CITY OF MILWAUKIE PLANNING COMMISSION MINUTES TUESDAY, MARCH 13, 2001

COMMISSIONERS PRESENT

Tracy Cook, Chair Judith Borden Barbara Cartmill Mike Miller Howard Steward

STAFF PRESENT

Alice Rouyer,
Planning Director
Ken Kent,
Associate Planner
Shirley Richardson,
Hearings Reporter

COMMISSIONERS ABSENT

Donald Hammang Doug Ouderkirk

1.0 CALL TO ORDER

The meeting was called to order at 6:32 p.m.

- 2.0 PROCEDURAL QUESTIONS -- None.
- 3.0 PLANNING COMMISSION MINUTES -- February 27, 2001

Barbara Cartmill moved to approve the minutes of February 27, 2001, as presented. **Judith Borden** seconded the motion. MOTION CARRIED 5-0. Ayes: Cook, Borden, Cartmill, Miller, Steward; Abstentions: None; Nays: None.

- 4.0 INFORMATION ITEMS
- 4.1 City Council Worksession Minutes
- 4.2 City Council Minutes
- 5.0 PUBLIC COMMENT -- None.
- 6.0 PUBLIC HEARINGS
- 6.1 Applicant:

City of Milwaukie

Owner:

City of Milwaukie

Location:

Near the Springwater Corridor and Johnson Creek Blvd

CITY OF MILWAUKIE PLANNING COMMISSION

Minutes of March 13, 2001

Page 2

Proposal:

Install three precast concrete vaults and associated

telemetry for a metered water intertie with the City of

Portland.

File Numbers:

CSO-01-01

NDA:

Lewelling

Chair Cook opened the public hearing to allow the construction of three precast underground vaults for the Milwaukie/Portland Metered Water Intertie. The criteria to be addressed are found in Sections 314, Manufacturing Zone; 321, Community Service Overlay Zone; and 1011.3, Minor Quasi-Judicial Review.

Chair Cook asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. Chair Cook asked if any member of the Planning Commission visited the site; three hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the staff report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

STAFF REPORT

Ken Kent reviewed the staff report with the Commission. This is a proposal by the City of Milwaukie in cooperation with the City of Portland for a metered water intertie facility to provide a connection between the water systems of both cities. The project involves the installation of three precast underground vaults about 19 feet below grade. The panels will be spaced 5 feet apart, two in a row. The vaults will be on the east side of Johnson Creek Blvd., on the south side of the Springwater Corridor. The telemetry is located on the west side of Johnson Creek Blvd. On the south side of the Springwater Corridor in two separate panels, one for Portland and one for Milwaukie. A control panel will be installed to monitor the activity of the intertie facility. The City of Portland Parks Bureau has requested to do the landscaping. The purpose of this facility is to provide quality water sources for both cities. Water can be transferred both to and from Portland. The proposed facility contributes to the City goal of providing alternative reliable water sources.

Staff is recommending additional conditions to minimize impact. An Addendum to the staff report was submitted which recommends a new Condition #7 and Finding #7.

CITY OF MILWAUKIE PLANNING COMMISSION Minutes of March 13, 2001 Page 3

Staff finds this proposal is in the general pubic interest and that benefits outweigh the possible adverse impacts of the use.

Several comments have been received. The Lewelling Neighborhood District Association Land Use Committee has submitted support for project. The Public Works Department has provided additional comments regarding the proposal in Exhibit 5. Comments were also received from the Johnson Creek Watershed Council expressing concern with the location.

Alice Rouyer stated that the last finding and condition on this proposal has been added because of the Endangered Species Act regulations. It has become a standard condition for proposals in the vicinity of fish-bearing streams.

QUESTIONS FROM THE COMMISSIONERS -- None.

CORRESPONDENCE RECEIVED -- None.

APPLICANT PRESENTATION

Speaking: Paul Roeger, Civil Engineer, City of Milwaukie

Mr. Roeger stated the City of Milwaukie and the City of Portland have had an Intergovernmental Agreement (IGA) since 1998 for emergency supply water. Each can supply the other with water; Portland to Milwaukie by gravity and Milwaukie to Portland by pumping.

In 1986, the City of Milwaukie took over the Wichita Water District. This resulted in a connection with the City of Portland. The old intertie for the City of Portland was located in a vault in the northbound traffic lane in Johnson Creek Blvd. at the Springwater Corridor. This was an unsafe location as it caused traffic backups. This was only a one-way connection to Milwaukie from Portland.

This new construction will allow Portland to pump water from Milwaukie to the Portland system in an emergency. The City of Portland Parks Bureau owns the Springwater Corridor and has given the City of Portland Water Bureau rights to the placement of the metered intertie at the site. The IGA grants Milwaukie the right to place its part of the facility on the site also. The vaults will be buried underground with access at ground level. The telemetry, on the West Side of Johnson Creek Blvd., will allow both cities to monitor the intertie without visiting the site. When it is necessary to visit the site, parking is available in the trailhead lot on the west side of Johnson Creek Blvd.

City staff has worked extensively with the City of Portland Parks Bureau regarding the landscaping. The City of Portland Parks Department decided that they would re-landscape; so this item was eliminated from the bid. Staff is confident that the City of Portland Parks Bureau will provide the correct vegetation in and around the riparian area.

Other location alternatives were reviewed and evaluated. It was decided that there were comparable additional costs associated with locating on the other side of Johnson Creek Blvd. Both the Portland and Milwaukie water lines are on the east side of Johnson Creek Blvd. Electrical power is located on the west side of Johnson Creek Blvd. and would require additional piping. There will be erosion control required; they are very conscious of protecting the stream.

