot is not what one would considered a low-intensive use or something that should be within an Ecologically Significant Area. However, the only testimony regarding that point was Mr. Houck of the Audubon Society, who concluded that the currently vacant, City-Owned parcel, is not a significant wildlife or bird habitat; and the proposed landscaping would be beneficial but the parking lot is not detrimental to Kellogg Lake. He also stated that human use and enjoyment of the site is not possible due to the noise from McLoughlin Boulevard. Mr. Brown said he did not feel that Finding #1 is supported by the record.

Mr. Foster spoke about Finding #2 of Staff's Findings and Reasons. He said that the proposal is not a timed transfer station, as the Comprehensive Plan calls for. He said a timed transfer station is a place where all the buses come together in one time at one place so that people can exchange from one bus to another. He feels it would never be possible to accomplish this at the proposed site. Mr. Foster said the site is unsuitable for the occupancies listed in the application, specifically, provide space for a timed transfer station for eight bus routes with the possibility of 12 buses parked there simultaneously. He said the proposed site is not able to accommodate a Greyhound Bus Station, stop and go usage, private auto traffic, post office parking and foot traffic, restaurant, clothes cleaning, occupants of the second floor, bicycle lane, and pedestrian transit. He also said there was insufficient information presented by the applicant for future developments of truck routes, light-rail, park and ride facilities, residential and industrial growth and services.

Mr. Liane said the reasons he voted against the motion to approve the request were based on public safety. The buses would have to maneuver around the existing building which will be used for a post office where there will be postal patrons, Greyhound bus patrons, and Tri Met patrons coming to a small area. The daily projection of 274 buses to run north from the site on Main Street, and buses scheduled to run other directions presents too much traffic conjection in too small an area to be conducive to pedestrian and vehicular traffic safety. He also stated that in the past the Commission has chosen to list adverse testimony as a finding. He said there was no supporting testimony, that all testimony was of an adverse nature to the conditional use proposal. He refered to the memorandum

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

C-83-15      Continued

from the Planning Director, which indicates that adverse testimony is not a legally supportable finding. He said the public has the right to voice their opinion of any issue and should be heard, anything less would be a mockery to the United States Constitution.

Ms. Sweetland referred to Finding #1 of Staff's Findings and Reasons. She said she agreed with Mr. Houck's statement that the area is not currently a wildlife habitat, however he only spoke about wildlife and not fish. She said that anything that happens on the proposed site will affect the fish in Kellogg Lake, because they pass through the lake to spawn upstream. In her opinion Tri Met could have presented other proposals for the site that would have constituted as a low-intensive use.

Mr. Cathey said the term "low-intensive" is somewhat ambiguous and inappropriately used in Finding #1 of Staff's Findings and Reasons. He mentioned Mr. Houck had stated that the area could be enhanced by landscaping, and tri-level vegetation. Tri Met had agreed to install a trap for oil and gas deposits, which will protect the fish in the lake. He does not agree with Finding #2 because currently the noise on McLoughlin Boulevard makes one uncomfortable and has a definite affect of the area. He said the Tri Met proposal included structural changes of the building which could eliminate some of the potential problems regarding safety and traffic patterns. Mr. Cathey addressed concerns stated in the letter presented to the Commission from Mr. Foster. Mr. Cathey said after viewing operations of other transfer stations as well as the current operation located at City Hall, he feels that the proposal would improve service in Milwaukie. He said the trunk route issue is completely irrelevant to the issue of the proposed Transit Center because the center could serve the trunk line from either of the suggested sites. Mr. Cathey also addressed concerns stated in the letter presented to the Commission from Mr. Liane. He mentioned that the Transit Center located in Beaverton is a small facility, but operates very efficiently as a timed transfer station. He said that the statement that all testimony received was of an adverse nature is not true. Andy Catugno, of Metropolitan Services testified in support of the proposal and several letters from the business community were received in support of the request. Although, in the past, the Commission has listed adverse testimony as part of the Findings it is not actually part of the criteria of which the merits of any particular application is judged.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

C-83-15 Continued

Mr. Foster said that in his observation of the transfer station in Beaverton he noticed maneuvering area for articulated buses, but does not believe that the proposed location in Milwaukie will accommodate articulated buses.

Mr. Liane said that adverse testimony was received from the general public, not from City or other agency officials.

Mr. Liane made a motion not to allow, or exclude Mr. Cathey from voting on the action of Tri Met C-83-15, because he did not attend the November 8, 1983 public hearing. Mr. Foster Seconded the Motion. Mr. Brown said that if the motion is voted on the Commission should realize that a policy is being set for the Planning Commission and all members of the Commission should vote on issues that deal with procedure or policy of the Commission. The Motion failed 4-2, Mr. Foster and Mr. Liane voting for the Motion.

Ms. Sweetland made a Motion to deny C-83-15 pursuant to the Findings, Conclusion and Order as presented by Staff. Mr. Foster Seconded the Motion. The Motion failed, 3-3, Mr. Foster, Ms. Sweetland, and Mr. Liane voted in favor of the Motion; Mr. Cathey, Ms. Roholt, and Mr. Brown voted in opposition to the Motion.

Mr. Cathey made a Motion to refer the request to the City Council for action. Mr. Brown Seconded the Motion, it carried unanimously.

Mr. Laine and Mr. Foster voiced points of concern regarding a task force and alternative sites.

Greg explained that the application still had not yet been denied.

Mr. Brown asked what action the City Council would take on the application. Greg said the Council will hear the application de novo, which means the hearing will start over again.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINTUES  
REGULAR MEETING NOVEMBER 22, 1983

C-83-15 Continued

Mr. Foster said he felt the public should have the opportunity to testify and should be recorded to reflect the opinions of the general public. Mr. Cathey mentioned that all testimony received must speak to the criteria on which the application must be judged. Even though it is difficult, the Commission must separate the emotional portion from the actual criteria of which any application must be judged. Mr. Foster stated, that based on that procedure the hearing then is not a democratic process. Mr. Cathey agreed, stating that the public has a right to testify on the issue but are not given the opportunity to vote on the action, that is the purpose of the Planning Commission.

Mr. Liane said he questioned the validity of the Motion to accept the Findings as presented by Staff, which would have denied the request based on the Findings. Mr. Cathey told Mr. Liane he was mistaken, there had been no Motion to deny the application.

The application will be presented to the City Council for action, notification of that public hearing will be sent to adjacent property owners and the news media.

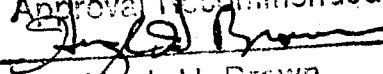
The Commission recessed for 10 minutes. (This completes the section regarding the Tri Met Public Hearing.)

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CITY OF MILWAUKIE  
BILLS PAYABLE DECEMBER 6, 1983

1.	A & A Welder's Supply	26.83	7-	26.83
2.	ASE Supply Inc.	172.09	7-	172.09
3.	Alder Street Clock Shop, Inc.	120.00	1-52	120.00
4.	Alexander's Chrysler/Plymouth	123.85	1-52	123.85
5.	All Electric Appliance Service	19.00	1-62	19.00
6.	Ashland Hills Inn	120.84	1-61	120.84
7.	B & P Quick Print	542.12	1-31	542.12
8.	Baker & Taylor	656.08	1-34	656.08
9.	Bailey Tool	170.52	30-	170.52
10.	Bernard's Garage	1,063.00	1-52	907.58
			7-	155.42
11.	Boise Cascade	319.98	1-23	175.00
			1-53	93.68
			1-91	45.65
			1-92	5.65
12.	Bound to Stay Bound	39.73	1-34	39.73
13.	R.R. Bowker	285.16	1-34	285.16
14.	Brodart, Inc.	33.89	1-34	33.89
15.	CRS (City Rubber Stamp)	13.24	1-52	13.24
16.	California Office of Procurement	3.40	1-51	3.40
17.	Carbon Dioxide, Inc.	37.75	1-62	37.75
18.	Cessco, Inc.	16.37	7-	16.37
19.	Chempro of Oregon, Inc.	300.00	4-	300.00
20.	Cogan & Associates	1,323.25	1-21	1,323.25
21.	Columbia Battery	50.90	7-	50.90
22.	Colver, H. Joseph	448.40	4-	448.40
23.	Computer Education International	175.50	1-53	31.50
			1-62	144.00
24.	Cooper's Market	40.25	1-21	17.50
			1-35	22.75
25.	Cunningham Associates, Inc.	2,263.90	30-	2,263.90
26.	County of Clackamas Department of Environmental Services	180.65	4-	180.65
27.	Clackamas Cty. Fire District #1	4,525.65	1-62	4,525.65
28.	Levands (Fire Dist. #1)	45.90	1-62	45.90
29.	Clackamas County Library	151.16	1-34	151.16
30.	Clackamas Cty. Service Dist. #1	107,402.28	20-	107,402.28
31.	Clackamas Cty. Sheriff's Dept.	6.30	1-52	6.30
32.	Dee Thomason Ford Company	29.70	7-	29.70
33.	DeHaas & Associates, Inc.	739.85	30-	739.85
34.	Department of Environmental Quality	150.00	7-	150.00
35.	Dictaphone Corporation	128.00	1-53	128.00
36.	Eades, Greg	40.50	1-21	40.50
37.	Ed's Auto-Lectric Service	279.92	7-	279.92
38.	Educational Record Center	174.75	1-34	174.75
39.	Eugene Public Library	10.00	1-34	10.00
40.	Executive Department	322.00	1-53	322.00
41.	Finzer Business Systems	668.80	1-23	467.40
			1-34	201.40

Approval Recommended  
  
 Hugh H. Brown  
 City Manager

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CITY OF MILWAUKIE  
BILLS PAYABLE DECEMBER 6, 1983

