

PLANNING COMMISSION MINUTES

REGULAR MEETING

NOVEMBER 8, 1983

MEMBERS PRESENT

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

MEMBERS ABSENT

GEORGE CATHEY

STAFF PRESENT

TOPAZ FAULKNER, PLANNING DIRECTOR  
LORI MASTRANTONIO, ASSOCIATE PLNR.  
STEVE HALL, PUBLIC WORKS DIRECTOR  
CAROL LEE, SECRETARY

SIGN COMMITTEE

GARY HUBBARD  
LORRY KNAPP

The Commission and Sign Committee met in the Council Chambers at 6:00 PM to continue discussion regarding sandwich board signs in the downtown area. Lori mentioned that other jurisdictions do not allow sandwich board sign but do have them. Enforcement is the main problem with the sign ordinance. Staff explained some of the requirements and standards of the current sign ordinance. Discussion covered all portable signs including wooden painted sandwich board signs and plastic illuminated signs on wheels. Suggestions included limiting the number of signs along street frontage to one sign per every 100 feet of frontage, and prohibiting the placement of any signs within the right-of-way. Projected reader board signs mounted above the canopy of certain businesses were also discussed. Lori suggested that she prepare a map of the area along McLoughlin illustrating the maximum number of signs for every 100 feet of frontage. The Committee agreed with this suggestion and directed staff to prepare the material.

The Planning Commission moved the meeting to St. John's Episcopal Church, 2036 SE Jefferson, Milwaukie because of the expected crowd for the Tri Met Public Hearing. The meeting began at approximately 7:10 PM. Mr. Littlehales declared a conflict of interest of the request (C-83-15) and temporarily removed himself from the panel. Ms. Sweetland open the meeting at 7:10 PM.

- 3.1 TRI MET C-83-15 (Continued from the September 27, 1983 Public Hearing)  
TRI METROPOLITAN TRANSIT DISTRICT, Applicant  
MARIANNE BUCHWALTER & JOHN SHIPLEY, C/O Dough Donanca, Owners  
LOCATION: 11222 SE Main St., Milwaukie

Lori presented the Staff Report indicating that the Planning Commission had decided on September 27, 1983 to continue the public hearing and allow adequate time to study the traffic impact of the site and impact of the parking lot within an Environmentally Significant Natural Area. Staff reviewed Conditional Use Criteria listed in the Staff Report, Page 3.

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Lori stated that the area where the parking lot would be located had been considered within the floodplain, however after careful research it was found that that area was not within the floodplain. Staff presented applicable Policies of the Comprehensive Plan to the audience on the overhead projector. At the meeting held September 27, 1983 the Planning Commission concurred that a Transit Center is needed within Milwaukie. Lori stated that the actual date the applicant's report was received was November 2. Transit Bus Line No. 40 has been planned for some time, which is due to begin operation in January 1984 but is not dependent upon the location of the Transit Center nor is it a result of the request. There will be no additional routes or frequency of trips for the area for a period of 5 to 6 years.

Letters of support were received from Winston Kurth, Clackamas County Environmental Services Department; Pete Sinclair, Bank of Milwaukie; Paul McTauish, Store Manager, Milwaukie Safeway Store; and Andy Cotugno, Transportation Director, METRO.

APPLICANT'S RESPONSE:

SPEAKING: LEE HAMES;

Ms. Hames said at the September 27, 1983 Planning Commission Meeting Tri Met was asked to answer questions regarding alternative sites at the Shell Gas Station and City Parking Lot, Chevron Gas Station, and the South Main Street site. She mentioned that when the Transit Center is relocated there will be several parking spaces encompassing City Hall that will be returned to public parking for the downtown core area. The site at the south end of Main Street has the availability to adequately serve the community, and the 20% local match which is essential to the project. Tri Met desires to find a site location with minimal negative impacts. Grant funds are available for the project through the Federal Government.

