



Regular Session

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Milwaukie City Council



MINUTES
MILWAUKIE CITY COUNCIL
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REGULAR SESSION
AUGUST 4, 2015
 City Hall Council Chambers

Mayor Gamba called the 2,203rd meeting of the City Council to order at 6:18 p.m.

Council Present: Council President Lisa Batey and Councilors Scott Churchill, Wilda Parks, and Karin Power

Staff Present: City Manager Bill Monahan, City Attorney Tim Ramis, City Recorder Pat DuVal, Assistant to the City Manager Mitch Nieman, Program Services Specialist Jason Wachs, Planning Director Denny Egner, and Associate Planner Vera Kolias

CALL TO ORDER

Pledge of Allegiance.

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. National Night Out Proclamation

Mayor Gamba read the proclamation naming August 4, 2015, as National Night Out in the City of Milwaukie and encouraged citizens to support the Milwaukie Police Department and the National Association of Town Watch events.

B. Drive Less / Save More

Mr. Nieman reviewed the background of the individualized marketing campaign that targeted specific forms of multimodal transportation. The City and Clackamas County were approached by Metro and the Oregon Department of Transportation (ODOT) last fall about participating in this program that is funded by an ODOT grant and administered by Metro.

Marnie Duke, Metro Public Affairs Specialist and communications manager for the Regional Travel Options Program. She briefly reviewed the program objectives that included reducing single occupancy vehicle trips, creating positive associations with travel options, enabling partners to reach transportation goals, enhancing resources available to residents, and establishing best practices.

Mr. Wachs discussed the role of local partners and provided a project overview. The project partners were Metro, City of Milwaukie, North Clackamas Parks and Recreation District (NCPRD), and TriMet. In July, a target group of about 4,600 Milwaukie households received the initial survey about current travel practices. Marketing will continue until October with a follow up survey in 2016 to determine how practices may have changed.

Ms. Duke discussed individualized marketing efforts and materials and door-to-door delivery methods provided through the program. Another component was a series of events including walking and biking tours. The information gathered in the program surveys will be analyzed and evaluated. Metro was also partnering with local schools on their Safe Routes to School and National Walk and Bike to School Month events in October.

Councilor Parks commented on how the Drive Less / Save More program had grown over the years since she was involved in the opening of the Green Line as the North Clackamas Chamber of Commerce Executive Director.

Councilor Power commented on the delivery area and asked if it could be extended farther east.

Ms. Duke replied the program was neighborhood based, and the budget limited the area to about 5,000 household. Materials, however, will be available at community events. The industrial area was not targeted as many companies had employees traveling to work from around the area, and some offered their own incentive programs.

C. Vietnam Memorial Wall Event

Mr. Nieman provided a post event follow up of the recent Vietnam Memorial Wall 50th Commemoration held at Milwaukie High School. The City of Milwaukie partnered with American Legion Post 180, the North Clackamas School District #12 (NC12), the North Clackamas Chamber of Commerce, downtown Milwaukie businesses, and many donors and volunteers throughout the area. He showed selected photos from the event and reported that there was a veterans' art show at City Hall. The weekend event attracted about 6,000 people to Milwaukie, and volunteers logged about 1,500 hours. There were 67,000 copies of the insert printed for circulation plus 2,000 that were given away at the Wall.

AUDIENCE PARTICIPATION [Moved up agenda]

Mayor Gamba reviewed the Audience Participation procedures.

Mr. Monahan provided responses to comments and questions from the July 21, 2015, Audience Participation. Shireen Newton, 32nd Avenue resident, had expressed concerns about code enforcement. She identified that the Milwaukie Municipal Code (MMC) made it a violation for a person to have a recreation vehicle maintained as a housing unit and that it cannot be attached to utilities such as electricity. In reviewing the reports, it did not seem that there had been a notice of violation sent to this property since 2014. Mr. Monahan reported that there was a Code provision that did make it illegal to live in an RV. The Council may explore that matter at a future work session to determine if that provision is appropriate for the community and consistent with other communities.

Kelli Keehner, owner of K. Marie and President of the Downtown Milwaukie Business Association (DMBA), read a statement to the City Council into the record following the Association's general meeting on July 31, 2015. "As President of the DMBA, she was asked to come to you regarding a recent concern from the DMBA business community following our general meeting on July 31. It is our understanding that as part of the opening celebration for the light rail Orange Line that there are going to be several food trucks brought into town for this event. As business owners, the process of building light rail has been difficult and arduous at times and has had an impact on our businesses and our right to do business in the City of Milwaukie. We worked tirelessly through the building of the light rail the last three years, and now it is our time to shine and reap the rewards. We are proud of our City and the many businesses that it contains. To have temporary event food carts positioned right as the guests to our City come off of the light rail during the opening event was disheartening to all of our businesses. We are highly invested in our City by owning brick and mortar, and we get up every day, come to the City, and offer a daily experience to the guests of Milwaukie. The opening of the Orange Line is our opportunity to show off who we are and what we are and with that bring guests back to Milwaukie to shop, dine, and play in our City. The City's concern will be progress in Milwaukie. We are not saying "no" to progress; look at how many new businesses are opening in Milwaukie. We are excited about what is happening and everyone is motivated to bring more great new businesses to share our downtown streets and have the daily conversations with our guests about the great new businesses that have just recently joined us in as little as the last few weeks. We want to make sure we have the opportunity with this opening event. The business owners have shared many comments electronically and verbally a couple of which she will share. "I'm not opposed to the carts being in the City, but let's put them down past Pietro's so that we drive people through the city." "I am upset because I have worked

really hard for the construction to end and now it feels like business is being taken away from me.” The business owners are sharing their concerns with you as well as the city office. I am here tonight as a representative of the DMBA to insure that the concerns of the business community are relayed to you so that we can answer any questions that you may have about the letters and testimony provided this evening.”

Councilor Churchill appreciated hearing the DMBA’s impressions which carry a lot of weight. He understood the concerns that the placement of the food carts at the end of the Adams Street Connector could short circuit the flow of traffic through the downtown. He appreciated the suggestion about putting carts at the north end of town near Pietro’s.

Mayor Gamba asked Ms. Keehner if she had received an invitation to be part of the event planning group.

Ms. Keehner responded that she had attended the first two planning meetings, but in order for her to attend additional meetings, she would have had to close her store for an hour.

Mike Miller, Milwaukie resident, expressed his support for Ms. Keehner and the DMBA. He urged the City Council not to approve the food carts during the September 11 remembrance and the September 12 Orange Line Opening. The downtown businesses have endured 2-1/2 years of construction not only from light rail but also from the City’s utility project that went right down the middle of Main Street. This was a two day opportunity for businesses to recoup some of the money they lost. Some people left and some businesses closed, but these were the folks that hung in there. Some new people have moved in and would like to get their businesses off to a good start. Mr. Miller asked that the City Council not approve the food carts for this event and allow the businesses downtown to recoup some of their funds. He asked what happened to the letters sent to the City by individual business owners in opposition to the food carts.

Mayor Gamba said the City Council received three letters and had read them. Typically correspondence was not read into the record.

Mr. Miller read one of the letters into the record. “It has been brought to my attention that TriMet is planning to bring a pod of food trucks into the City for the light rail opening. I must say I was shocked and disappointed when I heard of this. I began inquiring immediately as to whom it was that had this idea. I was informed that this was something that TriMet was responsible for, however it was not something that had been approved by the City. This was appalling to say the least. As a business owner in downtown Milwaukie, I can attest to the effects that the construction of light rail has had on our right and ability to conduct business in this City. We have spent the last three years listening to our customers talk about the street closures, the long delays, the uncertainty of available parking, just to name a few. Every one of us has experienced the effect on our pocketbooks, the direct impact to sales, as well as increase in our marketing budgets. We are all trying to encourage people to come back to downtown Milwaukie now that the construction has been completed. So with that information, I would like to ask that you not allow the food carts into downtown Milwaukie if you desire to have a viable and thriving business community in downtown Milwaukie. Should we allow TriMet to continue to take money out of our small town? I say absolutely not. They have taken enough. Isn’t part of the goal of having light rail come through downtown to show off our City? It is a pretty amazing City which continues to get better every single day. Do we not have bragging rights? Is the business community not entitled to reap the reward after the hardship? I should think so.” Written by Kimberly Cairo, Enchante.

Council President Batey asked Mr. Miller if he had ever had to wait to eat dinner on First Friday’s, and **Mr. Miller** responded that everyone has had to wait, but that was a good thing. When there are large events in downtown Milwaukie, people will have to wait. Most people were patient enough to do that. He was more concerned about people who have had to endure the real hardships and stuck it out. Now we were telling

them we are going to stick it to you one more time by bringing food carts in to compete with them. Mr. Miller thought that was wrong.

Ray Peck, owner of Wind Horse Coffee and Tea, a Main Street business. He had been informed by TriMet this was an opportunity to showcase Milwaukie downtown businesses and there could be 30,000 people on the Orange Line opening day walking downtown and viewing art. Then he heard there were going to be food carts. They wanted people to be thirsty and hungry and to come into the downtown business community on Main Street. With food carts, people will not be coming to the downtown restaurants. He commented that the Vietnam Wall event did not bring in any customers, and he felt there was a disconnect. The food carts would take dollars away from those businesses that had worked hard through the recent construction projects. Now there was an opportunity to showcase local businesses and capitalize on those 30,000 guests and to let them see where they wanted to go. He was concerned they would get caught up in the food carts, and Mr. Peck requested that the food carts, specifically those outside the Milwaukie community, be denied as currently programmed. He felt there should be an opportunity to showcase the downtown businesses.

Councilor Churchill heard other businesses comment that there should be something to draw people north from the Adams Street Connector like music or signage.

Mr. Peck understood that everything would be loaded in the station area on the south end. He doubted that people would move up Main Street. He did not know about promotional activities or signage to move people north. He understood art was going to be the driving force to draw people through the downtown area.

Celeste LaDuke, owner of Designing Women, a Main Street interior design business. She noted the food cart situation would not affect her business. She had found through her experience that having a storefront just off the beaten path did not get the attention that those businesses on the main street attracted. People will congregate at the light rail station and the food carts, and Ms. LaDuke felt there needed to be a carrot to draw people to the north end.

Councilor Churchill noticed that Ms. LaDuke was trying to bring her product to the sidewalk.

Ms. LaDuke was doing that to draw attention to her business after her move from Sellwood. She wanted the City to support those businesses that had been through so much during construction.

Council President Batey said the issue with this event was the opposite of the issue with First Friday. She thought there was an opportunity to have an event in the Graham Building parking lot such as music or a food cart.

Sue Leslie, owner of Artistik Edge Salon, located at the south end of 21st Avenue near the light rail station. She asked if the decision had been made to put the carts at the south end of town. Her salon struggled for three years during construction, and the City needed to recognize those who kept their businesses alive during that time. She suggested scattering the food carts along Main Street as a compromise. Further, she thought TriMet had a program in place related to a beacon contest, and she suggested incorporating that with the food carts.

Mayor Gamba suggested developing a partnership to generate fresh ideas on promoting Milwaukie businesses over the long term.

Councilor Power asked Mr. Nieman to delineate between what was planned for the Orange Line Opening and what was planned for the site moving forward as it seemed confusing to people.

Mr. Nieman provided a concept of what was currently planned and how much room there was to maneuver at this point. The plan in place was to highlight activities all along Main Street, and the plan had not changed since the Council update in a recent

study session. The ideas have been circulated through the event planning committee since early December, and meeting notices were sent to the DMBA as well as other downtown businesses. There will be a limited Farmers' Market in the municipal parking lot. Restaurants were contacted to have carts and give Milwaukie businesses a presence, but for various reasons including staffing, it was not possible for them to participate outside their businesses. To get passengers off the train to explore downtown Milwaukie there was live music, the Breakside Brewery Beer Garden, and the food required to serve alcohol.

Councilor Power understood Mr. Nieman had worked with other agencies that had hosted similar light rail grand openings including Beaverton. No one came to downtown Beaverton because no one could see it from the light rail line, so Mr. Nieman was advised to create events that brought passengers off the train and into the downtown. Specific to the issue of food carts, there had to be food in order to get an Oregon Liquor Control Commission (OLCC) permit.

Mr. Nieman said with the number of Orange Line riders anticipated multiple food vendors were required. Breakside Brewery's Beer Garden was substantially larger than the one it opens during First Fridays. The footprint will be basically the entire Adams Street Connector, and there will be way finding signage drawing pedestrians north along Main Street.

Councilor Power noted that Wind Horse did not have an increase in business during the Vietnam Memorial Parade which concerned her.

Mayor Gamba observed there was not a large turnout for that event. He asked Mr. Nieman to provide Council with a list of activities being programmed.

Councilor Parks asked which streets would be closed to vehicular traffic.

Mr. Nieman said Main Street was not being closed north of Washington at this time, and to some degree the businesses did not support street closures. He noted concerns about south end businesses during First Fridays which were more focused on the north end.

Councilor Churchill had heard comments from citizens that food carts should not come into Milwaukie from Portland for First Fridays. He felt it was important to incorporate comments made tonight from the impassioned business community.

Mr. Nieman continued the list of events that were being planned to create a pipeline from the south to the north end of Main Street using a "discover downtown" theme. The beer garden will be located on the Adams Street Connector with food carts parked at west end by Dogwood Park.

Councilor Churchill understood the need to have food with the beer garden and asked if Pietro's had been contacted, and **Mr. Nieman** replied that Pietro's had declined because it did not have the capacity to do pizza slices in a hot oven that day.

Council President Batey said it was an important point that in order to serve the volume of people expected that it had to be fast and easily prepared. Those who wanted a real meal would patronize the restaurants.

Mr. Nieman added that food cart vendors were selective about their locating in Milwaukie because this was a huge event all along the alignment with 11 sites competing for services. He named the participating vendors: Fuego Burritos, Prontobello Pizza, Bro Dogs, Churros Locos, Ken's Top O' Hill, and New Seasons. The limited Farmers' Market was open until 3:00 p.m.

Council President Batey understood there was a plan to provide overnight security for the Market vendors.

Mr. Nieman noted the 9/11 First Responder Tribute event hosted by Clackamas County, TriMet, and the City of Milwaukie.

Councilor Churchill recommended reaching out to the DMBA one more time before the event to ensure all has been done to coordinate with the businesses and resolve the apparent disconnect.

The group agreed to ask Mr. Nieman to come back to City Council one more time with the final details.

D. Moving Forward Milwaukie (MFM): Central Milwaukie Plan and Code Amendments

Ms. Kolias said the purpose of this report was to provide an overview of draft code amendments for Central Milwaukie prior to the first Council hearing on September 1, 2015. Staff requested that Council share any questions and concerns about the proposed amendments. The intent of this discussion was to focus on the zoning code which would implement the vision. The vision for Central Milwaukie was to enhance economic opportunities identified in the Central Milwaukie Land Use and Transportation Plan and to define the area for the first time. Within that vision the City was looking to promote high quality urban design and improve multimodal connectivity within the region as well as other areas of Milwaukie.

Ms. Kolias explained that the vision implementation occurs through the regulatory code process. The fundamental concepts were implemented through a combination of use and design standards. The main ideas were to increase flexibility for business and property owners and developers to ensure the development was of high quality design with pedestrian friendly streets.

Ms. Kolias continued that the significant proposed code amendments to be discussed at this meeting were the introduction of a new General Mixed Use (GMU) Zone, the introduction of a new Flex Space (FS) Overlay Zone, permitted uses, new and revised development standards that shaped the location, size, and massing of development, new and revised design standards that focused specifically on a baseline design, and new and revised land use review procedures.