42.	Gale Research Company	77.55	1-34	77.55
43.	Glendale Farms, Inc.	125.00	1-36	125.00
44.	Gibbons Company	2.20	1-41	2.20
45.	Hanson, Mark	988.00	3-	988.00
46.	The Highsmith Company	67.04	1-34	67.04
47.	Hite, Sara	14.60	1-32	14.60
48.	Home Laundry	158.51	1-62	158.51
49.	Horton Electric	1,410.45	4-	389.45
			12-	1,021.00
50.	Hyneman, Glorianne C., RN	273.10	1-32	273.10
51.	IBM	96.00	1-32	96.00
52.	Industrial Indemnity	250.00	1-41	250.00
53.	Instrument Sales and Service, Inc.	17.92	1-62	17.92
54.	Jess's Bear Frame & Axle	20.00	1-52	20.00
55.	Justice Associates, Inc.	12.00	1-52	12.00
56.	Knapp Construction Co., Inc.	2,550.00	1-36	2,550.00
57.	Kovac, Leonard J., Jr.	153.00	1-22	153.00
58.	League of Oregon Cities	500.00	1-21	500.00
59.	Lunning, Harvey E. Construction Co.	640.00	4-	640.00
60.	McFarlane Bark	12.00	4-	12.00
61.	MTI Teleprograms, Inc.	798.00	1-52	798.00
62.	Magnasync/Moviola Corporation	185.51	1-53	185.51
63.	Bank of Milwaukie	23,906.51	12-	23,906.51
64.	Metro-West Oil, Inc.	4,716.40	GL	4,716.40
65.	Milwaukie Loaves & Fishes	114.37	1-32	114.37
66.	Milwaukie Plumbing Co.	143.94	1-62	143.94
67.	Mishler, Jim	210.43	1-93	210.43
68.	Mobile Radio Communication Service	41.25	1-62	41.25
69.	Motorola, Inc.	144.25	1-62	144.25
70.	NCR	850.00	1-23	850.00
71.	National Chemsearch	1,020.03	4-	340.01
			20-	340.01
			30-	340.01
72.	National Fire Protection Assoc.	75.00	1-61	75.00
73.	National Traffic Safety Council	7.50	1-92	7.50
74.	Northwest Hotel Supply	159.61	1-62	159.61
75.	Northwest Law Enforcement Equipment	79.00	1-52	79.00
76.	Northwest Tube and Metal Fabricators	48.00	7-	48.00
77.	OPCA 1983 Fall Conference	55.00	1-61	55.00
78.	Oak Grove Auto Parts	146.70	7-	146.70
79.	Oblique Northwest	8.82	1-53	8.82
80.	Olson Bros. Service	37.80	1-52	37.80
81.	Olson-Dye Insurance, Inc.	32,242.00	1-25	92.00
			1-41	32,150.00
82.	The Oregonian	26.29	1-35	26.29
83.	Oregon Fire Chiefs' Association	35.00	1-61	35.00

CITY OF MILWAUKIE  
BILLS PAYABLE DECEMBER 6, 1983

IV  
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84.	PGE	21,783.90	1-25	18,373.09
			1-32	667.15
			1-37	339.24
			1-61	31.12
			4-	362.43
			6-	17.70
			20-	116.02
			30-	1,877.15
85.	Pacific Coast Industrial Laundry	287.25	1-37	16.00
			1-34	18.00
			1-51	4.00
			1-62	13.50
			4-	78.58
			20-	78.58
			30-	78.59
86.	Pacific Northwest Bell	1,626.85	1-21	55.09
			1-23	96.00
			1-31	50.06
			1-32	262.96
			1-36	59.56
			1-52	43.39
			1-53	841.60
			1-62	218.19
87.	Pacific Water Works Supply Co.	195.70	30-	195.70
88.	Pacific Safety Supply	95.15	4-	31.72
			20-	31.71
			30-	31.72
89.	Pacific Western Bank	228.45	12-	228.45
90.	Page, George L.	1,044.90	1-21	1,044.90
91.	Petty Cash	393.78	1-10	20.34
			1-21	28.50
			1-22	4.50
			1-23	32.42
			1-24	4.50
			1-28	6.48
			1-32	42.29
			1-35	10.50
			1-36	36.87
			1-51	29.35
			1-52	41.86
			1-53	36.69
			1-62	65.49
			1-92	7.50
			4-	3.38
			7-	23.11
92.	Portland Observer	15.00	1-21	15.00
93.	Prentice-Hall, Inc.	286.51	1-34	286.51

CITY OF MILWAUKIE  
BILLS PAYABLE DECEMBER 6, 1983

*IV*  
*a* (4)

94.	Robben & Sons Heating	250.16	1-34	207.66
			1-36	42.50
95.	Robben Oil Company	537.38	1-37	214.56
			1-62	322.82
96.	Rock Creek Sand & Gravel	140.00	4-	140.00
97.	Reading Enrichment Company, Inc.	407.30	1-34	407.30
98.	Remarkable Products, Inc.	102.55	1-21	17.95
			1-62	84.60
99.	Northwest Samco	1,359.49	3-	1,359.49
100.	Sanderson Safety Supply	33.91	1-52	33.91
101.	Scribner Book Companies, Inc.	12.30	1-34	12.30
102.	Shirlaki's	25.00	1-10	25.00
103.	Simmons Supply Co.	31.71	1-53	31.71
104.	Smith, Dee (Subpoena Fee)	5.00	1-26	5.00
105.	Star Rentals	261.00	30-	261.00
106.	Terry, Helen	1,160.40	1-23	1,160.40
107.	Tinning, Paul	1,559.15	1-28	1,559.15
108.	Transmission Exchange	363.00	7-	363.00
109.	Trumbull Asphalt	229.00	4-	229.00
110.	U.S. Postmaster	2,000.00	1-23	2,000.00
111.	Union Oil	156.75	1-62	156.75
112.	Victor Hotho & Co.	307.27	1-34	307.27
113.	Water, Food & Research Lab., Inc.	155.00	30-	155.00
114.	Wajax-Pacific Fire Equipment	62.40	1-62	62.40
115.	Water Metrics Co.	963.00	30-	963.00
116.	West Bend Company	4.38	1-62	4.38
117.	Western-Pacific Construction Materials,	143.27	4-	143.27
118.	Wichita Feed & Hardware	244.79	1-32	10.50
			1-36	29.63
			1-62	60.75
			4-	27.83
			7-	19.86
			20-	1.74
			30-	94.48
119.	Wilcox Printery	41.00	1-10	23.00
			1-21	18.00
120.	Woody Froom Tire Center	1,434.12	7-	1,434.12
121.	Zellerbach Paper Company	49.52	1-32	49.52
		\$223,846.61		\$233,846.61

- 01 General Fund
- 10 City Council
  - 21 City Administration
  - 22 City Attorney
  - 23 Finance
  - 24 Purchasing
  - 26 Court
  - 27 Cable Franchise
  - 28 Personnel
  - 31 Community Services Administration
  - 32 Milwaukee Center
  - 34 Library
  - 35 Planning
  - 36 Parks & Recreation
  - 37 City Hall
  - 41 General Government
  - 51 Police Administration
  - 52 Field Services
  - 53 Support Services
  - 61 Fire Administration
  - 62 Fire Suppression
  - 63 Fire Prevention
  - 91 Public Works Administration
  - 92 Public Works Engineering
  - 93 Public Work Building
- 03 Equipment Reserve Fund
- 04 State Tax Street Fund
- 05 Improvement Bond Sinking Fund
- 06 Street Improvement Fund
- 07 Equipment Repair Fund
- 09 Bike Path Fund
- 10 Fixed Asset Account Group
- 12 Federal Revenue Sharing Fund
- 13 Community Development Fund
- 20 Sewer Fund
- 30 Water Fund

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a(5)

# CITY OF MILWAUKIE



PUBLIC WORKS DEPARTMENT  
in the City Hall • phone 659-5171

## \* \* M E M O R A N D U M \* \*

29 November 1983

TO: Hugh Brown  
City Manager

FROM: Steven Hall  
Public Works Director

SUBJECT: Water Reservoir #1  
Rehabilitation Costs

*J. Hall*

IV  
B (1)

### ACTION REQUESTED

City Council authorize City Manager to sign a professional services contract for structural review, recommendations and plans and specifications for correcting deficiencies in Reservoir #1. Cost of services estimated at \$10,000.

### BACKGROUND

For several years it has been noted that rust and visual leakage was appearing around the exterior of the #1 Reservoir. Due to the type of construction and age (post-tensioned concrete, 1946) a quick review was made of the structure inside and out by Mr. Pajunen of CRS. Mr. Pajunen is a structural engineer and CRS is the firm who originally designed the reservoir. Preliminary recommendations were made to first X-Ray the tank to determine the physical condition of the post-tensioning rods. A few weeks ago the City retained a professional testing lab to perform those tests. Due to the construction of the reservoir, the firm was not able to obtain clear X-Rays of the post-tensioning rods.

At that point, city crews chipped away the gunnite coating at a point where rust was very evident on the exterior of the tank and found the post-tensioning rod in that area to be in excellent condition. Based on that information, CRS was requested to submit a proposal to provide the structural engineering services of which a copy is attached.

### SUMMARY

1. # 1 Reservoir needs some repair work to preserve it for an extended period of time
2. City budget has \$15,000 for engineering and \$100,000 for repair included for 1983-1984.

Approval Recommended  
*Hugh Brown*  
City Manager

IV B (2)

-2-

3. Additional funds are available in the "Construction Reserve" if needed to supplement the specific funds noted in 2., above.
4. CRS is familiar with the original design of the reservoir and have adequate professional staff to perform the tasks necessary to evaluate and recommend necessary repairs.
5. The estimated repair work is considerably less than replacement costs.



IV  
B (3)

PT-X00-05-35

November 28, 1983

City of Milwaukie  
10964 S.E. Oak  
Milwaukie, Oregon 97222

Attention: Mr. Cliff Harshman, Water Superintendent

Subject: Existing 1.5 mg Reservoir, 40th and Harvey Street, Milwaukie

Gentlemen:

In reference to our letters dated May 14, 1981, August 18, 1983, and telephone conversation of November 14, 17, and 21, 1983 regarding the subject structure, we propose the following program for restoring the tank:

- A. Based upon condition of stress rods and connecting beam at one location being satisfactory as observed November 17, 1983, we suggest the following additional inspections:
  - 1. All connecting beams should be inspected where rust occurs by removing existing gunite to expose stress rods and connecting beams. There are approximately 5 to 8 connecting beams around perimeter of reservoir.
  - 2. Where connecting beams are exposed strain gauges should be installed on stress rods and readings should be observed when reservoir is empty and when reservoir is full.
- B. Assuming we are satisfied with the results of "A" foregoing, then the following restorative activities should be expected, as a minimum:
  - 1. If connecting beams appear satisfactory and strain gauge readings are within tolerance, replace gunite with epoxy grout as a patch over exposed connecting beams.
  - 2. Remove and replace existing roof hatch and steel ladder. Ladder should be installed with exterior cages and safety climb accessories.