SPEAKING: MIKE HOUCK, Urban Naturalist, Audbon Society

Mr. Houck stated he is working on an inventory of urban wildlife habitat through a grant with the State Department of Fish and Wildlife. As a result of his experience, Tri Met has requested that he study the Kellogg Lake area. Mr. Houck was asked to assess the impacts on wildlife and their habitat resulting from the proposed parking lot. He stated that the wildlife value of the parking lot area is very low due to the noise from McLoughlin and because there are very few species of shrubs and trees.

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SPEAKING: MIKE HOUCK Continued

The arrangement of plants is very simple. There is not a lot of structural diversity throughout the layers of earth and shrubbery. Much of the other parts of the lake does have a variety of plant life. Starting at the peninsula and working up stream, past the railroad trestle there is wildlife habitat. Thorny shrubs were suggested to provide a barrier deterring litter and dumping which would also provide food for wildlife.

Ms. Sweetland asked Mr. Houck if he has knowledge of fish. Mr. Houck said even though he is not a fishery person, a trap to prevent oil running into the lake should be installed.

Mr. Foster asked if there are wildlife surrounding the area. Mr. Houck said in his opinion the noise from McLoughlin is very overwhelming and is more noticeable than traffic on Main Street. Most species of wildlife are very sensitive to noise and are not present on the lake. However many species of wildlife can adapt to constant background noise but are affected by intermittent loud noises rather than continuous traffic noise.

SPEAKING: ALONZO WERTZ, Tri Met

Mr. Wertz said that the Transit Center project is one of Tri Met's capital facilities plan. He has been working with traffic impacts of the plan. The plan would make two fundamental changes of traffic movement in downtown Milwaukie. The transit facility would be moved from the City Hall block to the south end of Main Street. Over 350 to 400 buses move on both Main and Jackson Streets each day. That concentration would be shifted to the south end of downtown. The restructuring of service through downtown would constitute service leaving downtown to the north on Main Street, and most service approaching downtown would travel the length of 21st Ave southbound to the Transit Center. The simplicity of this pattern of movement would improve traffic circulation in the downtown area, giving all of downtown better exposure to transit access, and reduce traffic hazards potentials. At the same time there will be no change in traffic patterns for vehicular traffic. Up to 22 parking spaces could be recovered at the City Hall Transit Center site when the Transit Center is relocated. There will be no change in the configuration of the parking spaces on Main Street or 21st Ave as a result of relocation.

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SPEAKING: ALONZO WERTZ Continued

Mr. Wertz said the Transit Center is a project presented by Tri Met, however the Trunk Route project is a proposal by Clackamas County to connect transit from downtown Milwaukie to the Tri Met Center at Clackamas Town Center, which is consistent with the Regional Transportation Plan. Potential routes to be considered for the trunk route project include Railroad Avenue/ Harmony or Lake Road/Harmony. After the route is established Tri Met will have to make a decision as to when service will be implemented and the characteristics of that service. Either route could be utilized by the Transit Center, with service running with three buses an hour each direction during mid-day, and two buses per hour during the evening hours for a total of 18 hours. Projected passenger demand, passage of streets, feelings of the neighborhood through which the service is run, travel times for bus movements along those routes, compatibility of adjacent land uses, safety, and availability of Tri Met funds for the service will all be considered in the evaluation for the project. At the present time, Tri Met is in a position to preclude adding new service and hours of service for a minimum of five years.

SPEAKING: LEE HAMES, Tri Met

Ms. Hames presented charts showing the schedule of the project which is being dictated by the situation at the AG grocery store. The U.S. Postal Service has signed a property lease with the owner. The design plan must be completed by February, 1984 because their currently lease at the existing site expires December, 1984. This requires them to be in and operating at the AG site by December 1984. Tri Met is seeking Planning Commission and City Council approval of the proposal in November 1983, in order to reach the deadline for reprogramming the grant funds. The main difficulty with the time limitations is that the AG site is still for sale. The longer the delay, the more financial loss the property owner faces. City Staff has indicated they wish the site to be one with off-street parking and minimum traffic.