Ms. Kolias provided an overview of use standards. During the public involvement process citizens and business owners shared many ideas that helped guide the future of this area. It was clear that people used the area for shopping and other commercial activities and wanted those activities to continue with new businesses. There was strong support for mixed use development, restaurants, retail, offices, and employment uses such as light industrial and light manufacturing. Through that visioning process participants talked about employment and family wage jobs on the Murphy opportunity site, and she noted the property was not highly visible from a retail perspective. The code amendments would be used to implement those big ideas within the Land Use and Transportation Plan.

Ms. Kolias showed slides comparing the existing five zones and one overlay zone and the proposed four zones and one overlay zone that included the GMU Zone, FS Overlay Zone, and the unchanged R1, R2, and C-CS zones. No changes were being recommended for the Milwaukie Market Place as part of this project. The L-shaped area on the upper right of the project diagram extended across 32nd Avenue and encompassed the Providence Milwaukie Hospital area. The proposal included a GMU Zone on both of the opportunity sites with elimination of the R-O-C and Mixed Use Overlay. The FS Overlay Zone would apply to the Murphy opportunity site.

Council President Batey asked why the decision was made not to revisit the R1 and R2 zones.

Ms. Kolias replied that in one iteration, staff was looking at a neighborhood mixed use zone based on the existing land uses. Staff met with the neighbors to discuss the project and what was allowed now and what was being proposed. At the end of the meeting it was clear that people were happy with what they were allowed to do now and

saw no need to change the zoning to allow for more commercial uses. Currently, office was allowed as a conditional use in the R1 and R2 zone as well as hotels and bed and breakfasts. Residents were agreeable with the higher density and did not want to see any changes.

Council President Batey had the impression that after the Oak Street Station was built that there were Myrtle Street residents who were waiting for redevelopment.

Ms. Kolias said all of the people who attended the meetings were property owners. She went to each house, and some of the residents indicated that they had just purchased their home, and some lived on Myrtle Street. Based on property owner input, staff felt the zoning should not be changed at this time and could be revisited in the future.

Councilor Churchill's recollection of the Planning Commission hearings was similar to Council President Batey's, but perhaps residents' opinions had changed in the interim.

Ms. Kolias discussed permitted uses in the GMU Zone. Commercial, residential, office, retail and some manufacturing that was limited to 5,000 square feet (SF) and had to be associated with retail or an eating/drinking establishment use. The FS Overlay Zone was intended to allow more employment based uses like light manufacturing and light industrial specific to the Murphy site location. Llewellyn and Meek Streets provided vehicular access to that area along with bike / pedestrian access. The FS Overlay had frontage on 32nd Avenue and some on Harrison Street, but 31st Avenue was not intended to be an access point. She noted that a question had come up earlier regarding how the FS uses were different from the GMU Zone. Industrial services like machinery and equipment repair were not allowed, and manufacturing was limited in size and had to be associated with a retail or eating/drinking establishment use. Wholesale trade and trade schools were not permitted in the GMU Zone and were specifically focused in the FS Overlay. One issue had to do with truck traffic and how it would impact the area given the types of uses being proposed for the FS Overlay Zone. The City may wish to think of a way to limit truck traffic and consider limiting trade schools to those that conduct their activities inside.

Mayor Gamba understood wholesale trade would involve a warehousing activity and fewer jobs. **Ms. Kolias** replied it would have a warehousing and trucking component, so the City Council may want staff to look into that a bit more.

Council President Batey recalled that trade schools were allowed in the Milwaukie Market Place. When the karate school wanted to go in, there was a director's interpretation to determine if it was consistent with allowed uses.

Ms. Kolias provided an overview of the development standards created with the intent of encouraging a pedestrian friendly environment. The proposed revisions included new standards for setbacks and off street parking that were applicable to both the GMU and the FS Overlay Zones which reflected different uses. The existing maximum building height in the GMU Zone was three stories, three stories in the R-O-C Zone plus one bonus story with additional vegetation, and the Mixed Use (MU) Overlay Zone was on top of that. She noted that these zones were very difficult to work with. The maximum height in the MU Overlay Zone is two stories or three stories on the McFarland site if development was in the interior. Two story buildings would be permitted within 50 feet of Monroe Street and 37th Avenue. There was a one story bonus for residential or green building that applied only when the development was 50 feet away from an abutting residential zone.

Ms. Kolias said the purpose of the proposed street setbacks was to establish a consistent wall along key streets. Buildings were allowed and encouraged to build up to the street right of way in the GMU Zone to create a pedestrian friendly environment. Today there was no maximum setback, and the proposal was for no minimum street setback except on a residential street edge. The proposed maximum street setback was 10 to 20 feet with a maximum setback on some key streets to ensure that buildings

came up to the street. The maximum setback in the FS Zone was 50-feet to address off street parking. The proposal included landscaping requirements when buildings were set back from the sidewalk. She noted in discussions the public clearly did not want to see the currently typical strip development with parking in front. The GMU Zone applied to the Murphy site as well as the FS Overlay Zone. She would provide comments on key commercial streets.

Ms. Kolias showed a figure in the proposed code that identified where the commercial edge treatment with the maximum 10 foot setback would apply to the key commercial streets identified in the MFM Central Milwaukie process. Harrison Street and 32nd Avenue were these key streets.

Ms. Kolias addressed off street parking and said there had been a lot of discussion about where that should be located. Parking was not allowed in the GMU Zone between the building and the street but would be allowed in the FS Overlay Zone. Again, this was consistent with the downtown code about making sure that parking was to the side or rear of the development. Also being proposed was a residential edge treatment standard. Development that is adjacent to or abutting lower density residential zones should be compatible with the existing neighborhoods. Currently, setbacks had to match the adjacent front yard setback. The proposal on the McFarland site was a 15 foot minimum setback along Monroe Street and 37th Avenue and setbacks applicable to buildings within 50 feet of those streets. The intent was to encourage a development pattern that was compatible with the residential neighborhoods. The 6 foot setback would be applied after the building height reached 35 feet.

Councilor Churchill noted the texture of the north side of Monroe Street was much more setback. He appreciated that Ms. Kolia was thinking about that but thought it could take a second look and consider a little more refinement after considering the cross section further. It was a delicate balance, and he was not sure if the intent was to achieve an urban landscape that matched the context of the other side of Monroe Street

Council President Batey asked if this kind of treatment applied to Meek Street because she was concerned about flex space occurring with backs of buildings against residential.

Ms. Kolias replied that the same treatment applied to Meek Street and where development abutted an R3 or an R5 Zone. The setback did apply as well as the 15 foot setback. In the FS Overlay Zone the standard was an additional 8 foot setback for a total of 23 feet of landscaped area to act as a buffer to the abutting residential zone. The design standards addressed the street facing façade which is what it would be on Meek Street. She would look into the issue of possibly having two street frontages.

Council President Batey discussed the feasibility of Clackamas County redeveloping Hillside Manor/Park, and **Mr. Egner** added that staff was monitoring redevelopment of Hillside.

Council President Batey agreed and noted the issue came up with Oak Street Square. It was landscaped, but the houses still faced a blank, brick wall.

In response to a question from Mayor Gamba, **Ms. Kolia**s said the property to the north of Meek Street was zoned R3.

Ms. Kolias showed a chart comparing the existing design standard, the GMU Zone, and the proposed FS Overlay Zone. There were not a lot of standards in the existing code. Off street parking in the GMU Zone had to be to the rear or the side of the development; flex space was exempt from that standard except if it fronted 32nd Avenue where the GMU Zone standards applied. The floor area ratio (FAR) in the GMU Zone was 0.5:1 and a little bit less in the flex space to make sure the code was reasonable and did not preclude FS Overlay development.

Mayor Gamba noted the 0.3 tended to lean toward warehouse activities. **Ms. Kolias** agreed with that observation and added that it could be discussed further in the public hearing process.

Ms. Kolias continued the overview of the development standards. The maximum setback in the GMU Zone was 20 feet unless development was on the commercial street edge. It was 50 feet for the FS Overlay Zone except along 32nd Avenue, and that accounted for two bays of parking along the front of a flex space building. The existing frontage standard is 35 feet, and the proposal is to drop the GMU Zone frontage to 25 feet to create more opportunity. The FS Zone was exempt from the standard because it was generally developed in a more campus-like style as opposed to a public street with parcels on it. There was no frontage occupancy requirement in the FS Overlay Zone except on 32nd Avenue in order to maintain those key commercial streets regardless of the use. In the existing code, the General Commercial (CG) Zone was a Type I review; the R-O-C and MU Overlay was a Type III hearing before the Planning Commission. The proposal was for a Type I review in the GMU Zone and Type II review in the FS Overlay Zone.

Council President Batey commented on the off street parking for flex space development on 32nd Avenue with access via an interior road. If interior roads were built, then the developer could setback 50 feet which would allow two bays of parking with a drive aisle in the middle.

Councilor Churchill wanted to clarify that flex space looked at not roads but parking areas unless the developer was required to build a public street for access. The flex space model typically looked at parking zones between buildings.

Ms. Kolias said part of the amendment package included a supplementary development regulation related to a circulation plan to guide development on large sites by establishing a conceptual plan for access, connectivity, land uses, and circulation. This would apply to the opportunity sites and would apply Citywide requirements. The conceptual master plan would be required for nonresidential development sites of 3 acres or greater and would be applicable to 38 sites in Milwaukie. The plan would indicate how the proposed access system would connect with existing roads, massing of buildings, location of parking, and connection with bike and pedestrian facilities particularly on the Murphy site between Harrison Street and 29th Avenue. Flex space development would automatically trigger a preliminary circulation plan. The Type II review process includes a notification plan since this was a larger development of which people needed to be aware. This amendment would apply Citywide and was a way for the Engineering Department to determine if those access points would work.

Mayor Gamba asked if the preliminary circulation plan would be triggered by a number of small parcels.

Ms. Kolias replied that the plan would be triggered by the development site itself. There were presently no design standards for Central Milwaukie, so the intent was to encourage building design and construction with durable, high quality materials. The proposed revisions would ensure that Central Milwaukie is attractive and pedestrian friendly, ensures that new buildings provide a sense of enclosure and define the streetscape, and applies to both the GMU and FS Overlay Zones. The FS Overlay Zone was different only in the development standards and the same in the design standards. **Ms. Kolias** discussed the key corners concept and certain things the City wanted to happen architecturally at these corners. The intent was to reinforce those intersections as places that were important and a gathering place for people. She showed a slide of those key corners where the design standards would be specific to the architecture and to the design of the buildings.

Councilor Churchill discussed the intent of reinforcing the key intersections and suggested **Ms. Kolias** might make some language adjustments.

Ms. Kolias said the design standard that went with the key corners was to have the primary entrance at that corner with the intent of staying consistent with the downtown standards as appropriate.

Councilor Churchill was thinking about the Holgate Blvd and 39th Ave intersection in Portland which was a dead zone at certain times. It was a tricky balance.

Councilor Power added that bus stops can be natural gathering places, and they needed to be safe and accessible.

Ms. Kolias listed the other design standards for Central Milwaukie including weather protection above building entrances; primary, secondary, and accent building materials on new buildings; standard 30% transparency for nonresidential and mixed use buildings; roof types; and screening requirements for rooftop mechanical equipment. These were not unusual requirements in other jurisdiction; however, they did not exist in the current code.

Ms. Kolias reported on the land use review procedures specific to what was being proposed. Type I Review was being proposed throughout the GMU Zone and Type II Review for Flex Space. There was also a provision for a Type II variance to design standards. Staff was preparing for a City Council hearing on September 1, 2015, preceded by a work session tentatively scheduled for August 18, 2015. Ms. Kolias asked if the proposals were appropriate or if changes should be made. She reviewed the key questions including the new GMU Zone, the new FS Overlay Zone, applicability of design and development standards in the GMU and FS Overlay Zones, and the proposed land use review process.

Councilor Churchill would probably like more discussion of the building heights. He appreciated the work and thought it was a sound foundation for Central Milwaukie.

Council President Batey asked if any of the amendments affected traffic and parking requirements.

Ms. Kolias replied those sections had not changed.

Council President Batey had two big concerns. She was concerned about retail wanting to build on the Murphy site and emptying out the Milwaukie Market Place. The traffic analysis part of it might give her some comfort because there were certainly some limitations along Harrison Street in terms of access that would make it difficult for any large scale retail. There were empty spaces downtown, in the Milwaukie Market Place, the King Road Safeway, and the Wichita Center. She was concerned about creating yet more retail space to compete with those. If there was a market for it and people went there because it was more appealing, she was worried about the whole empty strip mall scenario. There were more vacancies in the Market Place after Oak Street Square and the King Road Safeway opened. Her second issue was moving from Type III Review to Type II Review that first occurred with the Residential Design Standards. The rationale at the time was that developers wanted predictability to encourage more development, but that has not happened. She was a little concerned that taking the need for a Planning Commission review out of it will result in less desirable projects.

Ms. Kolias said in the proposed code, if a development met the standards, then it would be a Type I Review. That was what the GMU Zone was under the current code. The only trigger for a Type III review process would be a variance.

Council President Batey discussed the community benefits dialogue test used in Detroit, MI. Any large development over a certain scale had to have a proactive community benefits dialogue. Outside of the two concerns she had mentioned, she thought it was a great package of amendments.

Councilor Power could see a benefit of an “and” rather than “either or” language related to height bonuses and particularly with a stepback from adjacent areas. Just this week a major Milwaukie apartment complex sold for \$42 million, and it seemed like people saw a clear need for housing. She thought because of its topography the

McFarland site might lend itself to at least some higher buildings to take advantage of the proximity to the highway. It is close to the downtown area and did not impinge upon the Historic Milwaukie Neighborhood and other areas. She was considering five versus four floors. She understood Clackamas County was aspiring to redevelop the Hillside area but was not sure what was being planned. The McFarland site had two story buildings nearby, but it was lower due to the incline. She could see a developer splitting the parcel with taller buildings on the southern portion and some that were stepped down closer to the residential areas.

The group discussed the eight story residential building to the north of the Murphy site.

Mayor Gamba agreed there may be a benefit to having an “and” related to height bonuses particularly given the plan with the setback. Council could explore enhancing that with the setback and look at the feasibility of five stories if green and residential on the interior of the McFarland site and the lower part of the Murphy site.

Council President Batey had been thinking about the McFarland site. If the ultimate goal of the Monroe Street Neighborhood Greenway was to use the Washington Street alignment, then a bike corridor next to a five story building and a train corridor did not seem very desirable. She was wondering about even four stories.

Councilor Power pointed out the bike lanes in Portland were next to six or seven story buildings and asked Council President Batey why she thought bikers would not use it.

Councilor Churchill thought perhaps the bike path needed a more pedestrian scale orientation and not just a circulation cut through. He was concerned about creating a canyon.

Council President Batey noted that because of the Brownfields there likely will not be a massive wall. The other issue was windows that would be required for housing but not for other uses.

Councilor Power discussed development on the south waterfront where residential was very close to light rail and bike lanes as well as commercial.

Councilor Parks would like to see higher buildings particularly on the Murphy site. The proposals went a long way to opening up areas for growth in business and residential. She did not have issues with Type II reviews to help eliminate some of the steps in the process and provide options.

Mayor Gamba was in favor of limiting trade schools to inside activities. He liked the “and” related to height bonuses. He would like to see the potential for cottage clusters added as an outright residential use in multifamily development. He understood densities might be an issue, but cottages could be combined with taller residential structures. He did have an issue with the FS Overlay Zone, and he wanted to avoid warehousing because it did not offer much employment or higher wage jobs. He did not wish to see warehouses in Central Milwaukie.

Councilor Churchill agreed and thought perhaps it could be controlled by circulation to discourage warehousing.

The City Council agreed to have further discussion on building height and employment density.

PUBLIC HEARING

None scheduled.

9410

OTHER BUSINESS

A. Council Reports

The Mayor and Councilors spoke briefly about upcoming community events and commented on what a moving experience the Vietnam Wall Event had been for them.