City of Milwaukee  
November 28, 1983  
Page Two

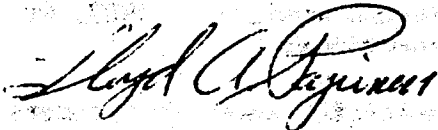
IV  
B (4)

3. At dome perimeter remove spalled concrete. Place and seal a band four feet in width around edge of the dome.
4. Install pond liner on base slab up wall (approximately one foot) across horizontal joints to stop water loss and contamination. Covering all interior walls with pond lining should be included with other work if A.1 and A.2 indicate the need to stop leakage. Otherwise, lining may be an option based on judgment and cost.
5. Remove all bitumen which is above floor line so as not to come in contact with liner.

We estimate the restoration construction cost to be at \$87,500 plus another \$62,600 for full lining of the interior wall. We estimate the cost for engineering to be about \$10,000.

Very truly yours,

CRS/SIRRINE, INC.



Lloyd A. Pajunen, P.E.  
Structural Engineer

LAP:kpw

MILWAUKIE  
CITY COUNCIL MEETING  
November 8, 1983  
4:30 p.m.

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COUNCIL CHAMBERS

WORK SESSION

A work session of the Milwaukie City Council was held on November 8, 1983 with the following councilors present:

Mayor Joy Burgess                      Don Graf  
Ron Kinsella (arrived 5 p.m.) Roger Hall  
Mike Richmond

Also present:

Hugh Brown, City Manager  
Greg Eades, City Attorney  
Dick Bailey, Fire Chief  
Laurie Perkin, Secretary

The purpose of the work session was to discuss FIRESTOP, the proposed intergovernmental agreement between the City of Milwaukie and Oak Lodge Fire District. There was discussion on the firefighter salaries in the event of the termination of the agreement. Bailey said the percentage of differential between salaries would remain the same.

Graf said he thought the higher salaries for the firefighters would cause problems in negotiations with other bargaining units of the city.

Richmond questioned the duplication of a civil service system and collective bargaining. Bailey said the civil service commission would be used to oversee the EEOC requirements and the exam process, not as an appeals commission.

There was some concern expressed about Milwaukie's identity as a full service city if the fire department were not under city control. City Manager said many cities were facing budget problems and this was one solution to look at. Bailey said since the city would be a participant in the fire district, the city would in effect, still be providing the service.

The Council reviewed the agreement and proposed the following amendments:

1. Section 5 (a) Change the composition of the Commission from five to four members
2. Section 5 (b) Substitute the following language for this subsection: "The Commission shall be appointed by the City Council and the District Board respectively. The City Council and District Board shall each appoint two (2) members. The members shall be appointed for one year terms."
3. Section 5 (d) Delete beginning and ending dates of initial terms until a firm implementation date is set.

4. Section 6 (a) Substitute the word Commission for the word quorum.
5. Section 8 (d) Substitute the following language for this subsection. "The Annual Operating Budget shall be in a format acceptable under state budget law. Adoption of the budget shall be by the Commission upon approval by the City Council and the District Board of their respective costs."
6. Delete Sections 8 (e) and 8 (f)
7. Delete the word "administratively"
8. Section 14 (a) Substitute the following language. "Any party may terminate this agreement only for cause. Cause shall be defined as: 1) inability to provide funding of the party's portion of the department's costs or, 2) irreconcilable differences among the parties which exist after mediation of those differences. Written notice of termination must be given by certified mail, return receipt requested, to the other not less than 180 days prior to the end of the fiscal year; such termination to become effective at midnight of the last calendar day of the fiscal year in which the notice is given.

There was discussion on how to handle employees returning to work for the district/city, how the salaries would be handled, etc. City Manager said staff would research this and come back with a recommendation for an insert.

Graf suggested Council consider whether or not this agreement should be referred to the voters. It was agreed to wait until both jurisdictions had held public hearings before deciding this issue.

It was decided that staff would provide the Oak Lodge Board with the suggested amendments and ask that the Chairman of Oak Lodge Fire District contact the Mayor as soon as possible with their response.

The meeting was adjourned at 7:15 p.m.

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Mayor Joy Burgess

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Laurie Perkin, Secretary

MILWAUKIE  
CITY COUNCIL MEETING

November 15, 1982

5:15 p.m.

V  
a (3)

COUNCIL CHAMBERS

Work Session to discuss  
Transportation Issues

A work session of the Milwaukie City Council was held on November 15, 1983 with the following Councilors present:

Mayor Joy Burgess	Don Graf
Mike Richmond	Roger Hall
Ron Kinsella	

Staff Present:

Hugh Brown, City Manager  
Topaz Faulkner, Comm. Services Director  
Steve Hall, Public Works Director  
Greg Eades, City Attorney  
Laurie Perkin, Secretary

Others present:

Andy Catugno, Metro  
Neil McFarland, Metro  
Alonzo Wurtz, Tri-Met

Planning Commission members:

Rebecca Sweetland  
John Foster  
Al Liane

Public Works Director has submitted memo dated 11/8/83 outlining components of Metro's Regional Transportation Plan (RTP) and the Transportation Improvement Program (TIP).

City Manager said it was important that City Council determine goals of transportation and whether the city wants and needs a transit center.

Andy Catugno, Transportation Planner from Metro, provided maps showing principal routes and major arterials, regional transit trunk routes and bicycle route network. He provided also a briefing of the transportation plan outlining objectives, decision making process, improvement costs, method of funding and status of McLoughlin Boulevard project. He stressed the importance of regional transportation planning, spoke of short term and long term trunk routes and the future of light rail transit. He said it would take 8 to 10 years to get to construction of light rail and another 3 to 4 years to complete it, therefore the location of a transit center should not depend on the implementation of light rail.

Alonzo Wurtz from Tri Met, said Tri-Met's responsibility was to provide a transit center to go along with the regional transportation plan.

There was discussion on the time limit in choosing a transit site. City Manager said there was a time limit as far as the AG site was concerned because the post office is interested in the same site and the designs would have to be coordinated. As far as the funding goes, he said, it is assumed that the city will be able to apply for the money next year and that it will be available.

The City Attorney said that the Planning Commission should base their decision on the conditional use request strictly on land use not on community concerns. He suggested the city adopt a transportation plan and make use of a process which would enable the city to compare one site with another.

Bill Hupp objected to the City Attorney's statement that citizen testimony should not be taken into consideration.

Mel Paulson said the meeting had developed into a criticism of the Planning Commission.

The meeting was adjourned at 6:55 p.m.

---

Joy Burgess, Mayor

---

Laurie Perkin, Secretary

MILWAUKIE  
CITY COUNCIL MEETING  
November 15, 1983  
7 p.m.

Va (5)

COUNCIL CHAMBERS

1444th Meeting

The one thousand four hundred and forty fourth meeting of the Milwaukie City Council was held on November 15, 1983 with the following Councilors present:

Mayor Joy Burgess                      Don Graf  
Mike Richmond                              Roger Hall  
Ron Kinsella

Also present:

Hugh Brown, City Manager  
Greg Eades, City Attorney  
Norm Kraft, Acting Finance Director  
Laurie Perkin, Secretary

Mayor Burgess gave the invocation and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Helen Kappler, Treasurer of the Friends of the Center, presented Mayor with a \$2500 check as the first payment toward their pledge of \$10,000 to the city.

Mayor presented certificate of appreciation to John Maguire for his efforts as United Nations Day Chairman.

David Wagner, 6410 NE willow, announced that a unit of the Civil Air Patrol has been established in the City of Milwaukie with 11 senior members. He said this group would be available to assist the city in matters of emergency, park maintenance, etc.

Don Kingsborough, Cub Master introduced member of his Cub Scout Pack 144.

Mayor Burgess read a proclamation declaring 1983-1992 the Decade of the Disabled.

Jim Backenstos said the recent article in the New Review having to do with police department salaries was misleading propaganda.

LEGISLATION

It was MOVED by Graf, SECONDED by Kinsella, that the bills listed for November 15, 1983 be approved for payment. MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of minutes - November 1, 1983. It was MOVED by Kinsella, SECONDED by Hall, to approve the consent agenda. MOTION CARRIED unanimously.

## OTHER BUSINESS

Bill McDonald, Administrative Assistant gave an update on the recycling program for Milwaukie. He talked about the publicity plans and introduced Dean Lewis, District Sales Manager for SCA Services who spoke of the need to educate people about recycling.

City Manager announced the hiring of Margaret Post as the new Finance Director. Ms. Post is presently employed by Washington County. The City Manager thanked Norm Kraft, Acting Finance Director, for his extra time and effort spent during the last few months.

There was discussion on Tri-Met's application for a conditional use for the transit center at the old AG site on Main Street. The City Manager said the Planning Commission did not approve the site, that they would be approving the official findings denying the conditional use on November 15.

There was extended discussion on the process used in determining the site for the transit center. Al Liane, member of the Planning Commission said he took public testimony under consideration when making his decision on the conditional use request, that no one at the meeting spoke in favor of the AG site.

The City Attorney suggested that one alternative might involve amendments to the comp. plan to make it easier to site a transit center. Bill Hupp suggested an alternative site, the Kronberg property west of Kellogg Lake.

- Parks & Recreation Coordinator has invited Council to participate in the tour of the Parks & Recreation facilities on Saturday, November 19.
- City Manager said there would be a meeting on tax limitation measure at the County Environmental Services Department on Friday, December 2.
- Graf provided the City Manager with information obtained at the LOC convention regarding alternative methods of providing city services.
- Richmond asked if the Council could receive their mail in a more timely manner since sometimes meeting notices etc. are not received in time.
- City Manager announced some changes in assignments to the Personnel Director and the Administrative Assistant. Bill McDonald will now provide staff support for the Cable Communications Commission.
- City Manager asked if Council cared to have some legislators come to a Council meeting to explain and discuss the sales tax reform package.
- Graf spoke of information he received on the sales tax at the LOC convention which he thought Council should consider, since the alternative to the sales tax would be another Proposition #3 resulting in great harm to the city.

IV  
a (7)

The Council decided they did not wish to discuss the sales tax referral further.

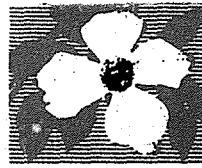
City Manager said the Oak Lodge Fire District Board had received the suggested amendments to the proposed Firestop agreement but had not had a chance to meet formally. At this time there did not appear to be any major disagreements. He said Council could discuss this further at a work session before the next Council meeting at 5 or 5:30 if need be.