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Mr. Liane asked Lee Hames if the post office has a lease with Tri Met. Ms. Hames explained that the post office currently has a lease with the AG property owners. After several meetings with Tri Met the Postal Service does not feel there will be problems in operating with that location. Mr. Foster asked who will be the prime leasee. Ms. Hames said that if Tri Met does not buy the property, the existing property owners will continue to lease the building. The post office has already demonstrated their interest by signing the lease agreement. If the project is approved Tri Met will buy the entire site and renegotiate a new lease with the post office, and other potential tenants.

Mr. Brown said there had been comments that downtown Milwaukie should be a "foot traffic oriented area", i.e. a "closed-off mall" with less traffic on Main Street. He asked Tri Met Staff what the possibilities are for directing traffic on 21st Avenue instead of using Main Street. Alonzo answered his question, saying that this is a definite alternative to the one-way couplet configuration but places a large bus volume on 21st Avenue. Mr. Brown asked what effect there would be on the Transit Center if there was two-way traffic for auto and bus traffic at the south end of Main Street, where there is currently only southbound one-way traffic. Alonzo said one objective is to reduce the potential conflict between auto, bus and pedestrian traffic without seriously disrupting the traffic pattern in downtown. They want to maintain the present circulation at the south end of town, but also add the ability to handle the volume of buses that will concentrate on the streets at the Transit Center with a minimum of interference from general traffic, and at the same time make a safer environment for transferring bus passengers. Mr. Brown asked how will the buses cross the 21st Ave and Lake Rd. intersection. Alonzo said there will be a holding lane for bus traffic until they can proceed, allowing traffic not to be obstructed by buses at the intersection. Mr. Brown asked about a traffic signal at the intersection of McLoughlin and Washington Avenues. Alonzo said the response from the Oregon Department of Transportation states that traffic volume on Washington Avenue does not warrant a new traffic signal even though traffic on McLoughlin may be. It is not likely that they would consider another traffic signal at Washington and McLoughlin Avenues. What that means is that instead of having buses use Washington Avenue, buses heading southbound on McLoughlin would continue to use Jefferson Street. Mr. Brown asked where the Greyhound buses would stop. Alonzo said that as the project is considered the design would be subject to detailed revisions. Designs have been drawn to coordinate Greyhound schedules with those of Tri Met, in order to provide adequate space for loading.

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Mr. Brown said he felt that one entrance to the "kiss and ride" parking lot would cause difficulty when trying to turn around. Alonzo said the reason the configuration of that parking lot was changed was to eliminate a second driveway. Most of the "kiss and ride" type parking would occur on Adams Street.

Ms. Sweetland asked who would pay the utilities of the street lights. She also asked if there was a requirement to have a Transit Center in Milwaukie. Alonzo said that Milwaukie is the natural focal point for transit service because the road system dictates it. Most all traffic funnels through Milwaukie to get to McLoughlin which is the principal corridor to Portland. The Transit Center will separate the local service and front service into Portland. Basically, Tri Met is not required to have a center in Milwaukie but operational service demands it.

Ms. Sweetland asked if Tri Met would be willing to post a \$1,000 bond to ensure compliance of conditions the Commission may apply to the request. Ms. Hames said that a bond would have to be approved by the Tri Met board. Ms. Sweetland mentioned that there was nothing proposed to prevent people from walking on the cat walk part of the railroad trestle. When the road is lowered there would be even more danger at that point. Ms. Hames said that Tri Met has no control of the railroad property. Ms. Sweetland said the parking lot site is made up of illegal fill, and is concerned about grading and fill of that site. Alonzo said the site is fairly flat now and minor grading would be done for drainage and surfacing.

Mr. Foster said he was unable to attend the last public hearing and had several questions. He is concerned about two-way traffic on Main Street and favors traffic to be directed on 21st Avenue. He asked what affects there would be if Tri Met did not build a Transit Center and continued to use the existing routes. Alonzo said that just having bus stops along various routes would not allow the convenience of bus interchange between routes. Mr. Foster said that it is very important that the proper location be chosen for the Transit Center because of the impacts to the community in years ahead. Mr. Foster asked if the site across from City Hall on the east had been considered as a proposed site. This property is bordered by 21st Ave and Harrison which would provide good access. Alonzo said Tri Met had not considered that site. The objectives that have been addressed can be accomplished within this proposal.