Mayor Gamba announced that the City Council would meet in Executive Session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations. The Council would not return to open session.

ADJOURNMENT

It was moved by Councilor Parks and seconded by Councilor Power to adjourn the Regular Session. Motion passed with the following vote: Councilors Parks, Power, Churchill, and Batey and Mayor Gamba voting "aye."

Mayor Gamba adjourned the regular session at 9:12 p.m.

Respectfully submitted,



Pat DuVal, Recorder



MILWAUKIE CITY COUNCIL
Office of the City Recorder

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Registration

The City of Milwaukie encourages all citizens to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speakers Registration card, once submitted to the City Recorder, becomes part of the public record.

Name: **KEM KEHNER**
Organization:
DOWNTOWN MILWAUKIE
 Meeting Date: **BUSINESS ASSOC.**
8-4-15

Address:
Phone:
Email: **K**

Topic to Discuss:

Agenda Item You Wish to Speak to:

- #4 Audience Participation
 #5 Public Hearing
 #6 Other Business

You are Speaking...

- in Support
 in Opposition
 from a Neutral Position
 to ask a Question

Comments:

(ORANGE)

— STATEMENT —



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Mike Miller

Name:

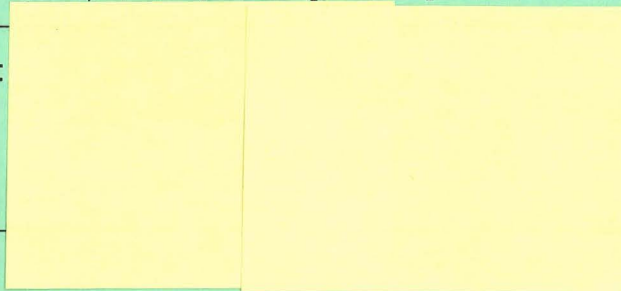
Organization:

Address:

Phone:

Email:

Meeting Date: *8-4-15*



Topic to Discuss:

Agenda Item You Wish to Speak to:

- #4 Audience Participation *Food Carts*
- #5 Public Hearing
- #6 Other Business

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:

Statement -



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Name:
Organization:

Ray Peck
WIND + RICE Coffee

Address:
Phone:
Email:



Meeting Date:

8-4-15

Topic to Discuss:

Agenda Item You Wish to Speak to:

- #4 Audience Participation
- #5 Public Hearing
- #6 Other Business

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:



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Name:

Organization:

Meeting Date:

Address:

Phone:

Email:

Topic to Discuss:

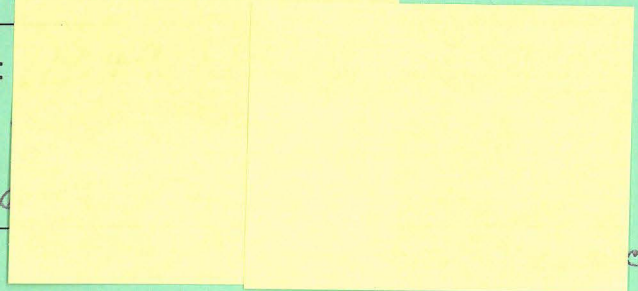
Agenda Item You Wish to Speak to:

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- from a Neutral Position
- to ask a Question

Comments:



com



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Name: *Sue Leslie*
Organization:

Address:
Phone:
Email:

Meeting Date: *8/4/15*

Topic to Discuss:

Agenda Item You Wish to Speak to:

- #4 Audience Participation
- #5 Public Hearing
- #6 Other Business

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:

Stauffer, Scott

From: DMBA <downtownmilwaukiebusiness@gmail.com>
Sent: Tuesday, August 04, 2015 7:24 PM
To: _City Council
Subject: Fwd: Orange Line Grand opening

Bubbles, giggles, and glitter!

Kelli

kmarielovesglitter@aol.com

kmarielovesglitter.blogspot.com

Begin forwarded message:

From: Kristen Dawson <kristenbellinger@gmail.com>
Date: August 4, 2015 at 9:45:16 AM PDT
To: duvalp@milwaukieoregon.gov, Kelli Keehner <downtownmilwaukiebusiness@gmail.com>
Subject: RE: Orange Line Grand opening

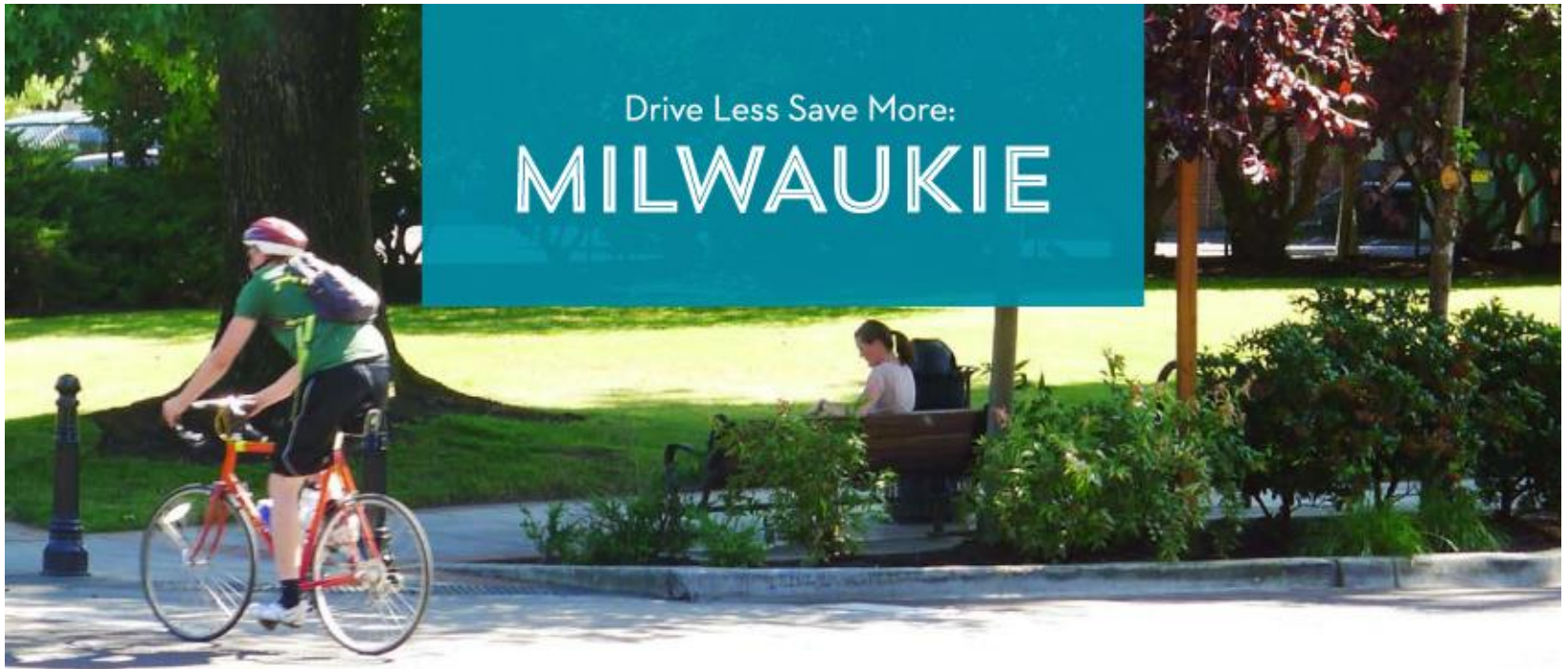
Hello,

As a business owner in the Downtown area, i would like to express my concern about the food carts and vendors and their placement during the grand opening on 9/12/15. I think it is important to utilize the restaurants and businesses we have in the Downtown blocks and not bring in outside vendors. The idea is to showcase our town and our businesses, not promote businesses that aren't even in Downtown Milwaukie, or even in Milwaukie proper.

\We have great restaurants and businesses and they should be featured and supported. We have all suffered through business loss during the construction process and should have the full support of our city and Trimet to really promote us and help us press forward with the addition of the Orange Line as an asset to our futures and our businesses.

Thank you for your time and consideration.

Kristen Dawson
Salon DeMara
11011 SE Main St
Milwaukie, Or 97222
503-786-3700



Individualized Marketing Project

August, 2015

OBJECTIVES

- Reducing single occupancy vehicle trips
- Create positive associations with travel options
- Enable partners to reach transportation goals
- Enhance resources available to residents
- Establish a set of best practices

Background

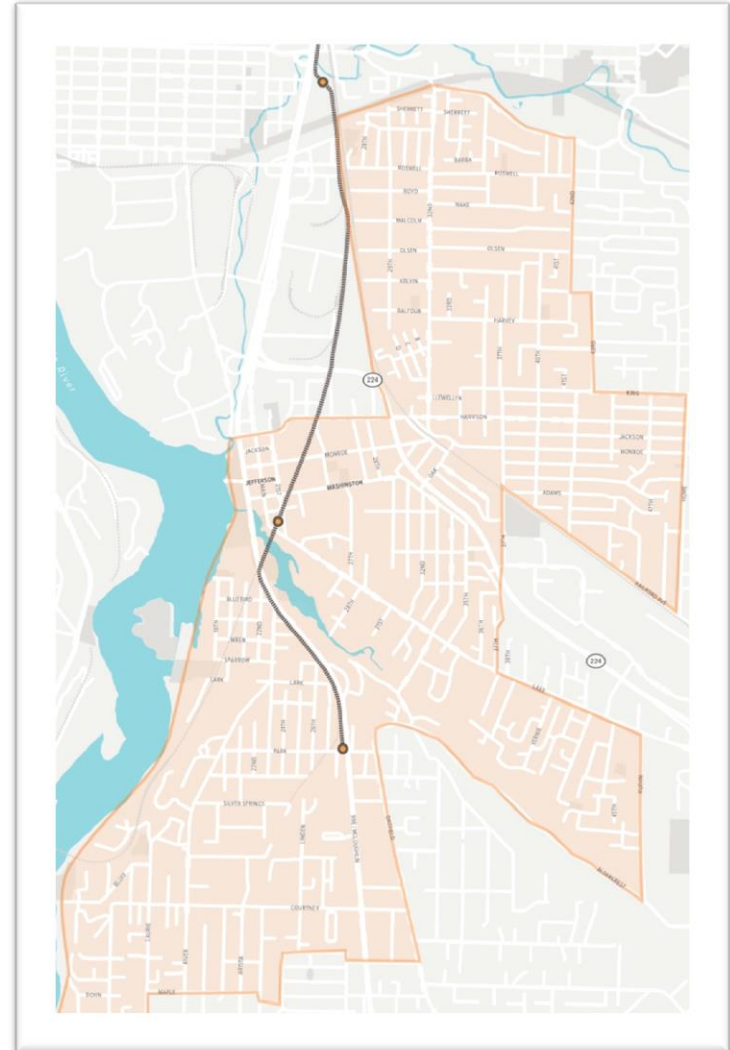
- Funded entirely by ODOT and Metro
- Two previous projects – Cedar Hills, PCC SE
- Metro is the lead partner, joined by City of Milwaukie, Clackamas County, North Clackamas Parks and Recreation and TriMet
- Alta Planning and Design are contractors

Project Partners Roles

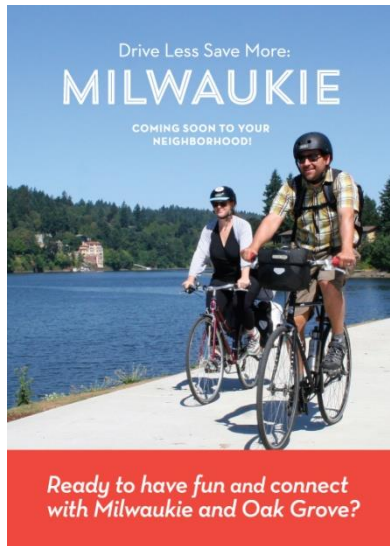
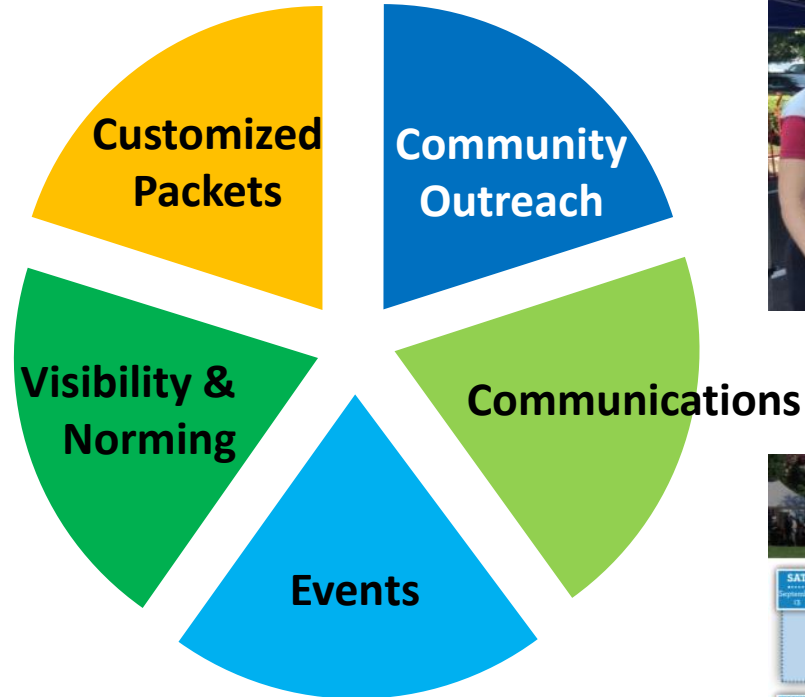
- City of Milwaukie
 - Target area selection
 - Design selection
 - Materials and content review
 - Event selection and design
 - Outreach staff selection and oversight
 - Fulfillment center

Project Overview

- 4,600 households in target group
- Initial survey out July 22
- Marketing August to October.
- Follow up survey summer 2016



What is Individualized Marketing?



Partnerships



**NORTH
CLACKAMAS
PARKS & REC**



Materials



Catch the Orange Line

Opening September 12, TriMet's fifth MAX line, PSU, inner Southeast Milwaukie, creating a new MAX from downtown Milwaukie station in Oak Grove to amenities, such as cultural centers, parks, and shopping.

TriMet is celebrating the line from 11 a.m. to 6 p.m. rides on the MAX, TriMet Explore new routes and along the MAX Orange Line.

The new MAX Orange Line is offering biking and walking infrastructures to the Trolley Trail Paseo, and the Kellogg Milwaukie and Oak Grove receive new bike amenities. Ride facility at the SE Park Ave station has a secure covered parking hop on your bike and a secured space.

Getting around can be easier. Save More. Milwaukie outdoor events to get you outdoors by visiting www.Milwaukie.gov.

Create Your Free Customized Go Kit!

RESOURCES FOR EVERYONE

- Milwaukie Go Guide** - Learn about biking, walking and transit routes around Milwaukie and Oak Grove.
- Amtrak Cascades Schedule and Coupon** - Passenger rail connecting Eugene with Vancouver, BC.
- North Clackamas Parks and Recreation District Parks Map** - Your guide to great parks and trails in Clackamas County.
- Drive Less Connect Information** - Learn about Oregon's online ride-matching tool.

LOCAL TRANSIT INFORMATION

- Milwaukie & Oak Grove TriMet Schedules and Maps** - TriMet's system map and local route information.
- Bikes on Transit** - Learn how to take your bike on the bus or MAX.
- Paratransit Services** - For those who are unable to use regular buses.
- Trip Tools** - Information about train resources and apps.
- Park and Ride Information**

Choose as many items as you would like. You can also place your order online at www.MilwaukieOregon.gov/DriveLess (While supplies last).