QUESTIONS FROM THE COMMISSIONERS

Mike Miller noted that in the letter from the Watershed Council it indicated that this was for drinking water and sewer lines. He asked if this is true? Paul Roeger assured him that this was an error.

Mike Miller asked if the City of Portland gets into an emergency situation and ops to take water from Milwaukie, what guarantee is there that Milwaukie will not have a shortage of water because Portland is using the water? Paul Roeger read a section from the IGA that addressed water shortages and emergency needs. "...neither party may be held liable to the other if the request for water is not met or not met in full. In addition if one party begins to supply emergency or back-up water to the other, the provider may cease or reduce the supply upon 24-hour notice to the purchaser if the provider determines that the cessation is necessary for protection of its own system and entire supply obligations."

TESTIMONY IN FAVOR -- None.

QUESTIONS FROM THE COMMISSIONERS -- None.

QUESTIONS OR COMMENTS -- None.

TESTIMONY IN OPPOSITION

Speaking: Dave Green, 5431 SE Willow, Milwaukie

Mr. Green asked if there are alternatives to locate the vaults outside the Springwater Corridor? He would not like to see the trail and the corridor being used for development. He suggested that the intertie be placed in the street. Paul Roeger stated that the pipes were taken out of the street because of unsafe conditions.

Other concerns expressed were:

- What is the frequency of maintenance for equipment in the vaults?
- Has staff reviewed the option of putting the vault in the parking lots of the now empty office building to the south of existing vault location.
- Concerned that the vaults may be preventing landscaping or a planted corridor in the industrial area.
- He asked if the proposed concrete structures would be an encroachment on the corridor? He is concerned that concrete structures can be placed in the corridor; are there any restrictions from a natural resource standpoint.
- Is this site a natural resource area and does the City of Milwaukie protect this area from this type of development or any type of development?
- Will this aesthetic issue set a precedent for corridor use?

Mr. Green stated that he was surprised that this project could go so far in design without public comment. He urged the Planning Commission make sure that all alternatives have been researched for re-location.

QUESTIONS FROM THE COMMISSIONERS -- None.

APPLICANT'S CLOSING COMMENTS

Speaking: Paul Roeger, Civil Engineer, City of Milwaukie

Mr. Roeger stated that in addition to the street being unsafe, there were other utilities in the street. The only visibility of the vault will be a 30-inch lid. By the time the vegetation is in place, it will not be visible. The Parks Bureau was also concerned about the aesthetics of the site and the proposed landscaping has eliminated their concerns. The Portland Parks Bureau is charged with connecting and preserving this corridor. They are making sure that any development in this corridor is protected by restrictions and regulations.

Alternatives for placing the intertie across the street was reviewed and found to be an economic problem. The Parking lot on the south side is owned by Associated Chemists and is private property.

Jay Saatkamp, Water Operations Supervisor stated that the frequency of maintenance would be minimal. Most of the monitoring will be done by the telemetry. Maybe the site will have to be visited once a year to do minor maintenance. All activity of the intertie facility will be done by computers from City offices.

Mr. Roeger stated that the neighborhood associations were sent letters and comments were received. All notice requirements were met. The City of Milwaukie has been working on this project for three years.

ADDITIONAL COMMENTS FROM STAFF

Ken Kent stated that this corridor crosses Johnson Creek that is designated as a natural resource area under the Milwaukie Natural Resource Overlay Zone. This site is not required to go through a Natural Resource Overlay process. In reviewing this project, there were natural resource issues addressed; setbacks from the banks of the Creek and providing appropriate landscaping. The landscape plan will include more plantings that now exist on the site.

QUESTIONS FROM THE COMMISSIONERS

Mike Miller asked what jurisdiction is over the Watershed Council? **Alice Rouyer** stated that there are watershed councils all over the state. This watershed council covers Johnson Creek and it is a cooperative effort between several jurisdictions. They have their own directors and have some oversight over this watershed.

Mr. Green stated that he would hope that the City of Milwaukie take a look at their protection of the trail in the right-of-way through Milwaukie to make sure that the requirements of natural resource overlays are met.

QUESTION FROM THE COMMISSIONERS -- None.

DELIBERATION AMONG THE COMMISSIONERS

Chair Cook closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

Mike Miller stated that he feels this project will be done in an environmentally sound manner. He suggested that the parking area next to the building on the north side be removed as a part of the application. This will recover some of the open space on that side of the hill.

Howard Steward moved to approve Application CSO-01-01 by the City of Milwaukie for the Milwaukie/Portland Metered Water Intertie, thereby authorizing construction of three precast underground vaults containing a flow meter, backflow prevention assembly, and pressure-reducing valve; and adopt recommended Findings and Conditions of Approval. Further, that the additional Condition of Approval #7 and Finding #7 be approved as written in the addendum dated March 13, 2001. **Mike Miller** seconded the motion. THE MOTION CARRIED 5-0.

Ayes: Cook, Borden, Cartmill, Miller, Steward

Nays: None.

- 7.0 WORKSESSION -- None.
- 8.0 DISCUSSION ITEMS -- None.
- 9.0 OLD BUSINESS -- None
- 10.0 OTHER BUSINESS/UPDATES
- 10.1 Matters from the Planning Director

Alice Rouyer reported that at the City Council meeting they discussed design review for downtown Milwaukie. They were in favor of letting the Design and Landmarks Commission be responsible for providing review and guidance to the development community when proposals come forward. The Council was interested in a design review process having more teeth.