The meeting was adjourned at 9:45 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

# CITY OF MILWAUKIE



PUBLIC WORKS DEPARTMENT  
in the City Hall • phone 659-5171

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

November 23, 1983

*VI*  
*a*  
*(1)*

**TO:** Hugh Brown  
City Manager

**FROM:** Paul Roeger *P.H.R.*  
Office Engineer

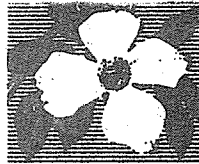
**SUBJECT:** Linwood Ave. speed limit

The Traffic Safety Commission has reviewed the Oregon Speed Control Board's report on the speed limit for S.E. Linwood Avenue.

By unanimous vote the Commission has recommended that the City Council accept the findings of the Oregon Speed Control Board regarding the speed limit on Linwood Ave. and that no change be made in the speed limit.

As recommended by the Traffic Safety Commission and approved by the City Council on May 17, the school advance warning Sign has been replaced by a pedestrians symbol sign.

# CITY OF MILWAUKIE



PUBLIC WORKS DEPARTMENT  
in the City Hall • phone 659-5171

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MILWAUKIE  
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## \* \* M E M O R A N D U M \* \*

November 4, 1983

TO: Hugh Brown  
City Manager

FROM: Steven Hall  
Public Works Director *J.M.H.*

SUBJECT: Linwood Ave.  
Speed limit review

*VI*  
*a*  
*(2)*

Attached is a letter and report from Mr. L.E. George of the Oregon State Speed Control Board indicating that the current 35 mile per hour speed limit on Linwood Ave. is adequate and should be maintained.

As you might remember, a group of citizens requested an additional cross walk near the Linwood Covenant Church. Staff recommended against that as the location of the crosswalk was near the crest of the hill and could be potentially dangerous. Also, a request had been made by City Council as to the potential of reducing the speed limit to 25 miles per hour.

Staff concurs with the Oregon State Speed Control Board and recommends that the speed limit remain the same. There are advance warning signs and crosswalk warning signs for the Linwood School crossing which requires a reduced speed limit in that immediate area. This should be adequate for the concerns of the citizens in the area and provides for the safest crossing of Linwood Ave. in the area between Furnberg and Harmony Road.

As noted within the letter from the Oregon State Speed Control Board, the current speed limits will be retained if no response is received from the City of Milwaukie within 60 days of the date of the letter or 31 December 1983.

Enclosure: Letter/Report

SMH:js

EXHIBIT

VI  
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The Secretary of the State Speed Control Board proposes to retain the following existing speed zoning under delegated authority on SE Linwood Avenue in the City of Milwaukie and Clackamas County as established by Order Numbers 3357 and 3358, dated February 20, 1980:

35 mph from SE Johnson Creek Boulevard to 300 feet south of Monroe Street. 1/ 2/

35 mph from 300 feet south of Monroe Street to 425 feet south of Monroe Street. 3/

35 mph from 425 feet south of Monroe Street to 500 feet south of Monroe Street. 4/

35 mph from 500 feet south of Monroe Street to 0.21 miles south of Monroe Street. 3/

35 mph from 0.21 miles south of Monroe Street to 100 feet north of SE Furnberg Street. 4/

35 mph from 100 feet north of SE Furnberg Street to SE Harmony Street (SE Railroad Avenue). 1/ 4/

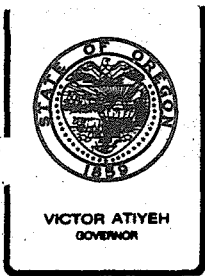
1/ Except that in the following sections, the designated speed shall be 20 mph when children are present as per the provisions of Subsection 2.a., of ORS 487.470:

From: SE Steen Court	To: SE Needham Avenue
From: SE LaJolla Avenue	To: 250 feet north of SE King Road
From: 350' N of SE Furnberg Street	To: SE Aspen Street

2/ In Clackamas County only

3/ Centerline of roadway coincident with the city limits of Milwaukie and Clackamas County

4/ Within the city limits of Milwaukie



## Oregon State Speed Control Board

TRANSPORTATION BUILDING, SALEM, OREGON 97310

October 31, 1983

VI  
a(4)

In Reply Refer to  
File No.:  
TRA 7-3

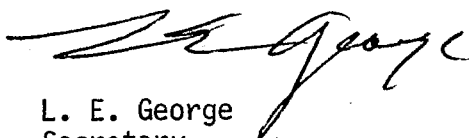
Laurie Perkin  
City Recorder  
City of Milwaukie  
City Hall  
Milwaukie, OR 97222

As requested in a letter from Steven M. Hall, Public Works Director, dated July 19, 1983, a speed zone investigation has been conducted on SE Linwood Avenue in the City of Milwaukie and Clackamas County. A copy of the speed zone report is enclosed.

The report proposes to retain the existing speed zoning on SE Linwood Avenue as shown on the enclosed Exhibit.

If the proposal is acceptable, no further action is required; however, if you do not concur, please so notify this office, the report along with your letter of objection will be presented to the State Speed Control Board at its next meeting.

If no response is received within sixty (60) days following the receipt of this letter, no further action will be taken concerning this speed zoning.

  
L. E. George  
Secretary

Enclosure

cc: Bernard L. Straight, Clackamas County

SALEM ADDRESS:  
4035 12TH S.E. #20  
P.O. Box 13089  
SALEM, OREGON 97309  
(503) 399-5756

# Congress of the United States

## House of Representatives

Washington, D.C. 20515

VII  
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November 23, 1983

The Honorable Joy Burgess  
Mayor  
City of Milwaukie  
10722 S.E. Main Street  
Milwaukie, Oregon 97222

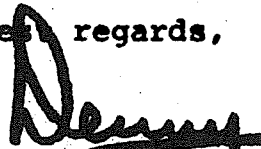
Dear Joy:

I appreciate knowing that the City of Milwaukie does not favor S.66, as approved by the Senate.

I support the concept of a national cable policy, but one that accommodates a range of interests. I feel it is in the interest of everyone to work out compromises which will best meet the needs of all players and ultimately the consumer.

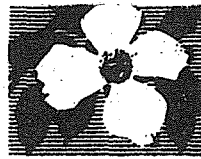
As negotiations between the cities and cable operators continue, I trust some agreements can be made and that whatever legislation comes out of the House, if any, will reflect these concerns.

Best regards,

  
Denny Smith  
Member of Congress

DS/sf

# CITY OF MILWAUKIE



PUBLIC WORKS DEPARTMENT  
in the City Hall - phone 659-5171

1 83 10  
MILWAUKIE

## \* \* M E M O R A N D U M \* \*

November 28, 1983

TO: Hugh Brown  
City Manager

FROM: Steven Hall  
Public Works Director *A.M.H.*

SUBJECT: Contract Negotiations  
CCSD #1

*VII*  
*B*  
*(2)*

Attached is an update report from Bartle Wells Associates as requested by City Council.

At this point they have fallen behind about one month from their previous schedule.

I hope to have a meeting with Clackamas County and Bartle Wells soon for another review of their progress.

November 8, 1983

Municipal Financing Consultants  
1636 Bush Street  
San Francisco 94109  
415 775-3113

Steve Hall, Director of Public Works  
City of Milwaukie  
10722 SE Main Street  
Milwaukie OR 97222

VII  
B (2)

Dear Steve:

This letter summarizes Bartle Wells Associates' efforts through 11/04/85 on sewer service arrangements between the city and Clackamas County Service District No. 1.

- o Estimated budgeted treatment expenses of the district, and collection system expenses of both the city and the district.
- o Projected the EDU counts of both agencies ahead five years. Currently, Milwaukie contains about 11,000 EDU's using the district's assignment method. This represents 46 percent of the total EDU's served by the Kellogg plant. Also projected the assessed valuation of both agencies.
- o Based on our estimates, prepared monthly EDU costs for treatment, collection system O&M, and existing debt service. These costs were summed to show the cost for sewer service for several alternative cost-sharing methods.
- o Met on 10/14/83 with representatives of the city and district to review our estimated expenses and growth projections of EDU's and assessed valuation.
- o Prepared a computerized five-year revenue and expense projection using corrected cost and growth estimates. The projection shows the effect on users in both agencies for three scenarios:
  - o Continue as per existing contract.
  - o New service contract.
  - o Merger of district and city sewer service.

These revised projections will be presented to district and city staff on 11/09/83, along with a brief analysis and recommended contract terms.

Very truly yours,

BARTLE WELLS ASSOCIATES

*Bill Sinsky*  
William A. Sinsky

WAS:mt  
L5-A24

cc: David J. Abraham

TRAFFIC SAFETY COMMISSION  
Minutes - 10/10/83

VII  
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I CALL TO ORDER: Meeting was called to order at 7:30 p.m. in the City Hall Council Chambers by chairman Louis Bruneau.

MEMBERS PRESENT: Louis Bruneau, Chairman  
Warren Bottemiller  
Dick Samuels  
Delbert Binkley

MEMBERS ABSENT: Jim Stell - Excused

STAFF PRESENT: Paul Roeger, Office Engineer  
Judy Small, Secretary

II APPROVAL OF MINUTES: It was moved by Samuels, Seconded by Bottemiller to approve the minutes as written for the meeting of 9/12/83. Motion carried by unanimous vote.

III AUDIENCE PARTICIPATION: Donna Wyse of Clackamas County chapter of MADD gave a general review of the organization and activities of MADD and the steps for organizing the Clackamas County Chapter. Membership fees are \$20 for individuals, \$40 for Family, and \$150 for an organization.

In addition to MADD there are Students Against Drunk Drivers and Kids against Drunk Drivers (SADD & KADD).

Bruneau noted that the Commission would approach the City Council with the possibility of the City paying for an organization membership for the Traffic Safety Commission.

November 17th there will be a benefit basketball game between the Trailblazer Staff and the KEX Hot Shots at Parkrose high school. Tickets will be \$3.00 for adults and \$1.50 for children. Posters and other publicity will be handled by MADD.

IV OLD BUSINESS:

- A. Project Status, Railroad/Harmony Road project hearing date is set for December 7th.
- B. Bruneau Report - letter/memo sent to the City Council regarding legislative action. Bruneau expressed a desire to make a recommendation to the Budget Advisory Committee and the City Council to consider setting priorities and establishing funds for Police support of drunk driver legislation and traffic crash investigation. He will put together a recommendation for the TSC to consider at the next meeting.

TSC Minutes  
10/10/83  
page 2

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IV C. Stop sign request - No action required.