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Lee Hames mentioned that one of the main issues of the project is funds for local match. The proposal includes city-owned property which will be dedicated as the 20% local match, but the site at the Jr. High School is not owned by the City. The Jr. High School property would need a road system which would increase the cost of the project.

Mr. Liane asked what types of shelters would be provided for passengers. Alonzo said several small shelters will be provided for passengers, as well as some shelter near the building. Mr. Liane indicated that the amount of buses on Main Street would be tremendous. Alonzo clarified the route plan of buses through downtown, there would be 20 buses an hour on Main Street and 17 buses an hour on 21st Ave during the morning hours and vice versa during the evening hours, there would be 11 buses an hour during peak hours of the day.

AUDIENCE PARTICIPATION:

SPEAKING: ANDY CATUGNO, METRO, 527 SW Hall, Portland, Ore

Mr. Catugno recommended that some transit station be adopted for the downtown Milwaukie area. The proposed site is a perfectly acceptable site from regional transportation standpoint, in that it is compatible with the need to have bus service connection from Milwaukie to the north on the McLoughlin Corridor, south to Oregon City on the McLoughlin Corridor, and the east to the Clackamas Town Center on one of the two corridors under consideration. There is a longer term interest to at least protect the ability to build light-rail some time in the future. All three considered sites would be compatible for the light-rail alternative. He urged the Commission to approve one of the sites.

SPEAKING: DANIEL BROWN, Planning and Evaluations, North  
Clackamas School District, 4444 SE Lake Rd.

Mr. Brown said the proposed Transit Center will drastically change the characteristics of the site. Milwaukie High School is directly adjacent to the proposed center and has 1300 students. He stated that at no time had the Planning Staff nor Tri Met contacted the School District in reference to the proposal. He said the school

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feels the proposal will be a nuisance because of the school buses that operate in the area. Mr. Brown requested the Commission and Tri Met allow discussion between them and the school advisors to determine alternatives.

SPEAKING: JIM BACKENSTOS, 3626 Harrison St., Milwaukie  
Representing the Concerned Citizens of Milwaukie

Mr. Backenstos said that Staff's recommendation to the Commission in favor of the request is to the detriment of the citizens of Milwaukie and the whole district. He said he felt more public notice should have been given. He urged the citizens to read the Staff Report. He does not believe that a Transit Center, Greyhound Station, Bakery, and Post Office can adequately fit in the space available on the site. He feels the Staff Report could have been severely condensed. Comments about the context of the Staff Report, Mr. Houck's report, park facilities across from the sewage plant, potential tenants for the building, smog, and frequency of bus traffic and routes were mentioned. Ms. Sweetland informed him that the 3-minute speaking time had lapsed.

SPEAKING: BILL HUPP, 2626 SE Washington, Milwaukie

Mr. Hupp said Tri Met had mentioned there would be 22 available parking spaces for the public at the current location, City Hall block, but there are not 22 parking spaces available at the proposed site. Mr. Hupp asked how much money will the tax payers have to put up for the project, and will the City underwrite any of the expense. Ms. Sweetland explained that the City will be donating the property for the parking lot. Mr. Hupp asked if the property would be reversed back to the City if Tri Met decided they want to move the center. Topaz explained that the ownership can be transferred in a revocable manner. Mr. Hupp said he is concerned about the inadequacy of bus and public parking at the proposed site. Mr. Hupp stated he has no objection to a Transit Center being placed in the City of Milwaukie, but is not in favor of the proposed site, although it should be moved away from City Hall.

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SPEAKING: MRS. JOHN GREGORY, 12256 SE 32nd Ave, Milwaukie

Mrs. Gregory said she agreed with the representative from the school district. She feels the site would not be appropriate because of the heavy traffic and congestion of Tri Met and school district buses. She is concerned about property values and release of property for light-rail. She wanted to know what the potential service would mean to the home owner.