The Council discussed other projects, neighborhood livability project, and cell tower standards.

Alice Rouyer stated that at the next meeting staff would update the Commission on the Transportation System Plan Project and neighborhood livability projects.

CITY OF MILWAUKIE PLANNING COMMISSION Minutes of March 13, 2001 Page 8

<u>Design and Landmark Commission Report.</u> **Barbara Cartmill** reported that a great amount of time was spent discussing the pros and cons of mandatory review versus voluntary compliance. Don Arambula made a presentation on design concepts.

- 11.0 NEXT MEETING -- March 27, 2001
- 11.1 TSP Project Update
- 11.2 Neighborhood Livability Project

<u>Howard Steward moved to adjourn the meeting of March 13, 2001.</u> **Mike Miller** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 7:35 p.m.

Tracy Cook, Chair

Shirley Richardson, Hearings Reporter

MILWAUKIE PLANNING COMMISSION

MILWAUKIE CITY HALL, 10722 SE MAIN STREET TUESDAY, March 13, 2001 6:30 PM

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		ACTION REQUIRED			
1.0	Call to Order				
2.0	Procedural Questions				
3.0	Planning Commission Minutes	Motion Needed			
3.1	February 27, 2001				
4.0	Information Items				
4.1 4.2	City Council Minutes (upon approval by Council) – to PC members only City Council Worksession Minutes (upon approval by Council) – to PC members only City	Information Only			
5.0	Public Comment This is an approximate for the multiple to comment on any item not on the country.				
	This is an opportunity for the public to comment on any item not on the agenda				
6.0	Public Hearings				
6.1	Type of Hearing: Minor Quasi Judicial	Discussion			
	Applicant: City of Milwaukie	and			
	Owner: City of Milwaukie	Motion Needed			
	Location: Near the Springwater Corridor and Johnson Creek Blvd				
	Proposal: Install three precast concrete vaults and associated telemetry for a metered water intertie with the City of Portland.				
	File Numbers: CSO-01-01				
	NDA: Lewelling Staff Person: Ken Kent				
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7.0	Worksession Items				
8.0	Discussion Items				
	This is an opportunity for comment or discussion by the Planning Commission for items not on the agenda. Review and Decision				
9.0	Old Business				
10.0	Other Business/Updates				
10.1	Matters from the Planning Director	Information Only			
10.2	Design and Landmark Commission Report Review and Comment				
	**************************************	*********			
11.0	Next Meeting: March 27, 2001				
11.1	TSP Project Update				
11.2	Neighborhood Livability Project				
	The above items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.				
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THE MILWAUKIE PLANNING COMMISSION WELCOMES YOUR INTEREST IN THESE AGENDA 1S. FEEL FREE TO COME AND GO AS YOU PLEASE.

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this ity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and commentally responsible uses of its resources as reflected in the Comprehensive Plan

Public Hearing Procedure

- STAFF REPORT. EACH HEARING STARTS WITH A BRIEF REVIEW OF THE STAFF REPORT BY STAFF.
 THE REPORT LISTS THE CRITERIA FOR THE LAND USE ACTION BEING CONSIDERED, AS WELL AS A
 RECOMMENDED DECISION WITH REASONS FOR THAT RECOMMENDATION.
- CORRESPONDENCE. THE STAFF REPORT IS FOLLOWED BY ANY VERBAL OR WRITTEN
 CORRESPONDENCE WHICH HAS BEEN RECEIVED SINCE THE COMMISSION WAS PRESENTED WITH
 ITS PACKETS.
- APPLICANT'S PRESENTATION. WE WILL THEN HAVE THE APPLICANT MAKE A PRESENTATION, FOLLOWED BY:
- 4. PUBLIC TESTIMONY IN SUPPORT. TESTIMONY FROM THOSE IN FAVOR OF THE APPLICATION.
- 5. **COMMENTS OR QUESTIONS.** COMMENTS OR QUESTIONS FROM INTERESTED PERSONS WHO ARE NEITHER IN FAVOR NOR OPPOSED TO THE APPLICATION.
- 6. **PUBLIC TESTIMONY IN OPPOSITION.** WE WILL THEN TAKE TESTIMONY FROM THOSE IN OPPOSITION TO THE APPLICATION.
- 7. QUESTIONS FROM COMMISSIONERS. WHEN YOU TESTIFY, WE WILL ASK YOU TO COME TO THE FRONT PODIUM AND GIVE YOUR NAME AND ADDRESS FOR THE RECORDED MINUTES. PLEASE REMAIN AT THE PODIUM UNTIL THE CHAIR PERSON HAS ASKED IF THERE ARE ANY QUESTIONS FOR YOU FROM THE COMMISSIONERS.
- 8. **REBUTTAL TESTIMONY FROM APPLICANT.** AFTER ALL TESTIMONY, WE WILL TAKE REBUTTAL TESTIMONY FROM THE APPLICANT.
- 9. CLOSING OF PUBLIC HEARING. THE CHAIR PERSON WILL CLOSE THE PUBLIC PORTION OF THE HEARING. WE WILL THEN ENTER INTO DELIBERATION AMONG THE PLANNING COMMISSIONERS. FROM THIS POINT IN THE HEARING WE WILL NOT RECEIVE ANY ADDITIONAL TESTIMONY FROM THE AUDIENCE, BUT WE MAY ASK QUESTIONS OF ANYONE WHO HAS TESTIFIED.
- 10. COMMISSION DISCUSSION/ACTION. IT IS OUR INTENTION TO MAKE A DECISION THIS EVENING ON EACH ISSUE BEFORE US. DECISIONS OF THE PLANNING COMMISSION MAY BE APPEALED TO THE CITY COUNCIL. IF YOU DESIRE TO APPEAL A DECISION, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT DURING NORMAL OFFICE HOURS FOR INFORMATION ON THE PROCEDURES AND FEES INVOLVED.
- 11. **MEETING CONTINUANCE.** THE PLANNING COMMISSION MAY, IF REQUESTED BY ANY PARTY, ALLOW A CONTINUANCE OR LEAVE THE RECORD OPEN FOR THE PRESENTATION OF ADDITIONAL EVIDENCE, TESTIMONY OR ARGUMENT. ANY SUCH CONTINUANCE OR EXTENSION REQUESTED BY THE APPLICANT SHALL RESULT IN AN EXTENSION OF THE 120-DAY TIME PERIOD FOR MAKING A DECISION.