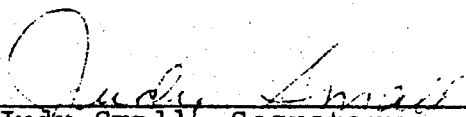
Roeger and Binkley gave a report on the drunk driver demonstration at Portland International Raceway.

Bruneau reminded the Commission about the State Traffic Safety Commission meeting on Monday October 17th. Roeger, Binkley and Bruneau will be attending.

It was moved by Binkley, Seconded by Samuels to adjourn. Motion carried by unanimous vote.

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Louis Bruneau, Chairman

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Judy Small, Secretary

VII  
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PLANNING COMMISSION MINUTES

REGULAR MEETING

OCTOBER 11, 1983

MEMBERS PRESENT

JOHN LITTLEHALES  
BETTY ROHOLT  
BOB BROWN  
REBECCA SWEETLAND

EXCUSED ABSENSES

GEORGE CATHEY, AL LIANE, JOHN FOSTER

Mr. Littlehales opened the meeting at 6:30 PM.

3.1 LINCOLN MILWAUKIE ASSOCIATES LIMITED, Applicant and Owner  
S-83-4; VR-83-28

LOCATION: Kellogg Industrial Park area at the eastern end of Mailwell Dr., between the Southern Pacific and Tillamook Branch railroad lines. It is bounded on the south by Highway 224. (1 1E 25 CA T.L. 3400)

PROPOSAL: Preliminary Plat approval for a four-lot subdivision, and a variance to the public street frontage and landscape requirements.

Lori presented the Staff Report, adding the following conditions: That each building comply with the requirements of the Director of Public Works as described in the Public Works Memorandum (Exhibit #7).

Mr. Littlehales asked Staff to clarify the previous condition regarding landscaping and compliance with building standards. Steve explained that the classification of the building, according to the Building Code, requires a certain separation from adjacent buildings or property line. The required distance from the property line to the buildings is 60'. As a result of the Subdivision this distance is reduced. Therefore it may be necessary to compartmentalize the building to reduce the areas by installing fire walls internally.

APPLICANT'S RESPONSE:

SPEAKING: DAVID DOUTHIT, LINCOLN DISTRIBUTION CENTER

Mr. Douthit said he accepts the Staff Report, with the exception of the 60' setback issue. He said the four buildings that exist on the property all have the 60' setback, nothing else could be built between them. They have cooperated with the Fire Marshal in the past by installing draft curtains and fire walls and will continue to do so. The buildings are installed with a fully calculated automatic sprinkler and alarm system operated by a computer which will notify the tenant, property owner, and Fire Department in case of fire.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - OCTOBER 11, 1983

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Mr. Douthit said that if additional landscaping is required on the site it will be installed. The building and landscaping design has been featured in several trade magazines. The bank on the east side is very steep. The objective was to maintain as much of the natural landscaping as possible, adding various species of trees. Unfortunately some of the trees have died, but will be replanted. After hydroseeding, jute netting was installed to prevent erosion of the bank.

Ms. Sweetland made a Motion to approve S-83-4; VR-83-28 with the five Conditions listed in the Staff Report, and additional conditions to read #6 - That each building comply with the requirements of the Director of Public Works as described in the Public Works Memorandum (Exhibit #7.); #7 - A \$500. bond to be posted and returned upon the satisfaction of the other completed conditions; as well as, the findings stated in the Staff Report and additional finding to read: No adverse testimony was received at the public hearing. Ms. Roholt Seconded the Motion.

Mr. Brown said with the existing landscaping and management of the site it is not necessary to attach a condition for bonding. He suggested that Condition #5 be changed because it may be impossible to attain a smooth surface of the landscaped area. Mr. Littlehales and Ms. Roholt agreed that the bonding would be unrealistic because of the railroad track near the site.

Mr. Brown made a Motion to amend the Main Motion, deleting Condition #7: A \$500. bond to be posted and returned upon the satisfaction of completed conditions. Condition #5, to be revised to read: The applicant must improve the landscaping along the eastern boundary of the property to the satisfaction of Staff. Condition #6: That each building comply with the requirements of the Director of Public Works as described in the Public Works Memorandum (Exhibit #7.) Mr. Littlehales Seconded the Motion for amendment. The Motion carried 3-1, Ms Sweetland voting in opposition.

There was no further discussion on the Main Motion, it carried unanimously.

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S-83-4; VR-83-28

FINDINGS:

1. The Preliminary Plat and Variance requests are in compliance with the following sections of the Zoning and Subdivision Ordinances and Comprehensive Plan:

Section 3.01 - 3.04	Subdivision Procedure
3.06 - 3.09	
5.01, 3.c.	Parking Requirement
6.01 - 6.04	Design Standards for Subdivisions

Comprehensive Plan:

OBJECTIVE #5, Policy #1, Page 36-37.

2. No adverse testimony was received at the public hearing.

CONDITIONS:

1. That all lots will have a 30' wide easement of a common area for ingress and egress to both Mailwell Drive and SE 26th Ave. as per the specifications of the Public Works Director.
2. That easements for utilities (sewer, water and storm), parking and rail and team dock access be submitted as per the specifications of the Director of Public Works.
3. That maintenance agreements be submitted for the common accessway, landscaping, parking area and utilities as per the specification of the Director of Public Works.
4. That the 30' wide accessway be designated as a Fire Lane, striped and signed as per the specifications of the Fire Marshal.
5. That the applicant comply with the Landscape Plan, as originally submitted.
6. That each building comply with the requirements of the Director of Public Works as described in the Public Works Memorandum (Exhibit #7.):

All properties must have an easement over a common area for ingress and egress to both Mailwell Drive and SE 26th Ave, and must have equal responsibility for maintenance of said common area.

Easements must also be provided for the sanitary sewer and storm sewer downstream from each building including sharing maintenance responsibilities.

Type of construction is based on one property with 60' yards on all sides. With assumed property lines between buildings additional firewalls in the buildings will possibly be needed.

VII  
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3.4 DISCUSSION FOR PROPOSED AMENDMENT TO THE  
MILWAUKIE ZONING ORDINANCE - Community Service Overlay

Lori presented the draft copy of the new section Community Service Overlay. There was discussion among the Commission and Staff with minor modifications to the wording of the proposed amendment. Specific Standards for Schools - #2, was to be rewritten to indicate that the outdoor play area should be reduced proportionally when groups of children are scheduled for recreation at different times. The word "total" was added to Standard #10.

The Commission returned to the schedule of the agenda.

5.1 CITIZEN COMPLAINTS REGARDING "A" COMMERCIAL TAXI SERVICE

Lori explained the background of the complaint, referring to the Memorandum from the City Attorney. Staff had received complaints from a taxi business operating from a residence at 9827 SE 49th, the issue was brought to the Planning Commission to determine whether or not the business qualifies as a home occupation. The major complaint is that there is substantial noise from the operation of Mr. Gilbaugh's vehicle, especially during the late evening hours. The Commission read the 41 letters in favor of the operation and requesting continuation of the business.

AUDIENCE PARTICIPATION:

SPEAKING: CHARLES ABBOTT, 9834 SE 49th Ave, Milwaukie

Mr. Abbott said he was not complaining about the taxi service but the location of the business. He said the business has a sign in the the window, and operates during the late hours of the night and early hours of the morning, which is a definite disturbance because the noise of the vehicle carries to their residence.

Ms. Sweetland asked Mr. Abbott if the vehicle if unusually loud. Mr. Abbott said the vehicle is a VW bus that makes a lot of noise when shifting and starting. He mentioned the vehicle did not vibrate his home but he does hear the noise.

Mr. Brown asked if the noise is greater than that of any other neighbor's vehicle coming or going during the night. Mr. Abbott said there are two other neighbors who have VW's and the noise is not as the same.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - OCTOBER 11, 1983

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AUDIENCE PARTICIPATION: Continued

SPEAKING: RAY PEIER, 9834 SE 49th Ave, Milwaukie

Mr. Peier is a neighbor. He mentioned that the vehicle has a new muffler now and the noise is not quite as bad. He also stated that it was not right for the City to issue a Business License to a taxi cab service to operate 24 hours a day within a residential area.

Topaz explained that the previous Business License was issued to the business while operating from a Commercial Zone. Since that time Mr. Gilbaugh has moved the business to his home, and applied for a home occupation Business License.

SPEAKING: FLORENCE ABBOTT, 9844 SE 49th Ave., Milwaukie

Ms. Abbott said it was the frequency of the trips during the night that actually cause the disturbance. It is her opinion that they should not have to tolerate renters moving into the neighborhood and deteriorating the quality of it with this sort of disturbance.

SPEAKING: HERB GILBAUGH, 9827 SE 49th Ave., Milwaukie

Mr. Gilbaugh addressed the complaints of his neighbors regarding his home business. He explained the background of his business and the operating functions and hours. Recently the late hours of operation has been conducted from the River Road House. Most of the late night trips are due to emergency situations. Mr. Gilbaugh asked the Commission, what is Milwaukie's commitment to transportation. He said it would be an unpleasant situation if his patrons were without this transportation service simply because the neighbors failed to communicate and resolve the situation. The majority of calls are during the day time hours. Mr. Gilbaugh said he is willing to have the vehicle tested by DEQ for noise level to find if it actually is within the legal limits. The muffler and motor have been repaired to reduce the noise level. He tries to allow time, especially during Sunday evening, for his family that is why he wishes to operate from his home. He has been operating from his home during the same hours that Tri Met operates on 49th Avenue. There was discussion regarding other opportunities for his business being relocated to a downtown location during the late night hours. Mr. Gilbaugh said he would also be willing to park his vehicle at another location on Willow Street if he were allowed to park on the street.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - OCTOBER 11, 1983

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AUDIENCE PARTICIPATION: Continued

SPEAKING: DEAN NORTON, 10707 SE 58th Ave., Milwaukie

Mr. Norton has lived at this address for 58 years, and respects the intentions of the City to regulate business but should allow for an exception to this business. He mentioned various home businesses in the neighborhood that are operating on a regular basis without a Business License.

SPEAKING: BRENDA GILBAUGH, 9827 SE 49th Ave.

Ms. Gilbaugh mentioned that she had tried to communicate with her neighbors to agree on a solution to their complaints. She received a very negative response from Ms. Abbott. The Gilbaughs have tried to compromise with their neighbors, and resolve the issue. They cannot refuse to transport people who are in need of emergency transportation just because their neighbors do not want them to start their vehicle. The Gilbaugh's are striving to keep their small business alive. If the Commission determines that this business should not continue to operate from their residence they would not be able to continue the service. The expense of operating from a separate office would not be feasible. She mentioned that if these complaints are legitimate they should have been spoken when they first moved to that location. Their service is very personalized and directed to the needs of their patrons. Ms. Gilbaugh also mentioned that Mr. Gilbaugh is a day-sleeper and must contend with the noises of the neighborhood during those hours.