SPEAKING: MEL PAULSON, 12264 SE 36th Ave., Milwaukie

Mr. Paulson said he had heard that the hearing about the trunk line will not happen until the first part of March. He said there are many unanswered questions about the parking site. He feels that if this site is chosen traffic will at least double. He said there would be continual congestion for postal patrons and pedestrian traffic will be hazardous when crossing from the parking lot. Mr. Paulson asked if Milwaukie really needs a Transit Center. He said there are a lot of issues that METRO, Tri Met, Clackamas County and the City do not agree on. He said he does not like the proposed site but does favor the parking lot across from City Hall as an alternative.

SPEAKING: GENE LAMBIRD, 12006 SE McLoughlin

Mr. Lambird commended the Planning Staff, Tri Met and their consultant for efforts in reaching a solution to the proposal. He said he is interested in the Tri Met Transit Center, but cannot support the plan. He stated that the proposal does not give anything to the people who have to live with the results for the rest of their lives. Citizens of Milwaukie will gain more noise, lose open space, reduce an Environmentally Significant Natural Area, add more asphalt and create no park space. He said that the applicant's report states that storm water will flow into the Main Street storm drains, which just happen to flow into Kellogg Lake. He felt the issue was not addressed by the applicant. He questioned the interpretation of a parking lot being a low intensive use, it will limit over 50% of the open space on the site. He urged the Commission to challenge the conflicting statement. He recalled the statement from Mr. Houck regarding the amount of wildlife species on the site and questioned would an asphalt parking lot make it better.

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SPEAKING:    Gene Lambird            Continued

He said the property is now in the City's park plan, but the City has no money to develop the site, and Tri Met has no money to develop the park. He said the public is not dealing with a series of small issues but with a bureaucracy that has no concern for the citizens of Milwaukie. Every square foot of open space given up will not be retained in our lifetime. He encouraged the citizens of Milwaukie to force the government of Milwaukie to acknowledge their interests first.

SPEAKING:    MRS. ERNEST BISIO,    3695 SE Lake Rd.

Mrs. Bisio said the Tri Met landscaping plan is very appealing. She said a five or six year plan is too soon, of people who have lived in Milwaukie for many years. Families are thinking their homes and property many years in the future. They do not consider their residence to be a temporary location, it is where they intend to stay. The biggest fear of the proposed site is that it is just too convenient for the connection of light-rail on Lake Road. Lake Road has and always has been prime residential property, but a light-rail system will cause it to become depressed property. She encouraged the citizens not to listen to letters in support of the proposal, as they are just concerned for themselves. She stated that those living on Lake Road object to the Transit Center being located at the south end of Milwaukie.

SPEAKING:    JIM BACKENSTOS

Mr. Backenstos asked who will pay for the project. He suggested that the name of Harrison Street be changed to Harrison Expressway, stating that it is more in line with the keeping of 8,000 cars passing there now. He asked what type of passenger service does Tri Met contemplate. He also asked how METRO could come and give the City advise when they cannot handle their own money problems.

SPEAKING:    BILL HUPP

Mr. Hupp said he always attempts to represent the people of Milwaukie. After listening to the testimony he is opposed to the proposed Transit Center.

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SPEAKING:   MEL PAULSON

Mr. Paulson suggested strongly that the City Hall parking lot be considered as an alternative site. Tri Met should consider to stay where they are, park in the street, and save the taxpayers a million bucks.

APPLICANT'S FINAL REMARKS

SPEAKING:   LEE HAMES

Ms. Hames said that Tri Met would be glad to meet with the school board to discuss issues or designs affecting the students. Pedestrian traffic at the proposed site will be no different than crossing the street to make bus transfers now. It is the same type of traffic, it will just be relocated to one area. A total of 23 parking spaces will be at the proposed site. The post office has reviewed the plan and feels that it will be adequate for their type of traffic.