BICYCLING INFORMATION

- Family Bike Guide** - Basic bicycling information geared toward families.
- Milwaukie Bike Map**
- City of Portland Bike Map**
- Oregon State Bicycle Map**
- Bicycle Safety: What Every Parent Should Know**
- Bicycling Quick Guide** - All of the information you need to ride a bike safely and confidently.

WALKING INFORMATION

- Walking for Health Brochure**
- Tips for Walking Safely at Night**
- Trolley Trail Map**



GO GEAR (Select Only One)

- Water Bottle** - Stay hydrated and healthy as you walk, bike and ride.
- Wrap-it Safety Lights** - Use them for biking, walking or taking the bus.
- Umbrella** - To keep you dry on those rainy Milwaukie days.



Tell us how you get around!

1. Last week, how many days did you use transportation options (e.g., biking, walking, carpooling, and/or transit) for any type of trip you took?
 - 0 days
 - 1 day
 - 2 days
 - 3 days
 - 4 days
 - 5 days
 - 6 days
 - 7 days
2. Thinking about all of the trips you took last week, did you use transportation options at least 2 days?
 - No, but I'm thinking about it.
 - No, but I intend to.
 - Yes, but it is difficult for me.
 - Yes, and it is easy for me.
 - Don't know/Not applicable.
3. Looking ahead to next week, how many days do you want to use transportation options to get you to any of your destinations?
 - 0 days
 - 1 day
 - 2 days
 - 3 days
 - 4 days
 - 5 days
 - 6 days
 - 7 days

Tell us where to send your Go Kit & Go Gear:

NAME _____

DELIVERY ADDRESS We deliver by foot and bike! No PO boxes, please. _____ ZIP _____

PHONE In case we need to contact you about your order _____ EMAIL Stay informed about events. We won't share your info. _____

IF NEEDED, LET US KNOW THE BEST LOCATION OR TIME FOR DROPPING OFF YOUR GO KIT. While we can't guarantee a delivery date and time, we'll do our best.

Top: MAX bus order form; bag and map back - (c)2015 TriMet

Deliveries



Events



Evaluation

- Pre-program trip diary survey second week of July for everyone in target area
- Participant feedback survey in early November
- Post-program survey in spring 2016
- Analysis in summer 2016, reporting late summer/fall

Drive Less Save More:

MILWAUKIE

*Exploring Milwaukie, Oak Grove,
and beyond*



RS Exhibits
August 4, 2015

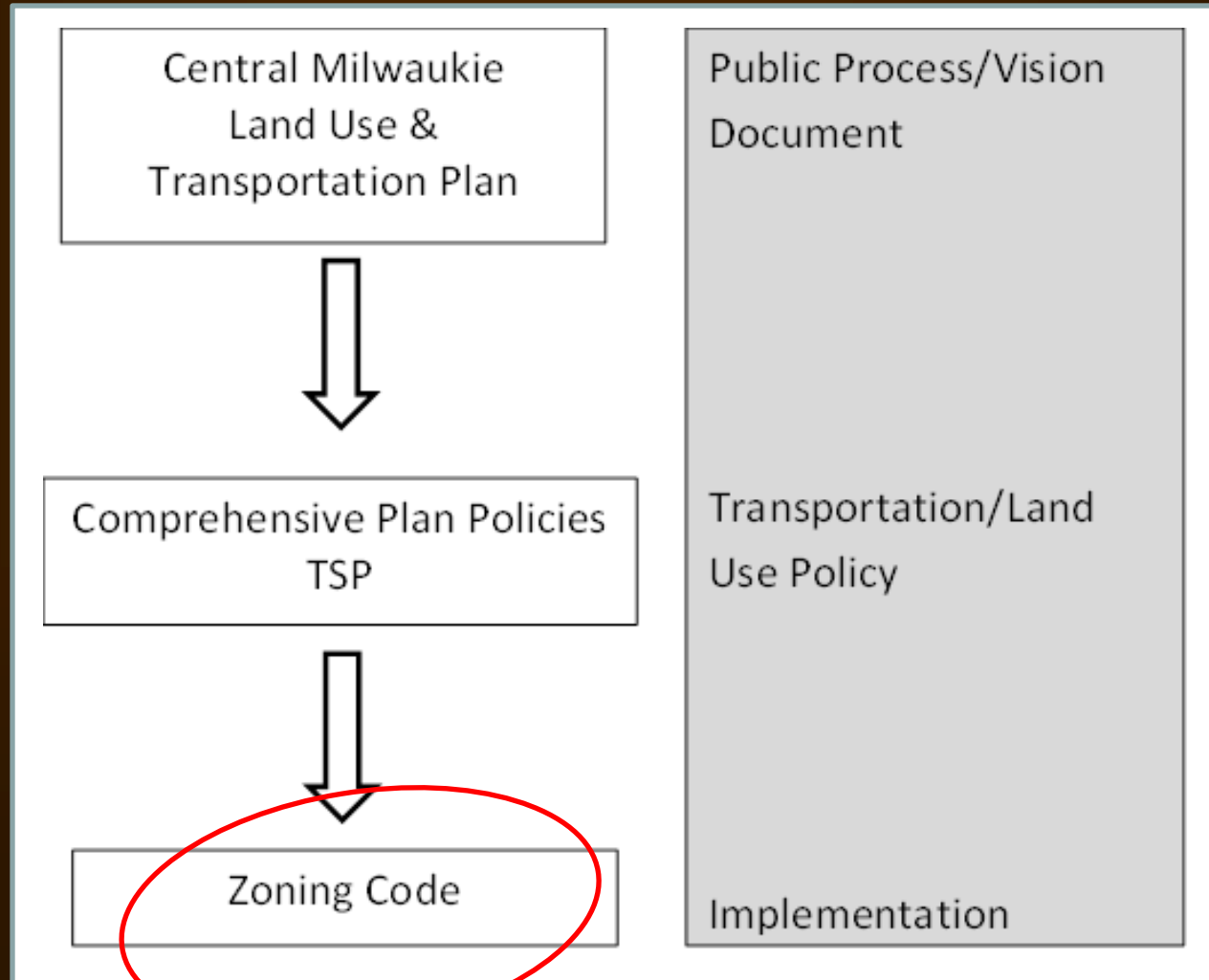
Moving Forward Milwaukie Worksession: Central Milwaukie Proposed Plan and Code Amendments

**Presentation to the
City Council**

Vera Kolas, Associate Planner

August 4, 2015

Plan relationships



Implementation of the Vision – Zoning Code

- Streamline and expand the range of allowed uses throughout Central Milwaukie
- Increase flexibility for business owners, property owners, and developers
- Ensure development is attractive and pedestrian-friendly
- Streamline the review process on opportunity sites



Proposed Code Amendments

- New General Mixed Use Zone GMU
- New Flex Space Overlay FS
- Permitted Uses
- New/revised Development Standards
- New/revised Design Standards
- New/revised land use review procedures



Overview: Use Standards

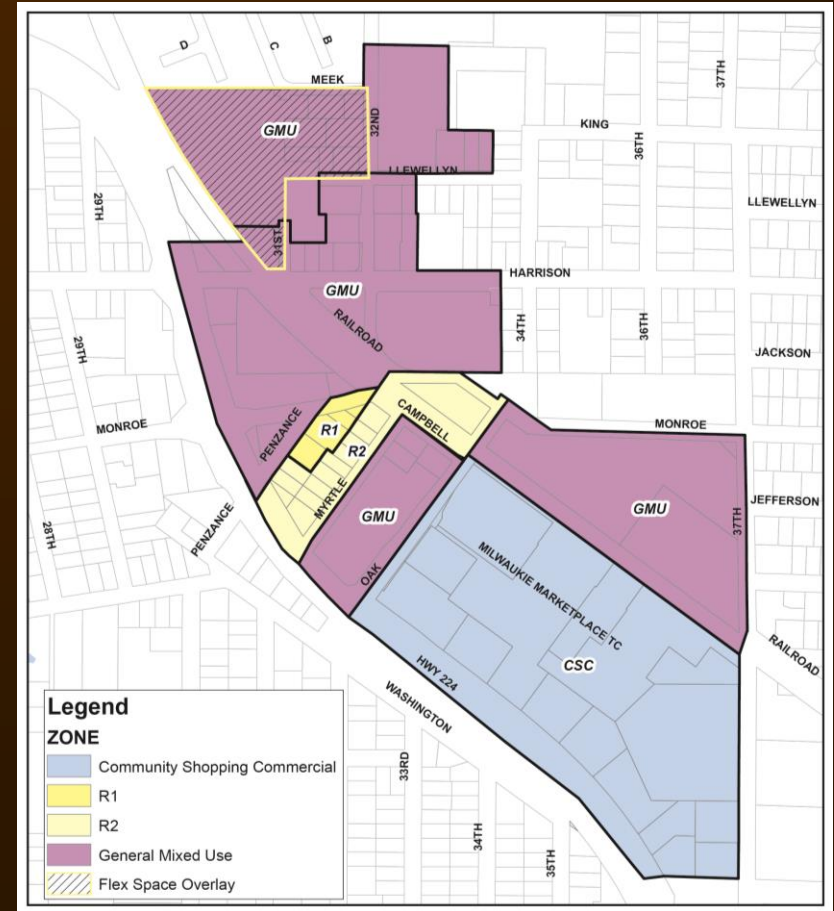
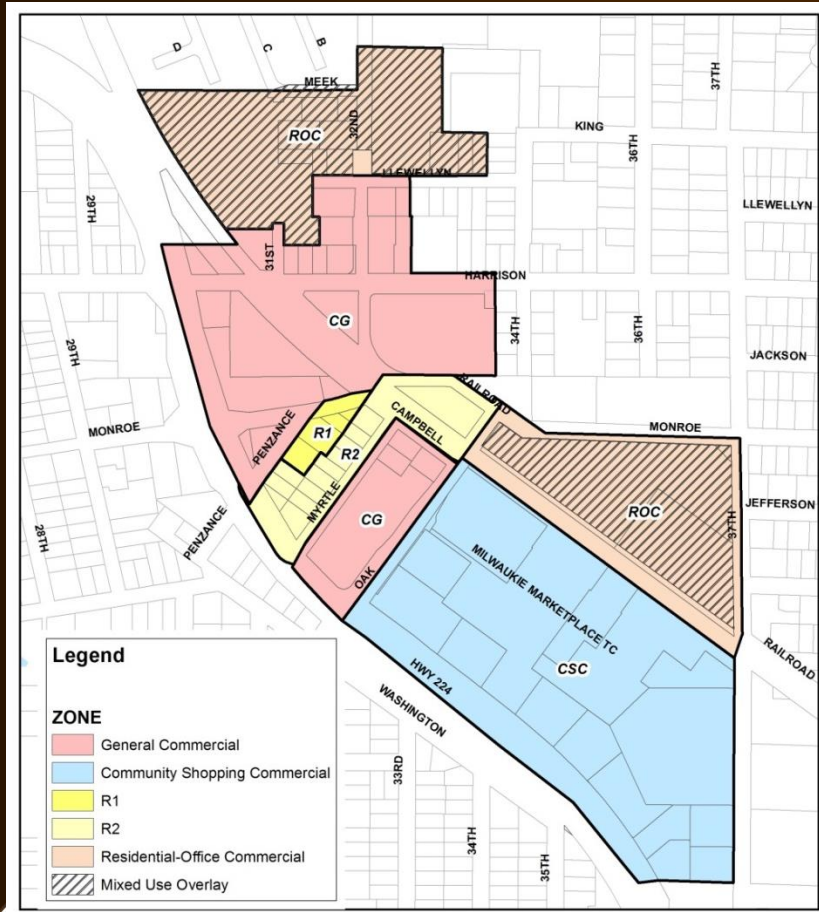
Intent: to encourage more commercial activity as well as mixed-use development.

- Proposed revisions:
 - Allow employment uses on the Murphy opportunity site, such as light industrial and light manufacturing.
 - Streamline and expand the range of allowed uses throughout Central Milwaukie, including residential uses.
 - Allow mixed-use buildings throughout Central Milwaukie.

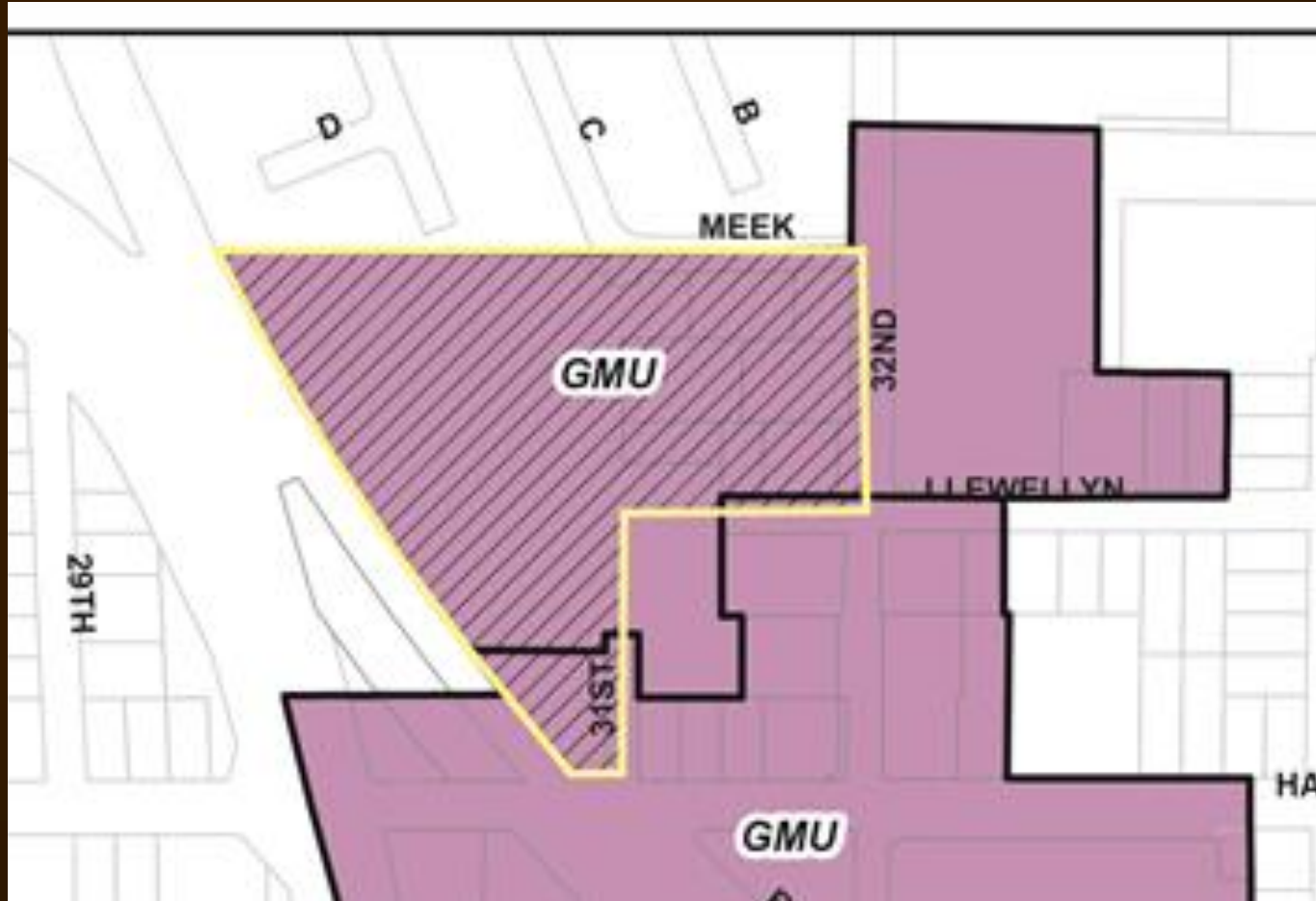


Proposed Amendments: General Mixed Use Zone

- Existing: 5 zones and 1 overlay zone
- Proposed: 4 zones and 1 overlay zone
 - General Mixed Use, Flex Space Overlay, no change to R1, R2, C-CS



Flex Space Overlay



Flex Space Overlay

- Flex Space uses not permitted in GMU
 - Industrial service
 - Manufacturing*
 - GMU manufacturing limited to 5,000 SF and must be associated with a retail or eating/drinking establishment use.
 - Wholesale trade
 - Trade schools



Overview: Development Standards

Intent: to create a pedestrian-friendly environment.