The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Planning Department office at 786-7600.

Milwaukie Planning Commission:

Tracy Cook, Chair
Judith Borden, Vice Chair
ra Cartmill
J Hammang
Mike Miller
Doug Ouderkirk

Howard Steward

Community Development Department Staff:

Martha Bennett, Community Development Director Alice Rouyer, Planning Director John Gessner, Associate Planner Ken Kent, Associate Planner Lindsey Nesbitt, Assistant Planner Jeanne Garst, Staff Assistant Marcia Hamley, Office Assistant Shirley Richardson, Hearings Reporter



TO:

Milwaukie Planning Commission

THROUGH:

Alice Rouyer, Planning Director

ACR

FROM:

Kenneth Kent, Associate Planner

Kemiem Kem, Associate

DATE:

March 13, 2001

SUBJECT:

Portland/Milwaukie Metered Water Intertie

Application CSO-01-01

I. ACTION REQUESTED

Approve application CSO-01-01 by City of Milwaukie for the Milwaukie/Portland Metered Water Intertie, thereby authorizing construction of three precast underground vaults containing a flow meter, backflow prevention assembly and pressure-reducing valve and adopt recommended Findings and Conditions of Approval.

II. CODE AUTHORITY

Milwaukie Zoning Ordinance Sections

- 314 Manufacturing Zone
- 321- Community service Overlay Zone
- 1011.3 Minor Quasi-Judicial Review

III. <u>DECISION-MAKING PROCESS</u>

A Community Service Overlay application is subject to quasi-judicial review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with approval criteria of the code sections identified above. In quasi-judicial reviews, the Commission assesses the application against applicable approval criteria and evaluates testimony received at the public hearing. The Commission has three decision-making options as follows:

CSO-01-01 March 13, 2001 Planning Commission Page 2 of 6

- 1. Approve the application upon finding that all approval criteria have been met
- 2. Approve the application subject to conditions when they are needed for compliance with approval criteria.
- 3. Deny the application upon a finding that they do not meet approval criteria.

The final decision on this application, which includes any appeals to the City Council, must be made by June 7, 2001 in accordance with the Oregon Revised Statutes.

A discussion of compliance with applicable criteria follows in Section VI; see also Exhibit 1.

IV. KEY ISSUES

- 1. Staff believes the application can meet applicable approval criteria subject to minor revisions and conditions of approval, which have been recommended.
- 2. Given the location of the site adjacent to Johnson Creek, site landscaping should be revised to provide native plant species suitable for the location.
- 3. An erosion control plan will be required to assure impacts to Johnson Creek are minimized.

V. BACKGROUND

1. **Statistics** (all standards below are as proposed)

Location:

East of the Springwater Corridor Johnson Creek Trailhead, on the east side of Johnson Creek Boulevard and south side of the

Springwater Corridor trail

Property Owner:

City of Portland

Applicant:

City of Milwaukie

Zone:

Manufacturing Zone

Lot Size

No specific lot size. Site is located within the 100 foot wide Springwater Corridor (former Portland Traction Railroad right-of-way). The development area is approximately 1,661 square

feet.

Proposed Use:

Water system intertie facility

Setbacks:

None

CSO-01-01 March 13, 2001 Planning Commission Page 3 of 6

2. Summary Project Description

The City of Milwaukie and the City of Portland are proposing to construct a metered water intertie facility to provide a connection between the water systems of both cities. The project would allow the City of Milwaukie to receive water from the City of Portland, as needed, as well as Portland receiving water from the City of Milwaukie system (see Exhibit 3 Applicant's Narrative). The proposal includes the following:

- a. Installation of three underground vaults to house a flow meter, backflow prevention assembly and pressure reducing valve.
- b. Installation of landscaping
- c. Installation of telemetry control panels on the west side of Johnson Creek outside the City of Milwaukie and within the City of Portland.

The project site is located east of the Johnson Creek Trailhead for the Springwater Corridor, on the east side of Johnson Creek Boulevard and south of the Springwater Corridor path. The proposed improvements would be located approximately 30 to 34 feet from the top of bank of Johnson Creek. The site is located outside the Natural Resource Overlay Zone. The proposed vaults will be installed below grade and will be accessed through a secured hatch at grade level.

See Exhibit 2 for reductions of the site plan, landscape plan and underground vault cross-sections. See Exhibit 3 - Applicant's Narrative for further project information.