SPEAKING:   ALONZO WERTZ

Alonzo addressed comments of property values and commitment to a trunk route alternative. He mentioned that objectives of the transportation plan for Clackamas County, City of Milwaukie and METRO are consistent.

The Public Hearing Closed at 9:25 PM.

COMMISSION DELIBERATION

Mr. Brown said from a landuse standpoint the proposal is an appropriate conditional use for the site, which meets the safety and welfare of the community. He favors the Transit Center being moved from the current location, because of traffic hazards. ~~Mr. Brown said there was not testimony against the routing of buses on Main Street, so it could be viewed as a benefit to the struggling merchants along Main Street.~~ The Comprehensive Plan mandates that the City have a Transit Center, and the proposed site seems to be a good workable alternative which would bring a positive opportunity to that area of downtown.

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Ms. Roholt said there could be controversy for the Transit Center being located so close to the High School during after school activity hours, and agrees that the school district should be included in discussions on the project. She feels that the Transit Center should be moved away from the City Hall block. She would like to see the vacant area at the south end of town be put to a positive use. She is concerned about buses on Main Street and was surprised not to hear testimony against that. She is very concerned about drainage from the parking area into the lake.

Mr. Foster said the area at the proposed site is not large enough to accommodate all of the proposed uses. He suggested that Tri Met consider other sites and a means of financing the project.

Mr. Liane said that after examining the site several times, in his opinion the small triangular piece of property could not possibly accommodate all the services that have been proposed. He asked how far the railroad grade extends towards the building. He is concerned about the increased amount of noise from the buses on Main Street. He said because of those points of concern he could not support the proposal.

Mr. Brown asked how large the post office is proposed to be. Topaz answered the new post office location would be 3,000 square feet, with two employees, and loading dock. Mr. Brown acknowledge that the facility would be considerably smaller than they have now. Mr. Brown said the drawing Tri Met presented shows that approximately half of the building will be removed, that will allow a lot more room between the building and railroad track. A change could be made for routing the buses to 21st Ave if problems come up. °

Mr. Foster said the post office not only has the employess, but also the delivery wagons. Topaz explained that the delivery vehicles will be relocated to the Naef Rd. facility.

Lee Hames answered questions regarding parking for the post office, stating that those spaces would be provided for short-term parking.

Ms. Sweetland mentioned she was still concerned about trash receptacles and ground maintenance. Ms. Hames said that all property owned by Tri Met would be maintained by Tri Met.

Ms. Sweetland asked if Tri Met is willing to include an oil and gas trap as well as maintenance in the proposal.



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TRI MET (C-83-15) Continued

Ms. Roholt made a Motion to approve C-83-15, with the Conditions as stated in the Staff Report, modifying #4 to read: A Drainage and Erosion Control Plan that includes, an oil and gas trap is to be submitted for Staff review and approval; Findings: #1: Adverse testimony was received at the public hearing. Mr. Brown Seconded the motion, suggesting that Staff draft findings to support approval. Ms. Sweetland suggested that a separate motion address findings according to the final decision of the Planning Commission, and be submitted at the next meeting.

Mr. Foster made an amendment to the Main Motion that the proposal be deferred and Tri Met be requested to prepare an alternate proposal which will include the provision for a Transit Center, similar to the one erected on Barbur Blvd. as an interim project until determination can be made on the proposal. Mr. Liane Seconded the amendment to the Main Motion. Mr. Brown stated that the amendment to the Main Motion is inappropriate, the Planning Commission does not have the authority to ask Tri Met to do anything. The decision of the Planning Commission is to determine whether or not this particular site is meeting the conditions for a Conditional Use Permit and discussion should be limited to this site and information received with respect to it. It is not necessary to delay the decision since all the information has been received. It is not the duty of the Commission to determine whether this is the most appropriate site in the City of Milwaukie for a transit station. Mr. Foster said Tri Met had already been asked to make a proposal. Mr. Brown stated the proposal had not been submitted at the request of the Planning Commission. Ms. Sweetland said she agreed that this request is a Conditional Use request for this particular site, however the Conditional Use process cannot be delayed any longer, because of time constraints. Topaz explained that in August the State Legislature pass House Bill 2295, which mandates a city to make a decision within a time period - which is rapidly approaching. The Public Hearing cannot be continued repeatedly because the time period will have lapsed and the approval will be done by default. Ms. Sweetland said she would make a Chairman's decision to vote on the amendment to the Main Motion, which requires Tri Met to submit an alternative proposal. The Motion to amend the Main Motion was defeated 3-2, Mr. Laine and Mr. Foster voting in favor.