- Proposed revisions:
 - New standard for setbacks
 - New standard for off-street parking
 - Apply to both GMU and Flex Space



Proposed Amendments: Building Height

Development Standard	Existing	Proposed
Maximum building height	CG = 3 stories ROC = 3 stories + 1 bonus story with additional vegetation MU Overlay = 2 stories or 3 stories on McFarland site	3 stories; 1 story bonus for residential or green building. Bonus only applies when 50 ft away from residential zone.



Proposed Amendments: Street Setbacks

- **Intent:**
 - Establish a consistent “street wall” along key streets
 - Buildings are allowed and encouraged to build up to the street right-of-way in the GMU zone.

Standard	Current	Proposed
Maximum setbacks	None	<ul style="list-style-type: none">• No minimum street setback (except residential street edge)• Max = 10 ft - 20 ft (50 ft Flex Space)• When building is set back from the sidewalk, landscaping is required.



Proposed Amendments: Street Setbacks – Commercial Edge



Proposed Amendments: Off-street parking

- **Intent:**
 - Encourage pedestrian friendly design through location of off-street parking

Standard	Current	Proposed
Off street parking	None	No vehicle parking permitted between the building and the street, except in Flex Space Overlay



Proposed Amendments: Residential Edge Treatment

- **Intent:** Development that is adjacent to or abutting lower density residential zones should be compatible with existing neighborhoods.

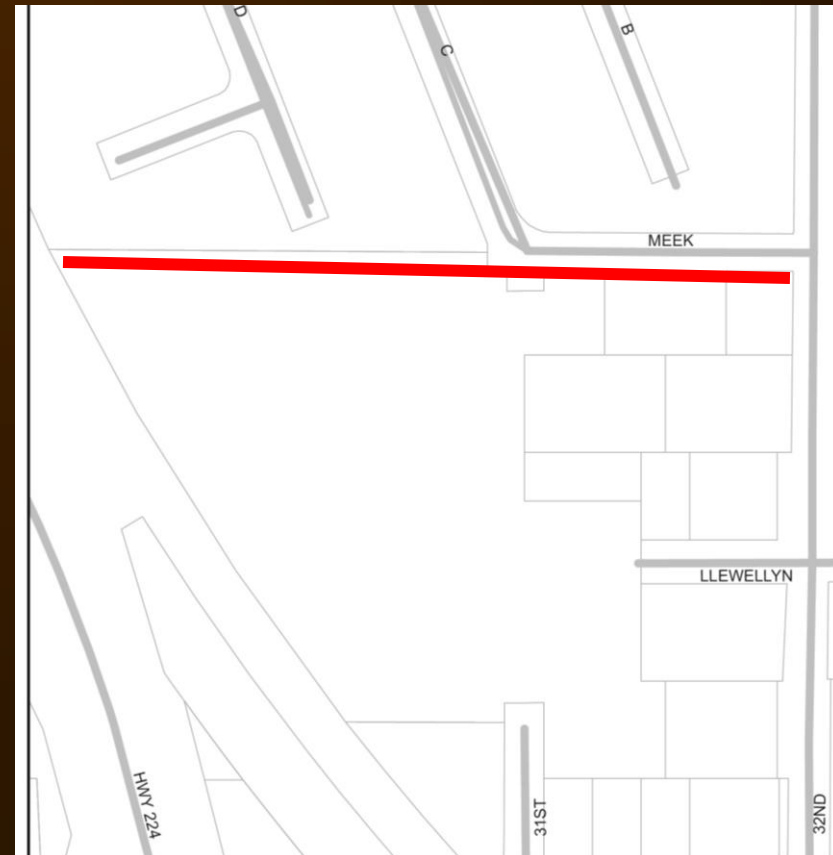
Standard	Current	Proposed
Setbacks	<ul style="list-style-type: none">• Setbacks must match adjacent front yard setback.	<ul style="list-style-type: none">• 15 ft minimum setback along Monroe St and 37th Ave• Step back applies to buildings within 50 ft of 37th Ave and Monroe St.



Proposed Amendments: Residential Edge Treatment

- **Intent:** Development that is adjacent to or abutting lower density residential zones should be compatible with existing neighborhoods.

Standard	Current	Proposed
Setbacks	<ul style="list-style-type: none">• Setbacks must match adjacent front yard setback.	<ul style="list-style-type: none">• 15 ft minimum setback along Monroe St and 37th Ave and where dev abuts R3 or R5 zone.• Step back applies to buildings within 50 ft of 37th Ave and Monroe St.• Additional 8 ft planted buffer required with flex space development



Development Standards

Development Standard	Existing	GMU	Flex Space
Off street Parking	None	To the rear or side	Exempt from standard (except along 32 nd Ave); subject to 19.600
Min. floor area ratio	None	0.5:1	0.3:1
Maximum setback	None	20 ft	50 ft (except along 32 nd Ave)
Frontage	35 ft	25 ft	Exempt from standard
Frontage Occupancy	None	50% on 32 nd Ave and Harrison St	Exempt from standard (except along 32 nd Ave)
Review Type	CG: Type I ROC/MU: Type III	Type I	Type II

Proposed Amendments: Preliminary Circulation Plan

New supplementary development regulation to guide site development on large sites by establishing a conceptual plan for access, connectivity, land uses, and circulation.

- Non-residential sites of 3+ acres
- Flex Space development
- Type II review process



Overview: Design Standards

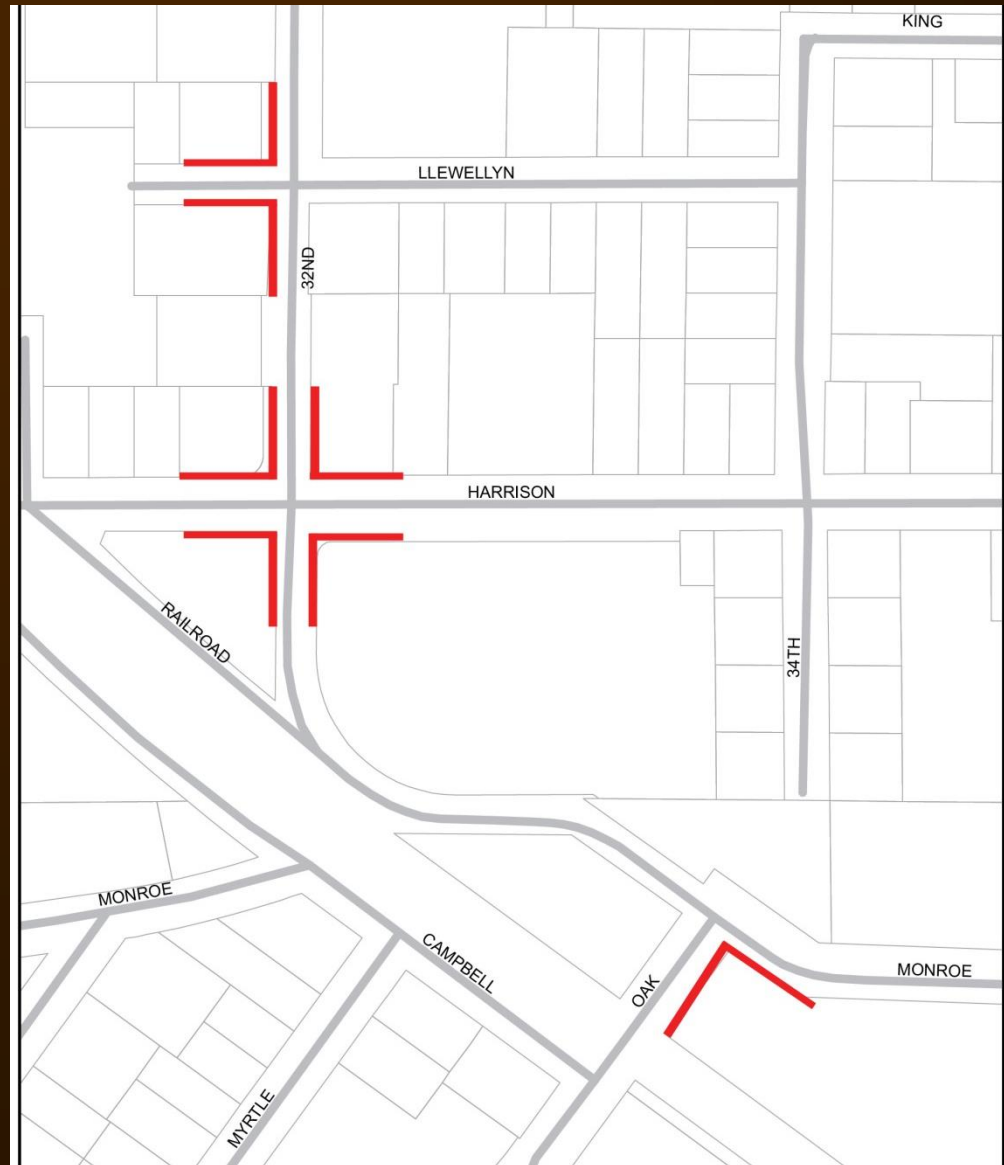
Intent: to encourage building design and construction with durable, high-quality materials.

- Proposed revisions:
 - Ensure that Central Milwaukie is attractive and pedestrian friendly.
 - Ensure that new buildings provide a sense of enclosure and define the streetscape.
 - Applies to both GMU and Flex Space



Key Corners

- **Intent:** Reinforce key intersections as an important place for people to gather
- **Proposed:** New design standards for development at identified key corners.



Other Design Standards

- Require weather protection above building entrances.
- Establish primary, secondary, and accent building materials for use on new buildings.
- New standard of 30% transparency for non-residential and mixed-use buildings.
- Identify permitted roof types
- Establish screening requirements for rooftop mechanical equipment



Proposed Amendments: Land Use Review Procedures

- Current:
 - All development on Murphy and McFarland sites and a portion of the Providence Hospital site require Type III review
 - Type I Development Review elsewhere
- Proposed:
 - Type I Development Review throughout the GMU; Type II Development Review for Flex Space
 - Provision for a Type II variance to design standards



Questions/Comments

- Are these proposals appropriate?
 - New GMU
 - New Flex Space Overlay
 - Applicability of design and development standards in GMU and Flex Space Overlay
 - Land use review process



Next Steps

- Public Hearing
 - 9/1: Public hearing #1



DuVal, Pat



From: kmariecontact@aol.com
Sent: Tuesday, August 04, 2015 5:03 PM
To: _City Council
Subject: Letter from the DMBA- Business Community Concern regarding the Food Carts for Orange Line Opening Event

Mr. Mayor and City Council,

As president of the Downtown Milwaukie Business Association I have been asked to come to you regarding a recent concern from the Downtown Milwaukie Business Community following the general meeting on 7/31/15.

It is our understanding that as part of the opening celebration for the Light Rail Orange Line that there are going to be several food trucks brought into town for this event.

As business owners, the process of building the light rail has been difficult and arduous and has had an impact on our businesses and our right to do business in the City of Milwaukie. We have worked tirelessly through the building of the light rail the last 3 years and now it is our time to shine and reap the rewards. We are proud of our city and the many businesses that it contains.

To have temporary/event food carts positioned right as the guests of our city come off of the light rail during the opening event is disheartening to all of our businesses. WE are all highly invested in this city by owning brick and mortar and we get up every day, come to the city, and offer a daily experience to the guests of Milwaukie. The opening of the Orange Line is our opportunity to show off who and what we are, and with that bring guests back to Milwaukie to shop, dine, and play in our city.

The city's concern will be progress in Milwaukie. We are not saying **no** to progress, look at how many new businesses are opening in Milwaukie. WE are excited about what is happening and I can tell you that every one of us is motivated to bring more great new businesses to share our Downtown streets and have the daily conversations with guests about the great new businesses that have just recently joined us in as little as the last few weeks!! We want to make sure that we have the opportunity with this opening event.

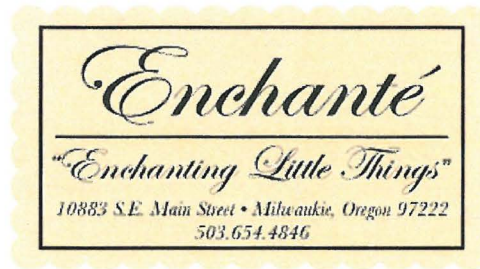
The business owners have shared many comments electronically and verbally a couple of which I will share:

"I am not opposed to the carts being in the city, but lets put them down past Pietro's so that we drive people through the city"

"I am upset because I have worked really hard for the construction to end and now it feels like business is being taken away from me"

The business owners are sharing their concerns with you as well as the city office. I am here tonight as the representative of DMBA to insure that the concerns of the business community are relayed to you so that we can answer any questions that you may have about the letters and testimony provided this evening.

Sincerely,
Kelli Keehner
President
Downtown Milwaukie Business Association
downtownmilwaukiebusiness@gmail.com



August 2, 2015

Dear Mr. Mayor and City Council,

It has been brought to my attention that Tri Met is planning to bring a pod of food trucks into the city for the light rail opening. I must say, I was shocked and disappointed when I heard this. I began immediately inquiring as to whom it was that had this idea..... I was informed that this was something that Tri Met was responsible for, however it was not something that had been approved by the city. This is appalling to say the least!

As a business owner in downtown Milwaukie, I can attest to the effects that the construction of light rail has had on our right, and ability to conduct business in this city. We have spent the last three years listening to our customers talk about the street closures, the long delays, the uncertainty of available parking, just to name a few. Everyone of us has experienced the effect on our pocketbooks, the direct impact to sales, as well as increase in our marketing budgets. We are all trying to encourage people to come back to downtown Milwaukie now that the construction has been completed.

So with that information, I would like to ask that you not allow the food carts into downtown Milwaukie if you desire to have a viable and thriving business community in downtown Milwaukie. Should we allow Tri Met to continue to take money out of our small town. I say ABSOLUTELY NOT!! They have taken enough. Isn't part of the goal of having light rail come through downtown to show off our city? It is a pretty amazing city, which continues to get better every single day. Do we not have bragging rights? Is the business community not entitled to reap the reward, after enduring the hardship? I should think so!

Thank you,
Kimberly Cairo
Enchanté

DuVal, Pat

From: Lawrence Cole <lcole@acme-tv.com>
Sent: Tuesday, August 04, 2015 3:20 PM
To: DuVal, Pat
Cc: downtownmilwaukiebusiness@gmail.com
Subject: food truck pod/area

Mayor and City Council,

On 7/31/2015 at the monthly meeting of the Downtown Milwaukie Business Association, we were informed at the tail end of the meeting when there was little time to address the issue, that for the opening day of the new Orange Line, that there were to be several food carts to be located at the vicinity of the stop. Frankly I was outraged.

I do not own a restaurant here in Milwaukie, but as a business owner, I cannot believe that the City of Milwaukie, and Trimet, would slap the faces of all of us who own businesses by allowing what is no more than a nest of parasites to swarm in and to take advantage of this grand opening.

Parasite is define as *" a person who habitually relies on or exploits others and gives nothing in return "* For the past three years, our businesses have dealt with business interruption after business interruption while the construction of this line moved forward. We were the ones who had no parking available, roads closed off that led to our stores, and dealt with the constant stream of dust and dirt to our storefronts. We paid not only our taxes, but our dues in lost business to insure this lines success. I believe that fits the category of the *"exploits" of others*. And for our efforts, instead of allowing us to try and recoup what we have loss, someone has decided to let those who suffered none of these issues, who pay no taxes, and who have no vested interest in the long term success of downtown Milwaukie, to come in and reap the benefits. Can you say *"gives nothing in return"*?