SPEAKING: G.A. Brown, Rose Villa, Milwaukie

Mr. Brown said he appreciates the services of Mr. Gilbaugh's taxi service as it is a very reasonable and reliable service.

SPEAKING: Ms. Goodflash, Clackamas

Ms. Goodflash mentioned there is no bus transportation near her home and relies on the taxi service for transportation to the hospital.

SPEAKING: Ms. Shrawn

Ms. Shrawn said the main issue to consider should be that of the Gilbaugh family, who is striving to have a good business and is willing to compromise to continue the service. Consideration should be given to the ability of this family to operate a business within their home, and at the same time spend time together.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - OCTOBER 11, 1983

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AUDIENCE PARTICIPATION: Continued

SPEAKING: Mrs. Pastel, Rose Villa, Milwaukie

Mrs. Pastel said her experience with the taxi service has been very reliable and helpful.

SPEAKING: Ms. Peterson, Rose Villa, Milwaukie

Ms. Peterson said it is convenient to use the taxi service because it is very difficult to get on and off the bus.

Mr. Littlehales explained that the Commission was not discussing or questioning the validity, availability, or importance of the taxi service, but rather the location and hours of operation.

Greg Eades said the main issue is whether or not the business qualifies as a home occupation, considering that the surrounding property owners should be prepared to tolerate some sort of impacts such as noise, traffic, and activity even during the late night hours. Because the Ordinance is so vague in reference to this type of business it is very difficult to determine whether or not they are allowed uses. Public interest should be considered even though most of the testimony received is not relevant to the criteria concerning home occupations. The Commission should also consider the fact that if the business is not allowed to operate out of the home there may be no business at all. The Commission agreed with Mr. Eades that having a sign on the vehicle is no different than driving a company car home. The Commission must determine whether or not the impacts are greater than those experienced in any other neighborhood use.

It was the consensus of the Staff and Commission that a meeting be scheduled to attempt to resolve the problem and find an alternative location to operate the business during the hours of midnight till 6:00 a.m. The public hearing was continued until November 22, when alternatives will be presented to the Commission. All interested parties will be notified of the hearing.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - OCTOBER 11, 1983

VII  
d (8)

7.1 MEMORANDUM FROM CITY ATTORNEY - Assembly of God, C-83-8

Topaz explained the recent problems with the use of the property. Greg said that after reviewing the file, and conversations with the Church people it was determined, because of the amount of confusion, that the City did not have a strong argument against the continued use to allow the horses on the property. It was determined, by consensus, that there was not enough evidence to justify commercial use of the property. Further complaints will be accompanied with documentation of violations.

7.2 JOINT MEETING - PLANNING COMMISSION AND MERCHANTS

Topaz announced a joint meeting to be held October 25, at 6:00 PM. The purpose of the meeting will be to discuss signs within the downtown area. Staff has the responsibility of enforcing the sign code, and is concerned with styles, location, size and number of signs currently used throughout the downtown area.

5.2 RETAIL SALES WITHIN MANUFACTURING ZONES

Topaz reviewed the memorandum to the Commission dated October 11, 1983 referring to the PS Business Park and Conditional Uses of that property. It is the belief of the Staff that only businesses which have manufacturing or warehousing components should be allowed to located within the M-L Zone. The Commission concurred with Staff's interpretation of the ordinance.

Topaz asked the Commission if classes could be allowed within the C-L Zone. The Commission believes that the C-L Zone is actually a transition zone, where the intent of the Ordinance was to limit certain uses to other commercial zones where specific uses are allowed.

It was the consensus of the Commission that the Public Hearing regarding proposed amendments to the Zoning Ordinance be continued until the next meeting.

The Meeting Adjourned at 10:30 PM.

PLANNING COMMISSION MINUTES

REGULAR MEETING

NOVEMBER 22, 1983

VII  
d (9)

MEMBERS PRESENT

JOHN LITTLEHALES  
JOHN FOSTER  
REBECCA SWEETLAND  
GEORGE CATHEY  
BETTY ROHOLT  
BOB BROWN  
AL LIANE

STAFF PRESENT

TOPAZ FAULKNER, PLANNING DIRECTOR  
LORI MASTRANTONIO, ASSOCIATE PLANNER  
CAROL LEE, SECRETARY  
GREG EADES, CITY ATTORNEY

Mr. Cathey called the meeting to order at 6:35 PM, explaining the procedures of the meeting. At the Planning Commission Meeting of November 8, 1983 the public hearing was closed, no further testimony would be received. The hearing would begin with Commission's deliberation.

- 3.1 TRI MET TRANSIT CENTER (C-83-15)  
Continued from November 8, 1983 Public Hearing  
LOCATION: 11222 SE Main St.  
PROPOSAL: Conditional Use request to allow a Transit Center within a Central Commercial Zone.

Mr. Cathey said he had listened to the tapes of the November 8, 1983 Planning Commission Meeting and feels he is prepared to vote on the action regarding C-83-15. Mr. Laine stated that he was in opposition to Mr. Cathey voting if the request was to be reconsidered. Greg Eades said it has been the practice of the Planning Commission and City Council to allow any member the opportunity to vote on any action requested if he felt he was adequately informed of the topic. Mr. Brown concurred, and mentioned that there had been several times when a Commissioner was absent for the first part of the hearing but was allowed to vote at the second part, which also included Ms. Roholt being absent at the September 27, 1983 public hearing but voting during the November 8, 1983 public hearing for the Conditional Use Request C-83-15. Greg explained the action of the Commission at the November 8, 1983 Planning Commission Meeting; he said, the Motion to approve the request failed and Staff was directed to develop findings, if those findings are approved the decision will be final.

Mr. Littlehales declared a conflict and temporarily stepped down from the panel.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

VII  
d (10)

C-83-15 Continued

Lori presented the Staff Report, reviewing the Findings regarding the request for conditional use to allow a Transit Center at the AG building off of Main and Adams Street. At the meeting held November 8, 1983 the Commission directed Staff to prepare findings as suggested by three of the Commissioners supporting the denial of the request.

Mr. Laine referred to the memorandum, from the Planning Director, dated November 22, 1983, regarding findings for the Tri Met application C-83-15. Mr. Laine said the Commission has established a precedent which in a court of law is enforceable. He expressed that he is opposed to the statement from the Planning Director which indicates that adverse testimony is not a legally supportable finding.

Mr. Foster requested the Commission call for a vote of the proposed findings as presented in the Findings, Conclusions, and Order for C-83-15.

Mr. Brown stated that the statement under Conclusions, Page 2 of the Findings, Conclusions, and Order, dated November 22, 1983, is not appropriate as the Commission did not vote that the request does not meet the criteria under the Conditional Use procedure or the specific Comprehensive Plan policies.

Lori explained that after the motion for approval of the request was defeated the Commission directed Staff to develop findings supporting denial of the request.

Greg said the Commission is required to make a decision which is supported by findings.

Ms. Roholt asked Greg to clarify the question of whether or not Mr. Cathey had the right to vote. Greg said he could not remember any time when the Council or the Planning Commission had decided that it was not appropriate for a member to vote on a matter of which they did not participate in the prior hearing. It has always been allowed if a member had been adequately informed of the issue by listening to tapes or reading meeting minutes. He also mentioned there are no requirements in either the State Law or Zoning Ordinance on the subject. All that the law requires is that comments regarding conflict of interest are received either from the Commission or audience, and then the person can vote if they want to.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

VII  
d (11)

C-83-15 Continued

Mr. Cathey apologized for being harsh in his attempt to keep the meeting in order. There was discussion among the Commissioners regarding the correct procedure to be followed. There were several interuptions from persons in the audience. Mr. Cathey said there would be no further testimony because the public hearing was closed. Mr. Brown agreed that Finding #1 of Staff's Findings and Reasons is correct in that a parking lot is not what one would considered a low-intensive use or something that should be within an Ecologically Significant Area. However, the only testimony regarding that point was Mr. Houck of the Audubon Society, who concluded that the currently vacant, City-Owned parcel, is not a significant wildlife or bird habitat; and the proposed landscaping would be beneficial but the parking lot is not detrimental to Kellogg Lake. He also stated that human use and enjoyment of the site is not possible due to the noise from McLoughlin Boulevard. Mr. Brown said he did not feel that Finding #1 is supported by the record.

Mr. Foster spoke about Finding #2 of Staff's Findings and Reasons. He said that the proposal is not a timed transfer station, as the Comprehensive Plan calls for. He said a timed transfer station is a place where all the buses come together in one time at one place so that people can exchange from one bus to another. He feels it would never be possible to accomplish this at the proposed site. Mr. Foster said the site is unsuitable for the occupancies listed in the application, specifically, provide space for a timed transfer station for eight bus routes with the possibility of 12 buses parked there simultaneously. He said the proposed site is not able to accommodate a Greyhound Bus Station, stop and go usage, private auto traffic, post office parking and foot traffic, restaurant, clothes cleaning, occupants of the second floor, bicycle lane, and pedestrian transit. He also said there was insufficient information presented by the applicant for future developments of truck routes, light-rail, park and ride facilities, residential and industrial growth and services.

Mr. Liane said the reasons he voted against the motion to approve the request were based on public safety. The buses would have to maneuver around the existing building which will be used for a post office where there will be postal patrons, Greyhound bus patrons, and Tri Met patrons coming to a small area. The daily projection of 274 buses to run north from the site on Main Street, and buses scheduled to run other directions presents too much traffic conjection in too small an area to be conducive to pedestrian and vehicular traffic safety. He also stated that in the past the Commission has chosen to list adverse testimony as a finding. He said there was no supporting testimony, that all testimony was of an adverse nature to the conditional use proposal. He refered to the memorandum

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING NOVEMBER 22, 1983

VII  
d (12)

C-83-15 Continued

from the Planning Director, which indicates that adverse testimony is not a legally supportable finding. He said the public has the right to voice their opinion of any issue and should be heard, anything less would be a mockery to the United States Constitution.

Ms. Sweetland referred to Finding #1 of Staff's Findings and Reasons. She said she agreed with Mr. Houck's statement that the area is not currently a wildlife habitat, however he only spoke about wildlife and not fish. She said that anything that happens on the proposed site will affect the fish in Kellogg Lake, because they pass through the lake to spawn upstream. In her opinion Tri Met could have presented other proposals for the site that would have constituted as a low-intensive use.