Ms. Sweetland stated that she definitely wants a Transit Center in Milwaukie, but is concerned about safety of pedestrian traffic near the trestle, potential loitering from the nearby High School students, and placement of a parking lot within the Ecologically Significant area. She said the Comprehensive Plan and Tri Met report states that the area is a low intensive use, however no definition, other than park use or wildlife habitat, indicates the exact meaning. In her opinion, Tri Met had not done everything that could be done even though they cannot make promises before the project is approved by the Federal Government.

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TRI MET (C-83-15) Continued

Ms. Sweetland made a Motion to apply a Condition requiring a \$1,000 bond assuring completion of landscaping on the site. Mr. Brown stated that a bond is not necessary when dealing with a public agency and the requirement of such a bond should be used judgmentally. Ms. Sweetland said the condition should be used in every Conditional Use request, regardless who the applicant may be. The Motion died for lack of Second.

The Motion to approve C-83-15 with five Conditions failed, 3-2; Ms. Roholt and Mr. Brown voting in favor; Mr. Liane, Mr. Foster, and Ms. Sweetland voting in opposition.

Ms. Sweetland recommended that a Task Force be formed to work in cooperation with Tri Met and City Staff to determine an appropriate site location for a Transit Center in the City of Milwaukie. Topaz said a Motion referring to the recommended Task Force was necessary.

Ms. Sweetland made a Motion to recommend to Council that a Task Force be created to study and find an acceptable site for the citizens of Milwaukie for a Tri Met Time Transfer Station. Mr. Liane Seconded the Motion. The Motion carried 4-0, Mr. Brown abstaining.

Ms. Sweetland made a Motion to direct Planning Staff to determine findings explaining the Commission's reasons for denying Conditional Use C-83-15. Mr. Liane Seconded the Motion.

Lori said it is appropriate for the Commission to illustrate how the request does not meet the criteria for Conditional Use.

Ms. Sweetland said the applicant has not explained how an ecologically significant area will be protected, nor addressed the safety issue surrounding the trestle.

Mr. Liane said the majority of the citizens present at the public hearing expressed disapproval of the project.

Mr. Foster said the proposal should be in complete agreement with the Comprehensive Plan. The proposal submitted was the same one presented by Staff, with exception to the location. The Comprehensive Plan does not limit a proposal to just one site.

Lori said the first criteria for Conditional Use refers to whether the use meets the conditional use requirements, the second, refers to whether or not standards are met within the underlying zone. According to the Staff Report, Staff believes that those standards have been met. The proposal states the goals and policies which apply to the site. The Staff included in the report all the pertinent Comprehensive Plan Policies.

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TRI MET (C-83-15) Continued

Topaz explained that findings must be established by the Commission to explain why and how the request did not meet the Conditional Use Criteria.

Ms. Sweetland said the request does not comply with Specific Criteria "D", as listed in the Staff Report, November 8, 1983, Page 3. She stated the site is an unsafe location..

Lori asked the Commission to illustrate why the proposed parking lot is not compatible with the Significant Natural Area, Open Space, and Transportation Policies.

Ms. Sweetland said she was concerned about having picnic tables within the floodplain area. Staff explained that picnic tables would be provided and maintain by City Staff, they would be removed during high-water periods.

Ms. Sweetland said she does not feel that a parking lot is comparable to walking trails, nature parks, etc., and therefore is not in compliance with Policy #6, OBJECTIVE #1, Page 15 of the Comprehensive Plan.