I firmly believe that it is incumbent upon the Mayor and the City Council, to take whatever steps are required to prevent this travesty from occurring. This event should be for the people of Milwaukie, and the businesses of Milwaukie. Furthermore, I would go one step further that plans be made to insure that other non-food parasites are prohibited as well from setting up shop for their one day dollar gratification.

Thank you for your time and consideration.

Lawrence Cole
ACME-TV Video and More
2026 SE Monroe St.
Milwaukie, OR 97222



This email has been checked for viruses by Avast antivirus software.

www.avast.com

DuVal, Pat

From: DMBA <downtownmilwaukiebusiness@gmail.com>
Sent: Tuesday, August 04, 2015 7:24 PM
To: _City Council
Subject: Fwd: Food Carts for Orange Line Grand Opening

Bubbles, giggles, and glitter!

Kelli

kmariecontact@aol.com

kmarielovesglitter.blogspot.com

Begin forwarded message:

From: Jill PaintedLady <paintedlycoffee@gmail.com>
Date: August 4, 2015 at 10:53:49 AM PDT
To: "DuVal, Pat" <duvalp@milwaukieoregon.gov>
Subject: Food Carts for Orange Line Grand Opening

Dear Mayor and City Council,

I have learned that the Council is discussing having food carts set up in the vicinity of the Orange Line station for the grand opening events.

Over the last several years many businesses in the downtown area have suffered and struggled with the construction going on all around disrupting travel and easy access for customers.

It is my belief that the city should be promoting all businesses in the downtown area, and encouraging patronage to local establishments instead of bringing in vendors from other areas. If the food carts are set up near the station it will greatly decrease the much needed (and deserved) revenue that local establishments have the possibility to earn.

Food carts from other areas have not had to deal with the road closures, torn up sidewalks, lack of parking, noise and other inconveniences from the construction. Nor have they lost business since they are not a part of downtown Milwaukie.

We should be promoting all of the great businesses in downtown Milwaukie instead of bringing in outside ones. Lets create a reason for people to explore the city and all it has to offer.

I am aware that food carts were a possible part of the Adams St. Connector plan, but was led to believe it would be for special events, such as a Wednesday Farmers Market or events of that type. The grand opening events for the Orange Line should not be included. This should be the chance for ALL of the downtown Milwaukie businesses to be showcased and proudly promoted by the city, Mayor, Council, and Staff.

Sincerely,

Jill Younce
Owner, Painted Lady Coffee House

Karen Ingram
Manager, Painted Lady Coffee House

Madalyn Kateley
Barista

Brianna Burroughs
Barista

The rest of the staff of Painted Lady Coffee House

--

Painted Lady Coffee House
2045 SE Washington St
Milwaukie, OR 97222
503-974-9680

DuVal, Pat

From: DMBA <downtownmilwaukiebusiness@gmail.com>
Sent: Tuesday, August 04, 2015 7:24 PM
To: _City Council
Subject: Fwd: Orange Line Grand opening

Bubbles, giggles, and glitter!
Kelli
kmarielcontact@aol.com
kmarielovesglitter.blogspot.com

Begin forwarded message:

From: Kristen Dawson <kristenbellinger@gmail.com>
Date: August 4, 2015 at 9:45:16 AM PDT
To: duvalp@milwaukieoregon.gov, Kelli Keehner <downtownmilwaukiebusiness@gmail.com>
Subject: **RE: Orange Line Grand opening**

Hello,

As a business owner in the Downtown area, i would like to express my concern about the food carts and vendors and their placement during the grand opening on 9/12/15. I think it is important to utilize the restaurants and businesses we have in the Downtown blocks and not bring in outside vendors. The idea is to showcase our town and our businesses, not promote businesses that aren't even in Downtown Milwaukie, or even in Milwaukie proper. \We have great restaurants and businesses and they should be featured and supported. We have all suffered through business loss during the construction process and should have the full support of our city and Trimet to really promote us and help us press forward with the addition of the Orange Line as an asset to our futures and our businesses.

Thank you for your time and consideration.
Kristen Dawson
Salon DeMara
11011 SE Main St
Milwaukie, Or 97222
503-786-3700

DuVal, Pat

From: DMBA <downtownmilwaukiebusiness@gmail.com>
Sent: Tuesday, August 04, 2015 7:25 PM
To: _City Council
Subject: Fwd: food truck pod/area

Bubbles, giggles, and glitter!
Kelli
kmarielovesglitter@aol.com
kmarielovesglitter.blogspot.com

Begin forwarded message:

From: "Lawrence Cole" <lcole@acme-tv.com>
Date: August 4, 2015 at 3:19:38 PM PDT
To: duvalp@milwaukieoregon.gov
Cc: downtownmilwaukiebusiness@gmail.com
Subject: food truck pod/area

Mayor and City Council,

On 7/31/2015 at the monthly meeting of the Downtown Milwaukie Business Association, we were informed at the tail end of the meeting when there was little time to address the issue, that for the opening day of the new Orange Line, that there were to be several food carts to be located at the vicinity of the stop. Frankly I was outraged.

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be made to insure that other non-food parasites are prohibited as well from setting up shop for their one day dollar gratification.

Thank you for your time and consideration.

Lawrence Cole
ACME-TV Video and More
2026 SE Monroe St.
Milwaukie, OR 97222



This email has been checked for viruses by Avast antivirus software.
www.avast.com

DuVal, Pat

From: kmariecontact@aol.com
Sent: Tuesday, August 04, 2015 5:03 PM
To: _City Council
Subject: Letter from the DMBA- Business Community Concern regarding the Food Carts for Orange Line Opening Event

Mr. Mayor and City Council,

As president of the Downtown Milwaukie Business Association I have been asked to come to you regarding a recent concern from the Downtown Milwaukie Business Community following the general meeting on 7/31/15.

It is our understanding that as part of the opening celebration for the Light Rail Orange Line that there are going to be several food trucks brought into town for this event.

As business owners, the process of building the light rail has been difficult and arduous and has had an impact on our businesses and our right to do business in the City of Milwaukie. We have worked tirelessly through the building of the light rail the last 3 years and now it is our time to shine and reap the rewards. We are proud of our city and the many businesses that it contains.

To have temporary/event food carts positioned right as the guests of our city come off of the light rail during the opening event is disheartening to all of our businesses. WE are all highly invested in this city by owning brick and mortar and we get up every day, come to the city, and offer a daily experience to the guests of Milwaukie. The opening of the Orange Line is our opportunity to show off who and what we are, and with that bring guests back to Milwaukie to shop, dine, and play in our city.

The city's concern will be progress in Milwaukie. We are not saying **no** to progress, look at how many new businesses are opening in Milwaukie. WE are excited about what is happening and I can tell you that every one of us is motivated to bring more great new businesses to share our Downtown streets and have the daily conversations with guests about the great new businesses that have just recently joined us in as little as the last few weeks!! We want to make sure that we have the opportunity with this opening event.

The business owners have shared many comments electronically and verbally a couple of which I will share:

"I am not opposed to the carts being in the city, but lets put them down past Pietro's so that we drive people through the city"

"I am upset because I have worked really hard for the construction to end and now it feels like business is being taken away from me"

The business owners are sharing their concerns with you as well as the city office. I am here tonight as the representative of DMBA to insure that the concerns of the business community are relayed to you so that we can answer any questions that you may have about the letters and testimony provided this evening.

Sincerely,
Kelli Keehner
President
Downtown Milwaukie Business Association
downtownmilwaukiebusiness@gmail.com



DuVal, Pat

From: Power, Karin
Sent: Monday, August 03, 2015 10:06 PM
To: Kimberly Cairo
Cc: Gamba, Mark; _City Council
Subject: Re: Tri met Orange Line Opening (food carts)

Kim,

Thanks for your note, and of course we welcome your discussion with us during the public testimony portion. To clear up any misinformation, Milwaukie is in the process of acquiring the site, and it was Council's idea to bring food carts to the empty site in the interim until it's purchased for development. The response from residents has been very enthusiastic, and folks have approached me at the community booth on the weekends to ask how soon we might expect them to arrive.

While they can be great small business incubator spaces, I understand that food carts are not always favorably received, especially by competing restaurant owners. I'd be particularly interested in hearing your thoughts tomorrow night on the following:

(1) We already have food carts elsewhere downtown, and the visiting Bunk Sandwiches cart has been so popular during First Fridays that they've run out of food. Is there something about this particular location that's causing the concern?

(2) The site is otherwise an irregularly sized vacant gravel lot. Do you have any other suggestions for how to activate the site with people and simultaneously deter unwanted behavior?

Thanks again for your comments, and looking forward to talking further tomorrow night,

Karin
Milwaukie City Councilor
(p) 503-786-7513
(c) 503-867-7799

On Aug 3, 2015, at 9:17 PM, Kimberly Cairo <enchantekim@aol.com> wrote:

Mark,

I should hope that it will be included in the "audience participation" portion of the agenda. I am well aware that I am not the only business owner of this opinion, and would welcome a discussion from the council addressing this matter.

Thank you
Kim

On Aug 3, 2015, at 6:08 PM, Gamba, Mark <GambaM@milwaukieoregon.gov> wrote:

Dear Kim,

I don't believe we have anything on the agenda that this relates to. Please tell me which issue this is meant to be testimony for or against.

Thank you,

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Kimberly Cairo <enchantekim@aol.com>

Date: 08/03/2015 5:06 PM (GMT-08:00)

To: _City Council <CityCouncil@milwaukieoregon.gov>

Subject: Tri met Orange Line Opening (food carts)

Greetings,

I am unable to attend the Council meeting tomorrow evening. However, I would appreciate it if you would see that the attached letter is read into the record tomorrow.

Thank you,
Kim Cairo
Enchanté

PUBLIC RECORDS LAW DISCLOSURE: This email is a public record of the City of Milwaukie and is subject to public disclosure unless exempt from disclosure under Oregon Public Records law. This email is subject to the State Retention Schedule.

MILWAUKIE SUSTAINABILITY: Please consider the impact on the environment before printing a paper copy of this message.

DuVal, Pat

From: windhorsecoffee@yahoo.com
Sent: Tuesday, August 04, 2015 6:25 AM
To: DuVal, Pat
Subject: Food Carts

As an invested Good service business owner, my request is that you reconsider recruiting outside food carts for the opening of our anxiously anticipated Orange Line. This event, as promised, is to showcase Milwaukie. Food carts will be an absolute distraction. This is about Milwaukie, who we are as a community. Not food carts. And, trust me, visitors of this event will be well taken care of by the local business owners.

Ray Peck. Wind Horse Coffee

Sent from my LG G3, an AT&T 4G LTE smartphone

DuVal, Pat

From: Artistik Edge <artistikedge@yahoo.com>
Sent: Tuesday, August 04, 2015 9:53 AM
To: DuVal, Pat
Subject: Food Vendors/Orange line grand opening

Hello,

My name is Sue Leslie and I am the owner of Artistik Edge Hair Salon. My salon is located at 11220 SE 21st ST. I wanted to weigh in on this touchy subject because it would probably have an impact on my business.

The stop is pretty much right in front of my salon. So of course I'm going to say let the food vendors come on in. It will help my business. I'm guessing the other none food businesses in the area would agree. IE: resale shop, archery shop.

The other thing to consider is the food carts attract people who might not other wise engage in the event. Food carts certainly get my attention.

I'm sure the restaurants and coffee shops that are trying to earn a living will say something different, respectfully.

Here is a suggestion:

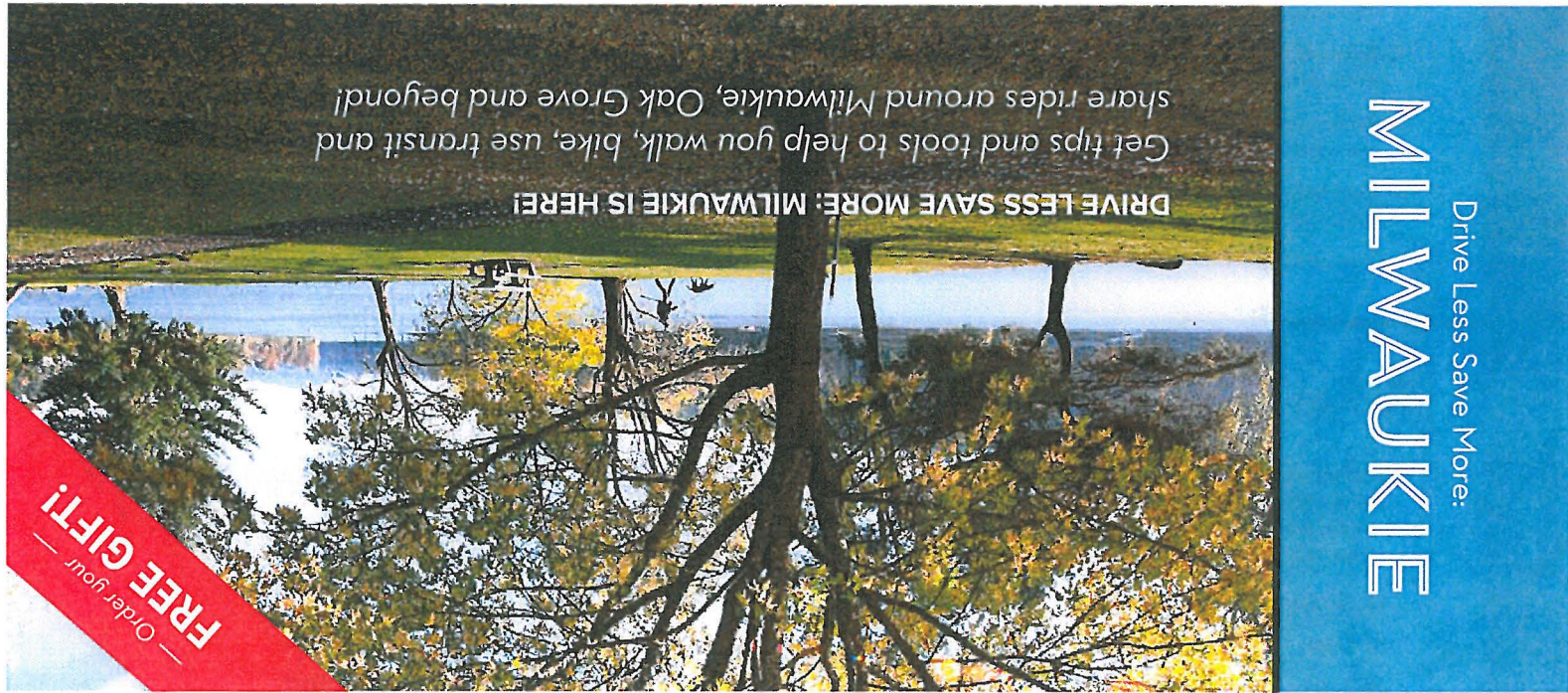
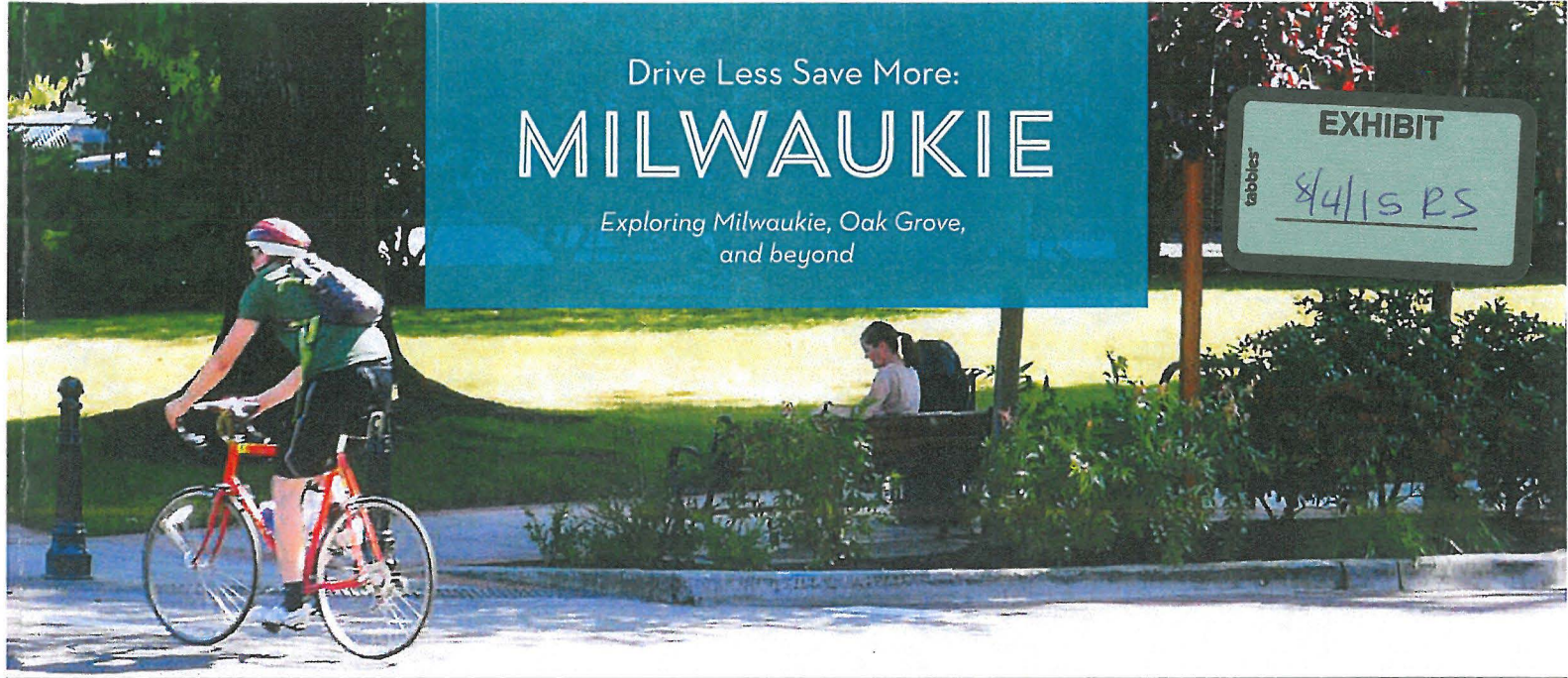
Just bring in food carts that won't compete with the coffee shops and or Mexican food restaurants. It's a stretch but at least you are trying to meet in the middle somewhere.