VI. ANALYSIS OF PROPOSAL

Zoning Authority

The proposal is subject to the following regulations:

- Section 1011.3 Minor Quasi-Judicial Review, governs public notice and the application process.
- Section 314 Manufacturing Zone is the underlying zone
- Section 321- Community Service Overlay Zone

Evaluation of Zoning Criteria

This section addresses specific aspects of the project that either require conditions be imposed to bring the application into compliance with zoning criteria or otherwise warrant discussion. A checklist showing staff analysis of compliance with all other standards is included in Exhibit 4 - Staff Zoning Compliance Report. A summary of key zoning issues follows:

6.1 4____

CSO-01-01 March 13, 2001 Planning Commission Page 4 of 6

Section 321 Community Service Overlay Zone

The proposed use is a water-related utility. As a Community Service Overlay use, it can be permitted citywide upon approval by the Planning Commission. Section 321.4.D requires that the Planning Commission find that the proposed use is in the "general public interest" and that the benefits to the public outweigh the possible adverse impacts of the use.

Public Interest/Benefit

The proposed use would meet the criteria of serving the general public interest by contributing to the City's goal of providing alternate, reliable water sources. The proposed facility will provide the City with the ability to obtain water from the City of Portland water system for emergency purposes (see Applicant's Narrative, Exhibit 4).

Potential Adverse Impacts

Construction activities will disrupt the site, removing existing vegetation and creating short term potential for erosion. A proposed condition of approval will require that an erosion control plan be provided prior to issuance of a grading permit to assure that appropriate measures are implemented to retain soil on the project site and limit runoff to Johnson Creek.

The project site is located from 30 to 34 feet from the top of bank of Johnson Creek and is within the 100-year flood plain. Although, the site is not within a Natural Resource Overlay Zone (NR), the property immediately to the south is within the NR Zone. Given this location and disruption of existing vegetation, the site should be restored, consistent with the riparian setting. The proposed landscape plan includes a number of native species, but there are other plant material that may be better suited to the location. The Portland Parks Bureau has been involved with the development of this facility with Public Works staff. The Bureau has indicated a desire to install and maintain the landscaping for the site. Their interest is to provide plantings that are appropriate for the location adjacent to Johnson Creek and to enhance the entry to the Spring Water trail from the adjacent trailhead area to the west. A proposed condition of approval requires that a landscaping plan be submitted that is suitable to the riparian setting adjacent to Johnson Creek.

As conditioned, the staff finds that the proposal is in the general public interest and that benefits outweigh the possible adverse impacts of the use.

VII. COMMENTS

The Lewelling Neighborhood District Association Land Use Committee has reviewed the proposed project and indicated their support of the application. The Public Works Department has provided additional comments regarding the proposal. (see Exhibit 5)

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CSO-01-01 March 13, 2001 Planning Commission Page 5 of 6

VIII. RECOMMENDED FINDINGS IN SUPPORT OF APPROVAL

- The City of Milwaukie is proposing installation of three underground vaults to house a flow meter, backflow prevention assembly and pressure reducing valve for an intertie with the City of Portland water system, and associated landscaping. Associated telemetry control panels will be located on the west side of Johnson Creek Boulevard outside the City of Milwaukie and within the City of Portland.
- 2. The application is consistent with the applicable objectives and policies of the Comprehensive Plan, Public Facilities and Services Element, Chapter 5.
- 3. The application complies with requirements and standards of Zoning Ordinance Section 321 Community service Overlay Zone.
- 4. Application CSO-01-01 has been processes and public notice provided in accordance with requirements of Zoning Ordinance Section 1011.3 Quasi-Judicial Review.
- 5. The Planning Commission may impose conditions that are necessary to ensure the proposal complies with standards and provisions of applicable approval criteria.
- 6. As conditioned, the proposal is in the general pubic interest and the benefits to the public outweigh the possible adverse impacts of the use.

IX. RECOMMENDED CONDITIONS OF APPROVAL

- 1. Plans submitted for building permit and/or Public Works Department approval shall be in substantial compliance with the plans approved by the Planning Commission on March 13, 2001.
- 2. Prior to issuance of a grading or building permit and/or prior to notice to proceed, the applicant shall submit a planting plan, subject to the review and approval of the Planning Director that incorporates native species suitable to the riparian area adjacent to Johnson Creek.
- 3. Prior to issuance of a grading permit and/or prior to notice to proceed, soil erosion controls shall be installed and maintained during construction activities and until soil has been stabilized, subject to the review and approval of the Planning and Public Works Directors.
- 4. Prior to issuance of a grading or building permit and/or prior to notice to proceed, the following shall be submitted to the satisfaction of the Planning Director:
 - Narrative of all actions taken to comply with these conditions of approval;

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CSO-01-01 March 13, 2001 Planning Commission Page 6 of 6

- b. Narrative description of all changes made to the plans but not required by these conditions of approval;
- c. Tree preservation methods for all trees that may be subject to construction impacts including excavation and soil compaction.
- 5. Prior to final inspection, a detailed narrative of actions taken to comply with all conditions of this approval shall be submitted to the satisfaction of the Planning Director.
- 6. Prior to final inspection, the approved landscape plan shall be installed to the satisfaction of the Planning Director.

IX. EXHIBITS

- 1. Staff Zoning Compliance Report
- 2. Vicinity Map
- 3. Proposed Plans (reduced)
- 4. Applicants Narrative
- 5. Comments

Exhibit 1

Zoning Compliance Report

The following report identifies how the project complies with applicable sections of the Zoning Ordinance that are not detailed in the staff report for CSO-01-01.