Mr. Foster mentioned that other locations may be more desirable in terms of noise, or location. Topaz explained that the Conditional Use request has addressed this particular site and response must be for this site only.

Ms. Sweetland said another concern refers to noise which travels across the lake to adjacent residences. Other concerns refer to road deterioration and fumes, as well as excessive traffic on Main Street.

Mr. Liane stated that since the majority of those testifying were in opposition to the request it should be considered a finding. Lori said that testimony in opposition will be recorded in the minutes and does not support the goals or policies of the Comprehensive Plan and cannot be considered a true finding.

Mr. Foster said he was opposed because there was not enough area at the site to allow future development for postal facilities, a Greyhound Bus station, a dry cleaners and restaurant. In response to a request for clarification from Ms. Sweetland, Topaz explained that House Bill 2295 requires that an application be completed within a period of 120 days which includes the appeal period and resolution of such appeal by the Council. If the time period is not complied with the applicant may apply for a writ of mandamus from the Circuit Court and basically be granted the request.

CITY OF MILWAUKIE PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - NOVEMBER 8, 1983


Mr. Littlehales returned to the panel.

4.0 CONSIDERATION ITEM:

Discussion of Proposed Amendment to the Milwaukie Zoning Ordinance  
Density Bonuses.

Topaz explained that the Comprehensive Plan mandates the city to develop criteria and method for granting density bonuses. Limited additional bonuses will be granted according to special criteria which will limit the number of additional units allowed per acre. Currently, there are no restrictions to the amount of additional units that may be allowed. Density transfers were also discussed. Topaz explained that density transfers were different than density bonuses in that if the owner has a portion of the property in the water or lake the owner can transfer that portion to the allowed portion of which he would otherwise be able to build.

The Meeting adjourned at 11:30 PM.



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Carol Lee, Secretary

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Ms. Sweetland, Acting Chairman

AGENDA

PLANNING COMMISSION MEETING

NOVEMBER 8, 1983

ST. JOHN'S EPISCOPAL CHURCH  
2036 SE Jefferson, Milwaukie

- 1.0 CALL TO ORDER AT 7:00 PM
- 2.0 PROCEDURAL QUESTIONS
- 3.0 PUBLIC HEARINGS:
  - 3.1 TRI MET C-83-15 (Continued from the 9/27/83 Public Hearing)  
TRI METROPOLITAN TRANSIT DISTRICT, Applicant  
MARIANNE BUCHWALTER & JOHN SHIPLEY, C/O DOUGH DONACA, Owners  
LOCATION: 11222 SE Main St., Milwaukie  
  
PROPOSAL: The applicant is requesting a Conditional Use to allow a Transit Center be located at the southeast corner of Main and Adams Streets, bounded on the southeast side by the Southern Pacific Railroad with additional parking to be located west of the site along Main Street and adjacent to Kellogg Lake.
  - 3.2 CONTINUED FROM THE OCTOBER 25, 1983 PLANNING COMMISSION MEETING - PROPOSED AMENDMENT TO THE MILWAUKIE ZONING ORDINANCE - Secondary Dwelling Units and Adult Residential Care Facility, including Standards. These will be part of the Conditional Use Section of the Code.
  - 3.3 CONTINUED FROM THE OCTOBER 25, 1983 PLANNING COMMISSION MEETING - PROPOSED AMENDMENT TO THE MILWAUKIE ZONING ORDINANCE - Community Service Overlay, including Standards for Schools, Major Public Facilities and Institutional Uses not covered by other Specific Standards, Nursing or Convalescent Homes and Churches, Convents and Related Facilities.
- 4.0 CONSIDERATION ITEM:  
Discussion of Proposed Amendment to the Milwaukie Zoning Ordinance - Density Bonuses.
- 5.0 CONSENT AGENDA:
  - 5.1 CITY COUNCIL MINUTES: October 18, 1983
  - 5.2 PLANNING COMMISSION MINUTES: August 23, 1983; September 13, 1983; September 27, 1983; October 11, 1983.
- 6.0 OLD BUSINESS
- 7.0 OTHER BUSINESS