Best Regards,

Sue Leslie
503-936-5933



Mailing Panel



Get tips and tools to help you walk, bike, use transit and share rides around Milwaukie, Oak Grove and beyond!

DRIVE LESS SAVE MORE: MILWAUKIE IS HERE!

MILWAUKIE
Drive Less Save More:

FREE GIFT!
Order your

Business Reply

Drive Less Save More: Milwaukie is here to help Milwaukie and Oak Grove residents explore travel options that benefit your wallet, your health, and your community.

The information in your Free Go Kit will make it easier for you to experience all the places and spaces that make our neighborhoods great.

ORDER YOUR FREE GO KIT!

Right now, you can order your free Go Kit full of free travel information and resources you choose, plus free Go Gear to help you get to your destinations.

Fill out the order form inside or online at www.MilwaukieOregon.gov/DriveLess. Select exactly the information you want, and we'll deliver it right to your door in about two weeks!

This summer and fall, you'll see our friendly outreach staff at community events throughout Milwaukie and Oak Grove. We'll be out and about to answer your questions about walking, biking, taking the bus, and ride sharing.

We'll also host several special events, such as group guided walks and bike rides, which will explore some of the best ways to get around your neighborhood and beyond.

Trolley Trail

The six-mile Trolley Trail connects neighborhoods, schools, parks, retirement communities and business districts between Milwaukie and Gladstone. The Trolley Trail is a convenient path for walking and bicycling to the new MAX Orange line stations. It also connects to the Springwater Corridor to make a 20-mile loop between Portland, Milwaukie, Gladstone, Oregon City and Gresham.

GET MOVING USING THE TROLLEY TRAIL!

8 MINUTES Ride your bike from downtown Milwaukie to Spring Park Natural Area in 8 minutes, or walk there in just 20 minutes.

20 MINUTES Need to get to Bike n' Hike in Oak Grove to pick up some biking or walking gear? Bike down the Trolley trail and be there in 20 minutes from downtown Milwaukie.

38 MINUTES It's only a 38 minute bike ride from the SE Park Avenue MAX station to OMSI by taking the Trolley Trail and connecting to the Springwater Corridor.



Photo courtesy of TriMet

1 ORDER FORM

Create Your Free Customized Go Kit!

Choose as many items as you would like. You can also place your order online at www.MilwaukieOregon.gov/DriveLess (While supplies last)

RESOURCES FOR EVERYONE

- Milwaukie Go Guide** - Learn about biking, walking and transit routes around Milwaukie and Oak Grove
- Amtrak Cascades Schedule and Coupon** - Passenger rail connecting Eugene with Vancouver, BC
- North Clackamas Parks and Recreation District Parks Map** - Your guide to great parks and trails in Clackamas County
- Drive Less Connect Information** - Learn about Oregon's online ridematching tool

LOCAL TRANSIT INFORMATION

- Milwaukie & Oak Grove TriMet Schedules and Maps** - TriMet system map and local route information
- Bikes on Transit** - Learn how to take your bike on the bus or MAX
- Paratransit Services** - For those who are unable to use regular buses
- Trip Tools** - Information about train resources and apps
- Park and Ride Information**

BICYCLING INFORMATION

- Family Bike Guide** - Basic bicycling information geared toward families
- Milwaukie Bike Map**
- City of Portland Bike Map**
- Oregon State Bicycle Map**
- Bicycle Safety: What Every Parent Should Know**
- Bicycling Quick Guide** - All of the information you need to ride a bike safely and confidently

WALKING INFORMATION

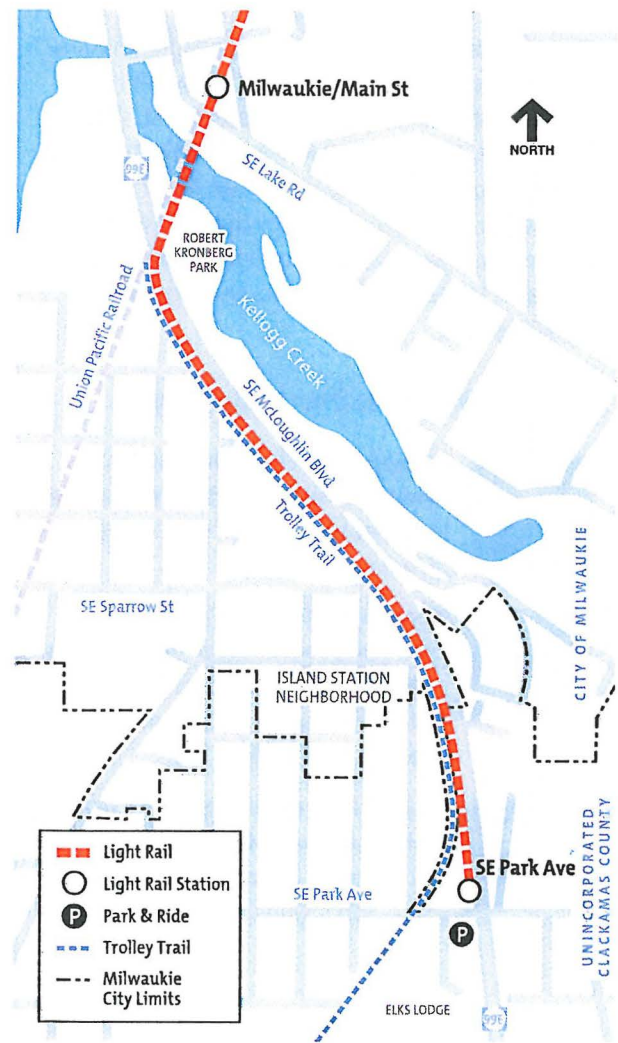
- Walking for Health Brochure**
- Tips for Walking Safely at Night**
- Trolley Trail Map**

Your Go Kit will be delivered in this handy tote bag!



GO GEAR (Select Only One)

- Water Bottle** - Stay hydrated and healthy as you walk, bike and ride
- Wrap-it Safety Lights** - Use them for biking, walking or taking the bus
- Umbrella** - To keep you dry on those rainy Milwaukie days



Graphic courtesy of TriMet

Catch the Orange!

Opening September 12th, the MAX Orange line is TriMet's fifth MAX line. It will travel 7.3 miles between PSU, inner Southeast Portland, Milwaukie and Oak Grove creating a new connection to the communities in our neighborhood. Soon you will be able to jump on the MAX from downtown Milwaukie or the SE Park Avenue station in Oak Grove to access our region's many amenities, such as cultural events and natural areas.

TriMet is celebrating the opening of the MAX Orange line from 11 a.m. to 6 p.m. on September 12th with FREE rides on the MAX, TriMet buses, and Portland Streetcar. Explore new routes and enjoy a variety of activities along the MAX Orange line.

The new MAX Orange line also brings improvements in biking and walking infrastructure, such as, new connections to the Trolley Trail, the Adams Street Pedestrian Paseo, and the Kellogg Creek Pedestrian Bridge. Milwaukie and Oak Grove neighborhoods will also receive new bike amenities. This includes a new Bike & Ride facility at the SE Park Avenue station, which offers secure covered parking for your bicycle. You can now hop on your bike and ride to the station and lock it in the secured space.

Getting around can be easy and fun! Drive Less Save More: Milwaukie outreach staff will host custom neighborhood events to get you on your way. Learn about upcoming events by visiting www.MilwaukieOregon.gov/DriveLess

2 TRAVEL QUESTIONS

Tell us how you get around!

- 1 Last week, how many days did you use transportation options (e.g., biking, walking, carpooling, and/or transit) for any type of trip you took?

<input type="checkbox"/> 0 days	<input type="checkbox"/> 4 days
<input type="checkbox"/> 1 day	<input type="checkbox"/> 5 days
<input type="checkbox"/> 2 days	<input type="checkbox"/> 6 days
<input type="checkbox"/> 3 days	<input type="checkbox"/> 7 days
- 2 Thinking about all of the trips you took last week, did you use transportation options at least 2 days?

<input type="checkbox"/> No, but I'm thinking about it
<input type="checkbox"/> No, but I intend to
<input type="checkbox"/> Yes, but it is difficult for me
<input type="checkbox"/> Yes, and it is easy for me
<input type="checkbox"/> Don't know/Not applicable.
- 3 Looking ahead to next week, how many days do you want to use transportation options to get you to any of your destinations? ?

<input type="checkbox"/> 0 days	<input type="checkbox"/> 4 days
<input type="checkbox"/> 1 day	<input type="checkbox"/> 5 days
<input type="checkbox"/> 2 days	<input type="checkbox"/> 6 days
<input type="checkbox"/> 3 days	<input type="checkbox"/> 7 days

3 CONTACT INFO

Tell us where to send your Go Kit & Go Gear:

NAME _____

DELIVERY ADDRESS *We deliver by foot and bike! No PO boxes, please.* _____ ZIP _____

PHONE *In case we need to contact you about your order* _____ EMAIL *Stay informed about events. We won't share your information.* _____

IF NEEDED, LET US KNOW THE BEST LOCATION OR TIME FOR DROPPING OFF YOUR GO KIT. While we can't guarantee a delivery date and time, we'll do our best.

Tear, fold this order form, tape, and mail back - postage free!

Please tear here, fold, tape and mail back - postage free!



MILWAUKIE CITY COUNCIL
REGULAR SESSION

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

REVISED AGENDA
AUGUST 4 , 2015

2,203rd Meeting

1. **CALL TO ORDER 6:00 p.m.** **Page #**
Pledge of Allegiance

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

A. **National Night Out Proclamation** **2**
Staff: City Manager Bill Monahan

B. **Drive Less / Save More**
Staff: Program Services Specialist Jason Wachs

C. **Vietnam Memorial Wall Event**
Staff: Assistant to the City Manager Mitch Nieman

D. **Moving Forward Milwaukie: Central Milwaukie Plan and Code Amendments** **3**
Staff: Associate Planner Vera Koliass

3. **CONSENT AGENDA**

These items are considered to be routine, and therefore, will not be allotted discussion time on the agenda; the items may be passed by the Council in one blanket motion; any Councilor may remove an item from the "Consent" agenda for discussion or questions by requesting such action prior to consideration of that part of the agenda.

A. **None scheduled.**

4. **AUDIENCE PARTICIPATION**

The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140 of the Milwaukie Municipal Code, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360 of the Milwaukie Municipal Code, "all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.

5. **PUBLIC HEARING**

Public Comment will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.

A. **None scheduled.**

6. OTHER BUSINESS

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

A. Council Reports

7. INFORMATION

8. ADJOURNMENT

Executive Session

Immediately following adjournment of the Regular Session the City Council will meet in Executive Session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations. The Council will not be returning to Regular Session.

Meeting Information

- Executive Sessions: The Milwaukie City Council may meet in executive session immediately following adjournment pursuant to ORS 192.660(2).
 - All Executive Session discussions are confidential and those present may disclose nothing.
 - Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed.
 - Executive Sessions may not be held for the purpose of taking final actions or making final decisions.
 - Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503-786-7555
- During meetings the Council asks that all pagers and cell phones be set on silent mode or turned off.



**Regular Session
Agenda Item No.**

2

**Proclamations,
Commendations,
Special Reports,
& Awards**



CITY OF MILWAUKIE
"Dogwood City of the West"

PROCLAMATION

RS 2. A.

August 4, 2015

WHEREAS, the National Association of Town Watch is sponsoring a unique nationwide crime and drug prevention program on August 4, 2015, entitled "National Night Out"; and

WHEREAS, the "32nd Annual National Night Out" provides a unique opportunity for the City of Milwaukie to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the Milwaukie Police Department plays a vital role in promoting crime and drug prevention efforts and is supporting "National Night Out 2015" locally; and

WHEREAS, it is essential that all citizens of Milwaukie be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Milwaukie; and

WHEREAS, police-community partnerships and neighborhood safety and awareness and cooperation are important themes of the "National Night Out" program.

NOW, THEREFORE, I, Mark Gamba, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **August 4th, 2015, National Night Out** in the City of Milwaukie, and I call upon all citizens of the "Dogwood City of the West" to join with the Milwaukie Police Department and the National Association of Town Watch in supporting the "32nd Annual National Night Out".

IN WITNESS WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4th day of **August, 2015**.

Mark Gamba, Mayor

ATTEST:

Pat DuVal, City Recorder





MILWAUKIE CITY COUNCIL
AGENDA ITEM SUMMARY

Agenda Item: **RS 2. D.**

Meeting Date: **August 4, 2015**

Title: **Moving Forward Milwaukie:
Central Milwaukie Plan and Code Amendments**

Prepared By: Vera Kolas

Department Approval: Denny Egner

City Manager Approval: Bill Monahan

Approval Date:

ISSUES BEFORE COUNCIL

On July 21, 2015, the City Council held a work session on the Comprehensive Plan and Transportation System Plan amendments that are a part of the Central Milwaukie package of plan and code amendments. The discussion on August 4 will be an overview of draft code amendments for Central Milwaukie prior to the first Council hearing on the amendment package.