1. Section 314 - Manufacturing Zone

The application complies with applicable provisions of Section 314 as follows:

314.6.A - Setbacks

The project involves installation of utility vaults below grade, which do not constitute a structure that is subject to setback requirements.

314.6.B - Height

The proposed utility vaults will be located below grade.

314.6.C - Parking and loading

No specific access is proposed for the site. The project involves valves that only require period maintenance. Maintenance vehicles do not require regular access to the site. In addition, there is available public parking area in the vicinity.

314.6.D - Landscaping

This section requires 15 percent landscaping of the site. The proposed landscaping plan meets this standard.

314.6.E - Site access

No specific access is proposed for the site. The project involves valves that only require periodic maintenance. Maintenance vehicles do not require regular access to the site. In addition, there is available public parking area in the vicinity.

314.6.F - Transition area

The project site is not adjacent to and located within 120 feet of areas zoned for residential uses and is therefore not subject to transition area requirements.

CSO-01-01 6.1 8 Exhibit 1 March 13, 2001

2. 321- Community Service Overlay Zone

321.10.A - Utilities, streets, or other improvements necessary for the public facility or institutional use shall be provided by the agency constructing the use.

The intertie facility will be installed and operated by Milwaukie Public Works Department in partnership with the City of Portland.

321.10.B - When located in or adjacent to a residential zone, access should be located on a collector street if practicable. If access is to a local residential street, consideration of a request shall include an analysis of the projected average daily trips to be generated by the proposed use and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the use. Uses which are estimated to generate fewer than 20 trips per day are exempted from this subsection 321.10.B

The project site is not located in or adjacent to a residential zone.

321.10.C - When located in a residential zone, lot area shall be sufficient to allow required setbacks that are equal to a minimum of two thirds of the height of the principal structure. As the size of the structure increases, the depth of the setback must also increase to provide adequate buffering.

The project site is not located in or adjacent to a residential zone.

321.10.D - The height limitation of a zone may be exceeded to a maximum height of 50 feet provided subsection 321.10.C is met.

The proposed utility vaults will be located below grade.

321.10.E - Noise-generating equipment shall be sound-buffered when adjacent to residential areas.

The project site is not located in or adjacent to a residential zone.

321.10.F - Lighting shall be designed to avoid glare on adjacent residential uses and public streets.

No lighting is proposed.

321.10.G - Where possible, hours and levels of operation shall be adjusted to make the use compatible with adjacent uses.

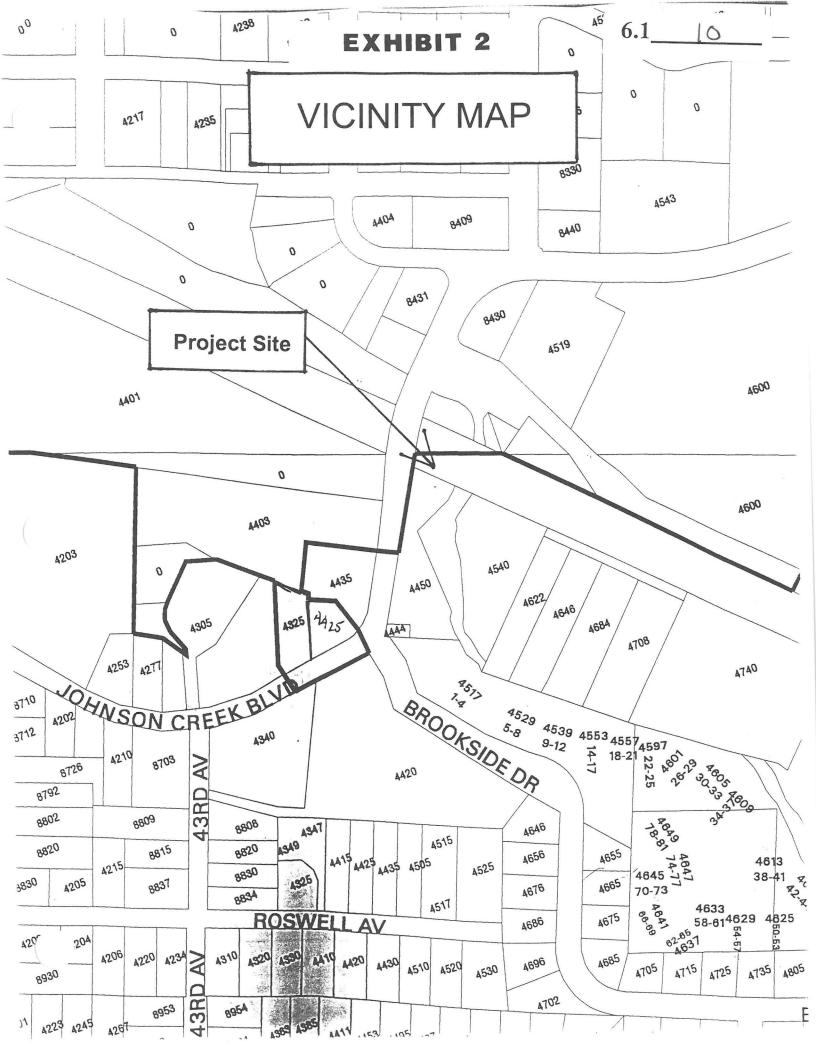
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CSO-01-01 Exhibit 1 March 13, 2001

The site is located within the Manufacturing Zone and will have minimal impacts on adjacent uses. Other than periodic maintenance activities, noise generated when the City of Portland is in need of water from the City of Milwaukie system will be generated by the use of a temporary pump. In the case of Milwaukie using City of Portland water, the transfer would occur through gravity due to pressure differences between the systems and would therefore not generate noise.