Mr. Cathey said the term "low-intensive" is somewhat ambiguous and inappropriately used in Finding #1 of Staff's Findings and Reasons. He mentioned Mr. Houck had stated that the area could be enhanced by landscaping, and tri-level vegetation. Tri Met had agreed to install a trap for oil and gas deposits, which will protect the fish in the lake. He does not agree with Finding #2 because currently the noise on McLoughlin Boulevard makes one uncomfortable and has a definite affect of the area. He said the Tri Met proposal included structural changes of the building which could eliminate some of the potential problems regarding safety and traffic patterns. Mr. Cathey addressed concerns stated in the letter presented to the Commission from Mr. Foster. Mr. Cathey said after viewing operations of other transfer stations as well as the current operation located at City Hall, he feels that the proposal would improve service in Milwaukie. He said the trunk route issue is completely irrelevant to the issue of the proposed Transit Center because the center could serve the trunk line from either of the suggested sites. Mr. Cathey also addressed concerns stated in the letter presented to the Commission from Mr. Liane. He mentioned that the Transit Center located in Beaverton is a small facility, but operates very efficiently as a timed transfer station. He said that the statement that all testimony received was of an adverse nature is not true. Andy Catugno, of Metropolitan Services testified in support of the proposal and several letters from the business community were received in support of the request. Although, in the past, the Commission has listed adverse testimony as part of the Findings it is not actually part of the criteria of which the merits of any particular application is judged.

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d (13)

C-83-15 Continued

Mr. Foster said that in his observation of the transfer station in Beaverton he noticed maneuvering area for articulated buses, but does not believe that the proposed location in Milwaukie will accommodate articulated buses.

Mr. Liane said that adverse testimony was received from the general public, not from City or other agency officials.

Mr. Liane made a motion not to allow, or exclude Mr. Cathey from voting on the action of Tri Met C-83-15, because he did not attend the November 8, 1983 public hearing. Mr. Foster Seconded the Motion. Mr. Brown said that if the motion is voted on the Commission should realize that a policy is being set for the Planning Commission and all members of the Commission should vote on issues that deal with procedure or policy of the Commission. The Motion failed 4-2, Mr. Foster and Mr. Liane voting for the Motion.

Ms. Sweetland made a Motion to deny C-83-15 pursuant to the Findings, Conclusion and Order as presented by Staff. Mr. Foster Seconded the Motion. The Motion motion failed, 3-3, Mr. Foster, Ms. Sweetland, and Mr. Liane voted in favor of the Motion; Mr. Cathey, Ms. Roholt, and Mr. Brown voted in opposition to the Motion.

Mr. Cathey made a Motion to refer the request to the City Council for action. Mr. Brown Seconded the Motion, it carried unanimously.

Mr. Laine and Mr. Foster voiced points of concern regarding a task force and alternative sites.

Greg explained that the application still had not yet been denied.

Mr. Brown asked what action the City Council would take on the application. Greg said the Council will hear the application de novo, which means the hearing will start over again.

VII  
d (14)

C-83-15 Continued

Mr. Foster said he felt the public should have the opportunity to testify and should be recorded to reflect the opinions of the general public. Mr. Cathey mentioned that all testimony received must speak to the criteria on which the application must be judged. Even though it is difficult, the Commission must separate the emotional portion from the actual criteria of which any application must be judged. Mr. Foster stated, that based on that procedure the hearing then is not a democratic process. Mr. Cathey agreed, stating that the public has a right to testify on the issue but are not given the opportunity to vote on the action, that is the purpose of the Planning Commission.

Mr. Liane said he questioned the validity of the Motion to accept the Findings as presented by Staff, which would have denied the request based on the Findings. Mr. Cathey told Mr. Liane he was mistaken, there had been no Motion to deny the application.

The application will be presented to the City Council for action, notification of that public hearing will be sent to adjacent property owners and the news media.

The Commission recessed for 10 minutes. (This completes the section regarding the Tri Met Public Hearing.)

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MILWAUKIE SENIOR CENTER  
ADVISORY BOARD  
MINUTES

VII  
E (1)

OCTOBER 21, 1983

Members Present:

Sharon McCartney  
Helen Kappler  
Irene Suchsland  
Paul Schafer  
Janet Witter  
Cathryn Boyles

Members Excused:

Maxine Hansen  
Jean Higginbotham  
John O'Hara

Staff: Sara Hite  
Guest: Doris Olsen

Janet Witter, Chairman, called the meeting to order.

Sharon McCartney read the minutes. They were accepted as read.

Policy on Use of Sound System during Senior Center Hours

Janet read the minutes from the Center Program Committee's meeting of September 8. Briefly, the minutes stated that Joe Manza, representing the Milwaukie 39's Travel Club, asked Walt Hegg for a clarification of the policy of having to pay for an announcement at the Loaves and Fishes meal. When questioned by Walt, Joe explained that the travel group had never been a profit making organization. The Program Committee then requested that Loaves and Fishes give the Center Director a written policy regarding announcements over their loudspeaker system. They also requested a deadline, but Walt did not supply an action date.

The Program Committee also addressed the continuing problems with the pool equipment.

These two areas of concern were discussed by the Board. A motion was made and passed that the Advisory Board strongly recommend that the City purchase both the P.A. system and the pool equipment. The intent of the Board is that all of this equipment be available to all Center users without charge. It was agreed that Janet would write a memo to the City Manager recommending this action. Also Sara was requested to have someone come to the Center and appraise the value of the pool tables and the Public Address System. It was also suggested that the condition of the unused shuffleboard be evaluated as to repair or replacement.

Review of Draft of Proposed Building Use Guidelines

Sharon suggested that a representative from Loaves and Fishes participate on the Building Use Review Committee which has been established to determine the appropriateness of

placement of equipment, furnishings, and/or gifts to the Center. Sara endorsed this suggestion. She feels it is important that Loaves and Fishes have an opportunity to provide input in this area.

It was agreed that the statement No. 4 under III in the Building Use Guidelines be changed to read the following: Public Announcements of a brief nature shall be incorporated in congregate meal announcement period by prior arrangement by the Center Director.

The Board felt this change was necessary in order to ensure that all pertinent information about services for seniors be provided at the Center. To do otherwise would be a disservice to seniors.

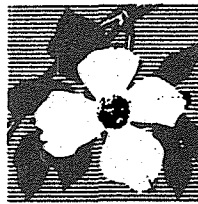
### Elections

The following individuals were nominated and voted into office:

1. Chairman -- Maxine Hansen
2. Vice-Chairman -- Irene Suchsland
3. Secretary -- Janet Witter

Recording Secretary  
Sharon McCartney

# CITY OF MILWAUKIE



*VII*  
*f 0*  
OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

December 1, 1983

Robert S. Wilson  
10101 SE 49th Ave.  
Milwaukie, OR 97222

Dear Mr. Wilson:

Thank you for your letter regarding the response of the Milwaukie Fire Department to the recent fire at your home. I, too, am pleased we were able to respond within a short time and hope the damage was not too serious to your home. A nighttime emergency can be frightening and I understand the relief provided by a quick response.

The City of Milwaukie strongly believes in quality public services and your support is appreciated. I particularly welcome your offer to be of service to the city and encourage, as one possibility, your interest in the citizen boards and commissions that advise City Council. If you would like additional information please feel free to call the City Recorder, Laurie Perkin.

Best wishes for the holiday season!

Sincerely,

Joy Burgess  
Mayor

cc: City Council

VII  
November 23, 1983 f(2)

Mayor Brundage  
City of Milwaukie  
Milwaukie City Hall  
10722 S.E. Main  
Milwaukie, OR 97222

Dear Mayor Brundage:

I would like to take the opportunity to express my sincere appreciation of and gratitude for the organization and personnel of the Milwaukie Fire Department. These highly skilled, professional public servants just saved my home from burning to the ground. Let me briefly explain the situation.

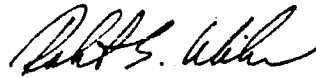
At 3:30 am this morning, I was awakened by the sound and fumes of an electrical fire occurring in the attic above our master bathroom. After realizing what was actually happening, I placed an emergency call to the Milwaukie Fire Department to report the fire. I then immediately took my wife and two month old son next door to our neighbors, which only took about five (5) minutes. By the time I returned home the first truck/crew had arrived and I could see lights of a second. I would guess that the total elapse time from my call to the first fireman going into the attic was only ten (10) minutes. This is not only fantastic, it is property tax well spent

In a time of economic uncertainty, governmental spending cutbacks and public non-support of local government, tax levies and community services, I would like to be on record as saying....."Here's one property owner/tax payer that appreciates what is being done and has been done for him." My wife Bernadine and son Christophe also wish to thank you.

A hearty thankyou to Chief Dick Bailey and the men of Milwaukie Fire Department and District #1.

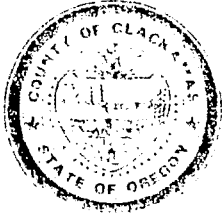
If I can ever be of service to the City of Milwaukie, please do not hesitate to call.

Sincerely,



Robert S. Wilson  
National Guard Officer

10101 S.E. 49th Ave.  
Milwaukie, OR 97222  
659-8027



COUNTY OF CLACKAMAS  
BOARD OF COMMISSIONERS

OREGON CITY, OREGON 97045

655-8581

ROBERT SCHUMACHER, CHAIRMAN  
RALPH GROENER, COMMISSIONER  
DALE HARLAN, COMMISSIONER

PLEASE NOTE  
SCHEDULE CHANGE

November 15, 1983

TO: Department Heads  
Mayors/City Managers

I recently sent you an invitation to a workshop which was scheduled for December 2 at 10:00 a.m. Mr. Bill Grannell has a conflict with this date, therefore, it will be necessary to change this workshop.

✓ The workshop for City Managers, Mayors and Council members is now scheduled for Monday, December 12, 1983 at 10:00 a.m., Conference Room A, Department of Environmental Services, 902 Abernethy Road in Oregon City.

We will be looking forward to seeing you at that time.

A handwritten signature in cursive script, appearing to read "Jerry Justice".