STAFF RECOMMENDATION

N/A

KEY FACTS & INFORMATION SUMMARY

These amendments are the second generated by the *Moving Forward Milwaukie: Enhancing Our Commercial Districts* project. The Planning Commission recommended approval of the proposal on July 14, 2015, at the fifth hearing on the amendment package.

OTHER ALTERNATIVES CONSIDERED

Provide comments to staff for preparation for the September 1, 2015, public hearing.

Schedule an additional worksession for further discussion. This could delay the adoption and effective dates of the amendments.

FISCAL NOTES

These amendments are part of the Moving Forward Milwaukie project scope. There is an estimated cost of \$3,500 for revising the affected ordinances.

ATTACHMENTS

Please refer to the staff report dated July 11 for the July 21 Council worksession for the attachments.



MILWAUKIE CITY COUNCIL
STAFF REPORT

Agenda Item:
Meeting Date: 8/4/15

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Moving Forward Milwaukie: Central Milwaukie Plan and Code Amendments (CPA-2015-001, ZA-2015-001)**

From: Vera Koliass, Associate Planner

Date: July 24, 2015

ACTION REQUESTED

This is a worksession, and no official action is requested. Staff requests that Council share any questions and concerns about the proposed draft amendment to assist staff in preparation for the September 1, 2015, hearing on the amendments. These amendments are part of the *Moving Forward Milwaukie: Enhancing Our Commercial Districts* (Moving Forward Milwaukie or MFM) project.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Please refer to the staff report dated July 11 for the July 21 Council worksession.

BACKGROUND

On July 21, 2015, the City Council held a work session on the Comprehensive Plan and Transportation System Plan amendments that are a part of the Central Milwaukie package of plan and code amendments. Please refer to the staff report for the July 21 meeting for additional background detail.

The discussion on August 4 will predominantly involve proposed zoning code amendments as described below. The information repeats what was included in the report for the July 21 meeting and all references to attachments are the attachments that were a part of that report.

Zoning Ordinance and Map

Please refer to Attachments 6 (underline/strikeout) and 7 (clean).

The draft amendments seek to implement the project goals in Central Milwaukie through the Fundamental Concepts (see page 9 of the CM LU&T Plan) and are also intended to implement the policies for new development laid out in the Plan (see page 14 of the CM LU&T Plan).

Zoning Map

It is proposed that the zoning map be revised to include a new General Mixed Use Zone GMU, include a new Flex Space Overlay, and eliminate the Residential-Office-Commercial Zone ROC in central Milwaukie. See Figures 1 and 2.

Figure 1. Proposed Central Milwaukie Zoning

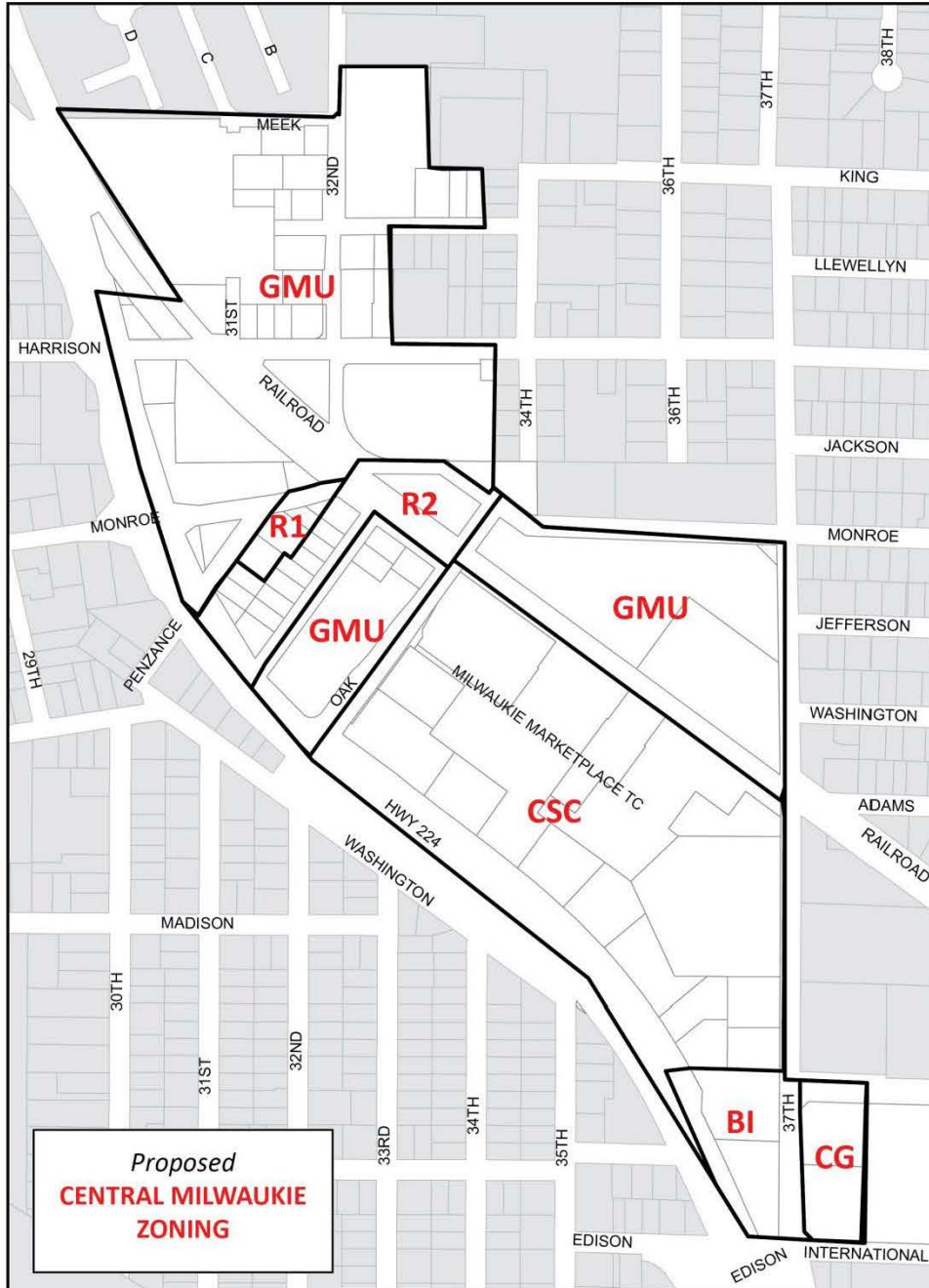
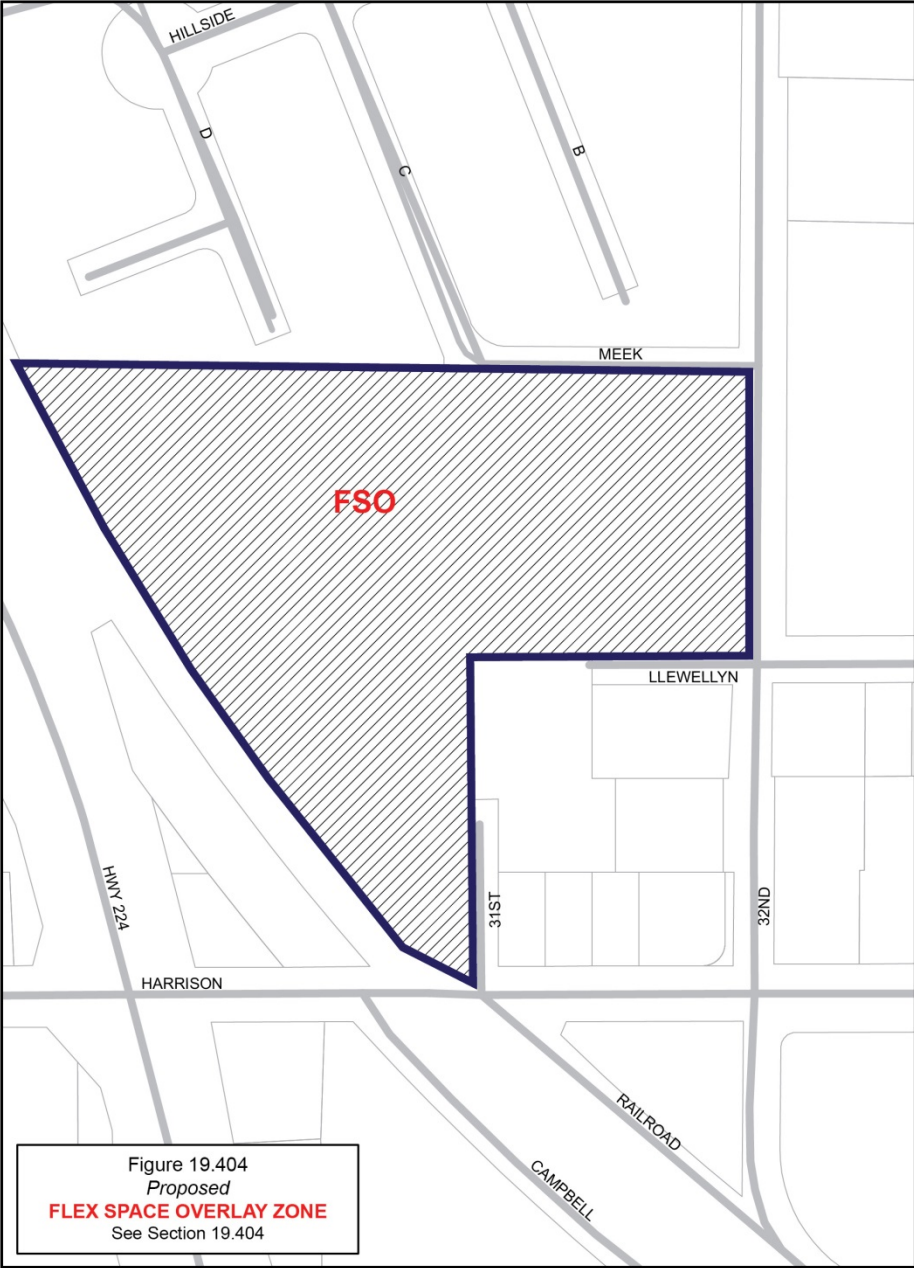


Figure 2. Proposed Flex Space Overlay



Use Standards

These standards determine what types of uses are permitted and what level of land use review, if any, is required.

Standard/Use	Purpose/Intent	Existing	Proposed
Zoning	Create a vibrant, mixed-use district	<ul style="list-style-type: none"> CG zone, R-O-C zone, MU overlay 	<ul style="list-style-type: none"> General Mixed Use Zone GMU Flex Space Overlay on portion of Murphy Site
Residential uses	Create a vibrant, mixed-use district	<ul style="list-style-type: none"> Residential only permitted on Murphy and McFarland sites and Penzance/Myrtle area 	<ul style="list-style-type: none"> Allow multifamily residential uses throughout Central Milwaukie

Development Standards

These standards shape the location, size, and massing of new development. The proposed revisions are intended to bring buildings closer to the street to create a pedestrian-friendly environment.

Standard	Purpose/Intent	Existing	Proposed
Residential uses Table 19.303.2	Create a vibrant, mixed-use district	<ul style="list-style-type: none"> Residential only permitted on Murphy and McFarland sites and Penzance/Myrtle area 	<ul style="list-style-type: none"> Allow multifamily residential uses throughout Central Milwaukie
Street setbacks Table 19.303.3 19.303.4.C	Buildings are allowed and encouraged to build up to the street right-of-way in the GMU zone.	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> No minimum street setback Max = 10-20 ft When building is set back from the sidewalk, landscaping is required. No vehicle parking permitted between the building and the street; except in the flex space overlay.

Building height Table 19.303.3 19.303.4.B	Encourage the provision of residential uses and/or green building certification	<ul style="list-style-type: none"> Maximum height 3 stories/45 feet 	<ul style="list-style-type: none"> Allow up to 1 story bonus height if buildings devote at least 25% of the area to residential uses, <p>OR</p> <ul style="list-style-type: none"> 1 story bonus height with green building certification
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Design standards

These standards are intended to establish a baseline level of design for new development to ensure that new development is attractive and provides ground floor/pedestrian-level interest.

Standard	Purpose/Intent	Existing	Proposed
Primary entrances 19.303.4.G	To promote pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly-marked pedestrian walkways	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> All new buildings shall have at least one primary entrance facing an abutting public street
Residential edge 19.303.5	Development that is adjacent to or abutting lower density residential zones should be compatible with existing neighborhoods.	<ul style="list-style-type: none"> Setbacks must match adjacent front yard setback. 	<ul style="list-style-type: none"> A minimum setback shall apply. Step back applies to buildings within 50 ft of 37th Ave and Monroe St.
Frontage occupancy 19.303.4.D	To establish a consistent "street wall" along key streets.	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Certain block faces, a minimum of 50 percent of the site frontage must be occupied by a building or buildings.
Corners 19.505.7.C.1 Figure 19.505.7.C.1	To reinforce intersections as an important place for people to gather.	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Buildings located on identified key corners shall incorporate one specific design feature.

Weather protection 19.505.7.C.2	Through the use of awnings and canopies along the ground floor of buildings, to protect pedestrians from rain and provide shade; to encourage window shopping and lingering; and to create visual interest on the ground floor of a building.	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • All ground floor building entries shall be protected from the weather by canopies, or recessed behind the front building façade at least 3 feet
Exterior building materials 19.505.7.C.3	To provide a sense of permanence through the use of certain permitted building materials; to provide articulation and visual interest to larger buildings; and to allow for a variety of materials and designs	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Standards specify primary, secondary, and prohibited material types.
Windows and doors 19.505.7.C.4	To enhance street safety and provide a comfortable pedestrian environment by providing ground-level transparency between the interior of buildings and the sidewalk.	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • For non-residential and mixed-use buildings, a minimum percentage of the ground-floor street wall must consist of openings.
Roofs 19.505.7.C.5	To enliven the pedestrian experience and create visual interest.	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Permitted roof forms are specified.
Rooftop equipment and screening 19.505.7.C.6	To integrate mechanical equipment into the overall building design.	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Specifies requirements to screen roof-mounted mechanical equipment.
Ground level screening 19.505.7.C.7	To integrate mechanical equipment into the overall building design.	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Specifies requirements to screen mechanical equipment, outdoor storage, and outdoor garbage and recycling areas.

Land Use Review Procedures

The goal of the project is to streamline the review process for development in commercial areas by establishing clear standards for new buildings.

Standard	Purpose/Intent	Existing	Proposed
Land use review	Streamline the review process to reduce uncertainty and risk, while establishing new design standards to ensure attractive development	<ul style="list-style-type: none">• All development on Murphy, McFarland, and a portion of Providence Hospital site subject to Type III land use review	<ul style="list-style-type: none">• Development that meets development and design standards permitted through Type I review• Some revisions permitted through Type II Variance Review• Development in the Flex Space Overlay permitted through Type II review• Circulation plan required for larger sites (3+ acres)

CONCURRENCE

The Planning Commission has recommended approval of the amendments; the Engineering Departments and the Building Official have reviewed the proposal and concur.

FISCAL IMPACTS

These amendments are part of the Moving Forward Milwaukie project scope and were included in the original budget for the project. The amendments are not expected to significantly alter the cost of administering the code.

WORK LOAD IMPACTS

The amendments are not expected to significantly alter the work load of the planning department for administration of the code.

ALTERNATIVES

The August 4, 2015 meeting is a work session. No alternatives are being presented. Staff is seeking comments and questions related to the proposal so that we can return with alternatives and options at the September 1, 2015, public hearing.

If there are significant issues, the Council could choose to schedule an additional worksession for further discussion. This could delay the adoption and effective dates of the amendments.

ATTACHMENTS

Please refer to the staff report dated July 11 for the July 21 Council worksession for the attachments.