JERRY JUSTICE  
Assistant to the Board

JGJ/dab

MEMORANDUM

December 6, 1983

TO: CITY COUNCIL

FROM: GREG EADES, CITY ATTORNEY

SUBJECT: OREGONIAN ARTICLE

I thought you might be interested in the attached article from the West Metro edition of the Oregonian dated December 4, 1983

# Unpopular decisions fact of life for elected officials

## County commissioners risk constituents' revenge, but face up to challenge

By HARRY BODINE  
of The Oregonian staff

HILLSBORO — One of the toughest challenges an elected public official encounters is making a decision he knows will be unpopular.

It's even rougher when the official is face to face with 200 constituents, sometimes close friends and neighbors, who want help, expect it and are clearly upset when they don't get it.

Twice in recent weeks, Washington County commissioners have found themselves in this position. On Oct. 25, their hearing room was jammed with citizens determined to kill a proposed local improvement district that would tap their pocketbooks to rebuild and widen Southwest Hart Road west of Beaverton.

Three weeks later a smaller, but equally determined, group of Rock Creek Ranch homeowners petitioned the county Board of Commissioners to turn down a proposed residential development they feared would seriously damage their property values.

The board split 3-2 on the Hart Road issue when Commissioner Bonnie L. Hays offered a motion to keep the road improvement project alive. The audience, which had sat passively during two hours of testimony, rumbled with disapproval.

Hays, whose district includes the Hart Road area and whose term expires with the 1984 elections, was marked down as a "one-term commissioner" by one irate property owner as he left the room.

"We'll be back," another man called out.

Later, Hays said it would have been "politically feasible" to vote to kill the proposed local improvement district and thus make those present happy, but it would not have solved the problem of Hart Road. She and board Chairman Wesley L. Myllenbeck met with Hart Road residents after the LID decision in an attempt to find a course of action acceptable to all concerned.



BONNIE L. HAYS

On Nov. 15, the board voted 4-1 to support Far West Properties Inc.'s bid to build 114 single-family homes, priced one-third to one-half below current selling levels, in the Rock Creek Ranch neighborhood.

Commissioner Eva M. Killpack, convinced that Far West's proposal met the county's development requirements and was legally sound, voted with the majority even through the Rock Creek Ranch residents were her constituents and were visibly disappointed that she did not support them.

Killpack could have voted against the Far West project and it still would have been approved. Thus, one friend noted, Killpack's constituents would not have been upset with her personally.

"I could have voted 'no' just to make myself popular, but I could not do that," Killpack said a short time later.

Killpack's Rock Creek Ranch vote came only three weeks after she and a



EVA M. KILLPACK

majority of the board members angered supporters of the county's cooperative library services by turning down their request to place a \$22 million-per-year serial levy on the March 1984 ballot.

The library vote, also a 3-2 decision, came after a sleepless night for Killpack. Strongly favoring libraries, she said she had wrestled mentally for hours trying to decide whether the proposed levy, 2.5 times the amount of an existing one, was sound public policy and should be placed before the voters.

Afterward, leaders of the Cedar Mill Community Library in her district distributed a flier Killpack felt did not fairly represent her view.

Killpack said the library vote and one that involved lining a quiet neighborhood street near Cedar Mill to the Sunset Highway were the two toughest votes she has had to cast since taking office last January.

"I guess it's because I'm so close to



WESLEY L. MYLLENBECK

both of them," she said.

Land-use issues frequently offer moments of anguish to both county commissioners and other local officials. Former county Commissioner Jim Fisher termed deciding such issues as "playing God with people's land."

When a vote is cast on land use, "you're dealing with people's hopes and dreams," Commissioner Lucille Warren said.

Myllenbeck said the most difficult vote he has had to cast since taking office last January was one to keep Washington County tied with Multnomah County in implementing the federal government's new Job Training Partnership Act.

Every chamber of commerce in the county except Beaverton's favored a separate program in Washington County.

"There was a lot of pressure," Myllenbeck said. The situation was worse



LUCILLE WARREN

when subsequent developments caused him serious doubts that he had made the right decision earlier, he said.

Part of the Washington County Courthouse's folklore involves a challenge to former County Commissioner William F. Bloom (1977-1979) by an angry constituent during a public hearing.

The constituent, a woman, reminded Bloom that she had voted for him and now was regretting it. If Bloom did not vote the way she wanted on the issue at hand, she would work to recall him from office, the woman said.

"That's fine," Bloom replied. He said he certainly was not dependent on his job as a commissioner — which paid \$150 per month in those days.

Bloom went on to explain to the woman where she could pick up recall petitions and concluded the conversation by saying he would vote for what he felt were the county's and public's best interests.

# MEMORANDUM



TO: RAILROAD/HARMONY  
TECHNICAL ADVISORY COMMITTEE

FROM: GARY SPANOVICH, PROJECT MANAGER

DATE: NOVEMBER 28, 1983

SUBJECT: REVISED SCHEDULE - ENVIRONMENTAL ASSESSMENT

JOHN C. McINTYRE Director  
THOMAS J. VANDERZANDEN Project Development Director  
WINSTON W. KURTH Deputy Director  
DAVID R. SEIGNEUR Development Agency Director  
BENJAMIN R. RAINBOLT Administrative Services Director

Members

Steve Hall  
Andy Cotugno  
Jef Kaiser  
Alonzo Wertz  
Cliff Christensen  
Bernie Straight  
Bob Campbell  
Dwayne Moore  
Leann Schneider

Representing

Milwaukie  
MSD  
ODOT  
Tri-Met  
FHWA  
Clackamas County  
Omark Industries, Inc.  
SP Industrial Develop. Co.  
Clackamas Town Center Manager

COPIES ALSO SENT TO:

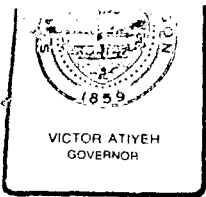
Lee Hames, Tri-Met  
~~Lee~~ Mastrantonio, Milwaukie  
Jim McClure, ODOT  
Tom VanderZanden, Clackamas County

REVISED SCHEDULE

Attached is the revised schedule for the Railroad/Harmony EA I have just received from ODOT. ODOT has indicated it is the minimum schedule necessary to obtain FHWA approval, so the process could be somewhat longer, although this isn't anticipated.

/hb  
Attachment

1/16'



Department of Transportation  
HIGHWAY DIVISION

Metro Region

9002 SE. McLOUGHLIN BLVD., MILWAUKIE, OREGON 97222 PHONE 653-3090

21 November 1983

In Reply Refer To

File No.:


203-1918-901

GARY SPANOVICH, Project Manager  
Clackamas County  
Dept. of Environmental Services  
902 Abernethy Road  
Oregon City, Oregon 97045

Subject: Milwaukie CBD - 82nd Avenue  
Railroad/Harmony

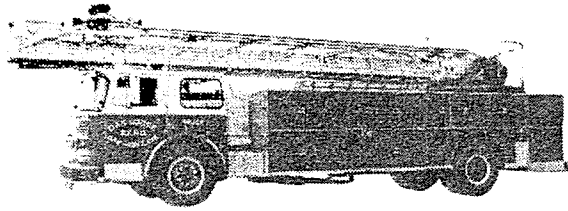
I estimate that the following time frames will be the minimum that are necessary to obtain FHWA design approval:

1. Submit Environmental Assessment (EA)  
for Study Committee Review Nov. 16
2. Study Committee comments  
returned to Clackamas County Dec. 7
3. County submits revised EA for  
approval Dec. 21
4. EA approval obtained Feb. 1
5. Public distribution of EA.  
Advertise for public hearing Feb. 15
6. Hold public hearing Mar. 21
7. Obtain resolutions from  
Milwaukie and Clackamas County  
adopting the selected alternative Apr. 25
8. Submit FONSI for approval  
(a study committee may be required  
depending on alternative  
selected)
9. FHWA design approval. June 1, 1984

  
JEF KAISER  
Environmental Manager

JK:ap

# Oak Lodge Fire Protection District No. 51



BOARD OF  
DIRECTORS

P. O. BOX 68125  
OAK GROVE, OREGON 97268

EMERGENCIES 659-5444  
BUSINESS 653-2432

November 22, 1983

TO: Hugh Brown, City Manager  
Richard Bailey, Fire Chief  
City of Milwaukie

SUBJECT: Amendments to the Proposed Intergovernmental Agreement for the  
Provision of Fire Services

Hugh:

The Board of Directors of Oak Lodge Fire District #51 at its special public hearing held November 21, 1983, after reviewing the City of Milwaukie's recommended changes of November 8, 1983 have voted unanimously in agreement of the same.

1. Section 5 (a)

Change the composition of the Commission from five to four members.

2. Section 5 (b)

Substitute the following language for this subsection:

"The Commission shall be appointed by the City Council and the District Board respectively. The City Council and District Board shall each appoint two (2) members. The members shall be appointed for one year terms."

3. Section 5 (d)

Delete beginning and ending dates of initial terms until a firm implementation date is set.

4. Section 6 (a)

Substitute the word Commission for the word quorum.

5. Section 8 (d)

Substitute the following language for this subsection.

"The Annual Operating Budget shall be in a format acceptable under state budget law. Adoption of the budget shall be by the Commission upon approval by the City Council and the District Board of their respective costs.

6. Section 8 (e)

delete

7. Section 8 (f)

delete

8. Section 10 (a)

delete the word administratively.

9. Section 14 (a)

Substitute the following language for this subsection.

"Any party may terminate this agreement only for cause. Cause shall be defined as: 1) inability to provide funding of the party's portion of the department's costs or, 2) irreconcilable differences among the parties which exist after mediation of those differences. Written notice of termination must be given by certified mail, return receipt requested, to the other not less than 180 days prior to the end of the fiscal year; such termination to become effective at midnight of the last calendar day of the fiscal year in which the notice is given.

10. Section 14 (c)

Substitute the following language for this subsection:

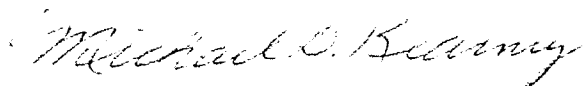
"Upon dissolution of the Department, Management reserves the right to assign personnel based upon department seniority. Employees shall be returned to their respective District/City employment if consistent with the foregoing. Employees shall return under the terms and benefits of the current Department labor agreement except that:

1. For City employees all salaries shall be rolled-back the percentage differential between top firefighters salaries of District and City at the time this agreement was first signed.

The term "Department seniority" means all prior continuous seniority accrued by an employee with his respective District/City together with his seniority accrued with the new Department.

Thank you very much.

Sincerely,



Michael Kearney, Chairman  
Board of Directors

MK:wms