3. 1011.3 - Minor Quasi-Judicial Review

Section 1011.3 specifies requirements for public notice, conduct of hearings, and notice of Planning Commission decisions. This section applies to Community Service Overlay applications. Public notice has been provided as required and the public hearing conducted as required. Notice of the Commission's decision will be made in accordance with Section 1011.3





CITY OF MILWAUKIE, OREGON

CITY OF PORTLAND METERED WATER INTERTIE

PROJECT NO. 051130

JANUARY 2001



Murray, Smith& Associates, In Engineers/Planners Portland, Oregon

INDEX OF DRAWINGS

- I. TITLE, VICINITY MAP, INDEX, LEGENDS AND ABBREVIATIONS
- 2. SITE PLAN AND GENERAL CONSTRUCTION NOTES
- 3. METER VAULT AND DETAILS
- 4. BACKFLOW PREVENTION VAULT AND DETAILS
 5. PRESSURE REGULATING VAULT AND DETAILS
- 6. ELECTRICAL, INSTRUMENTATION AND CONTROL
- 7. LANDSCAPING PLAN

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	EOP	EDGE OF PAVEMENT	PL	PLATE
APPROX				PROP	PROPOSED
APPVD	APPROVED	EXIST		PRV	PRESSURE REDUCING VA
ASSY	ASSEMBLY	FAB	FABRICATE	RED	REDUCER
AVE		FCA	FLANGED COUPLING	REQ'D	REQUIRED
BFV	BUTTERFLY VALVE		ADAPTER	RESTR	RESTRAINED
BV	BALL VALVE	FIN GR	FINISH GRADE	ROW	RIGHT-OF-WAY
CDF	CONTROLLED DENSITY	FITG		SD	STORM DRAIN
	FILL	FLG	FLANGE	SHT	
CHKV	CHECK VALVE	FLR	FLOOR	SIM	SIMILAR
CL	CENTER LINE	GALV	GALVANIZED	SLP	SLOPE
CONC	CONCRETE	GV	GATE VALVE	SLV	SLEEVE
CONST	CONSTRUCTION	ID	INSIDE DIAMETER	SPL	SPOOL
CORP	CORPORATION	JT	JOINT	SS	SANITARY SEWER
CPLG	COUPLING	LN	LANE	SST	
CR	CRUSHED ROCK	MATL	MATERIAL	ST	STREET
CSP	CONCRETE SEWER PIPE	MAX	MAXIMUM	STA	STATION
DET	DETAIL	MFR	MANUFACTURER	STD	STANDARD
DIA	DIAMETER	MH	MANHOLE	STL	STEEL
DIM	DIMENSION	MIN	MINIMUM	TB	THRUST BLOCK
DR	DRIVE	MJ	MECHANICAL JOINT	TELM	TELEMETRY
DWG	DRAWING	NIC	NOT IN CONTRACT		TEMPORARY
DWY	DRIVE WAY	NO.	NUMBER	TRANS	TRANSITION
EA	EACH	OC	ON CENTER	TYP	TYPICAL
EL	ELEVATION	OD	OUTSIDE DIAMETER	W/	WITH
		DE	PLAIN END	w	WATER

	EXIST	NEW/PROPOSED	NEW/PROPOSED BY OTHERS
WATERLINE	8"w	12*W	12"W
DRAINLINE		4"D	
SANITARY SEWER LINE	8"55		
GAS	41/2"G		
STORM DRAIN	24"SD		
EASEMENT			
RIGHT OF WAY			
AC PAVEMENT	Carrier Contract		
CONCRETE PAVEMENT/WALK	12 4 1 25		
ENCE	xx		
SHRUBS	CAN		
JUNCTION BOX	0900		
TRE HYDRANT	◇		
SERVICE LINE	0		
MANHOLE	0		
ATCH BASIN			
JILITY POLE	-0-		
HRUST BLOCK	∇	▼	
REE	0		
CENTERLINE			
SATE VALVE			
UTTERFLY VALVE			
LEX COUPLING/MEGAFLANGE LANGE COUPLING ADAPTER			
TITTINGS	A)	~	
REDUCER	$\overline{}$		
ONG CAST SLEEVE			
DETAIL DESIGNATION			
DETAIL 2 SCALE 2			
4	ROM WHICH DETAIL		

VICINITY MAP

94-0307.209

IS CALLED OUT

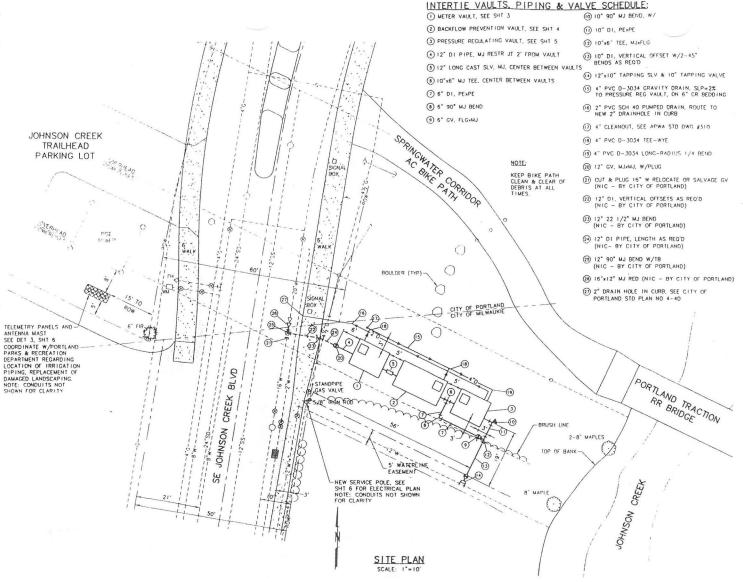
SHEET FROM WHICH SECTION

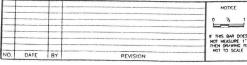
GENERAL C

ITION NOTES:

ATTENTION: W REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON U NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN DAR 952-001-0010 THROUGH DAR 952-001-0090, YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER, MOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILLITY NOTIFICATION CENTER IS (503) 232-1987).

- 2. THE CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS, TYPES & SIZES OF ALL EXIST UTILITIES PRIOR TO CONSTRUCTING NEW PIPING & SHALL ADJUST NEW PIPING INSTALLATION AS REQUIRED
- 3. CONTRACTOR SHALL PROVIDE TEMP TAPS & BLOW-OFFS & THRUST RESTRAINT AS REQUIRED TO FACILITATE FLUSHING, TESTING & DISINFECTION OF WATERLINES, AT COMPLETION OF DISINFECTION REMOVE TEMP TEST TAPS & PEPLACE W/PEPMAHENT BRASS OR BRONZE
- 4. ALL BUILDINGS, STRUCTURES, LOTS, CURBS, SIDEWALKS, FENCES, LANDSCAPING, WALLS, PIPING & UTILITIES DISTURBED DURING CONSTRUCTION TO BE RESTORED TO EXIST CONDITION UNIESS. OTHERWISE SPECIFIED
- 5. THE CONTRACTOR SHALL DISPOSE OF ALL REMOVED OR REPLACED MATERIAL & EQUIPMENT IN ACCORDANCE W/ALL APPLICABLE REGULATIONS EXCEPT THOSE ITEMS DESIGNATED BY THE OWNER FOR SALVAGING, SALVAGED ITEMS SHALL REMAIN THE PROPERTY OF THE OWNER & SHALL BE CAREFULLY REMOVED & STORED AS DIRECTED
- CONTRACTOR TO OBTAIN & COMPLY W ALL REQUIRED PERMITS PRIOR TO BEGINNING CONSTRUCTION
- 7. UNLESS NOTED ON THE DRAWINGS OR SPECIFIED ELSEWHERE. CONSTRUCTION SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN FUBLIC WORKS ASSOCIATION, OREGON CHAPTER, STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION
- B. CONNECTIONS TO EXIST WATERLINES MAY PEOUIPE SHUTDOWN OF EXIST FACILITIES CONTRACTOR SHALL COORDINATE THIS WORK W/AFFECTED UTILITY & PROVIDE A MINIMUM OF 72 HOUR ADVANCED NOTICE PRIOR TO THIS WORK
- 9. CONTRACTOR SHALL INSTALL & MAINTAIN EROSION & SEDIMENTATION CONTROL DURING CONSTRUCTION (ANYTIME OF YEAR) PER THE MOST RECENT VERSION OF THE CLACKAMAS COUNTY EROSION/SEDIMENTATION CONTROL PLANS TECHNICAL GUIDANCE HANDROOK
- 10. CONTRACTOR TO OBTAIN & COMPLY W/CLACKAMAS COUNTY, CITY OF PORTLAND AND CITY OF MILWAUKIE PERMITS & REQUIREMENTS FOR WORK IN & RESTORATION OF ROADWAYS. CONTRACTOR TO SUBMIT TRAFFIC CONTROL PLAN AS REQUIRED FOR APPROVAL
- II. SURVEY FOR CONSTRUCTION TO BE PROVIDED BY THE CONTRACTOR.
- 12. SEE SUPPLEMENTAL DRAWINGS IN CONTRACT DOCUMENTS FOR TYPICAL DETAILS FOR TRENCH BACKFILL, THRUST BLOCKING, CLEANOUT. VALVE BOX, VAULT LADDER & CUPB DRAIN HOLE
- 13. MINIMUM COVER FOR WATERLINE SHALL BE 36"
- 14. CONTRACTOR SHALL POTHOLE PRIOR TO ORDERING MATERIALS FOR CONNECTION TO EXISTING WATERLINES TO DETERMINE EXIST PIPE OUTSIDE DIAMETER, ELEVATIONS & ORIENTATION.
- 15. ALL EXCAVATED SUBGRADE MATERIAL SHALL BE DISPOSED OF OFF
- 16. STOCKPILE TOPSOIL FROM GRADING ACTIVITIES & REPLACE TO 12" THICK ON ALL DISTURBED NATIVE AREAS. SEE LANDSCAPE PLAN &
- 17. CONTRACTOR TO COORDINATE W/OWNER'S REPRESENTATIVE REGARDING EXISTING VEGETATION PRIOR TO REMOVAL OF ANY VEGETATION, NOT ALL TREES ARE SHOWN
- 18. ELEVATIONS SHOWN ON THE PLANS ARE BASED ON CITY OF
- 19. ALL PIPING & FITTINGS SHALL BE RESTRAINED JOINT, LYLESS













Phone (503) 225-9010 Fax (503) 225-9022



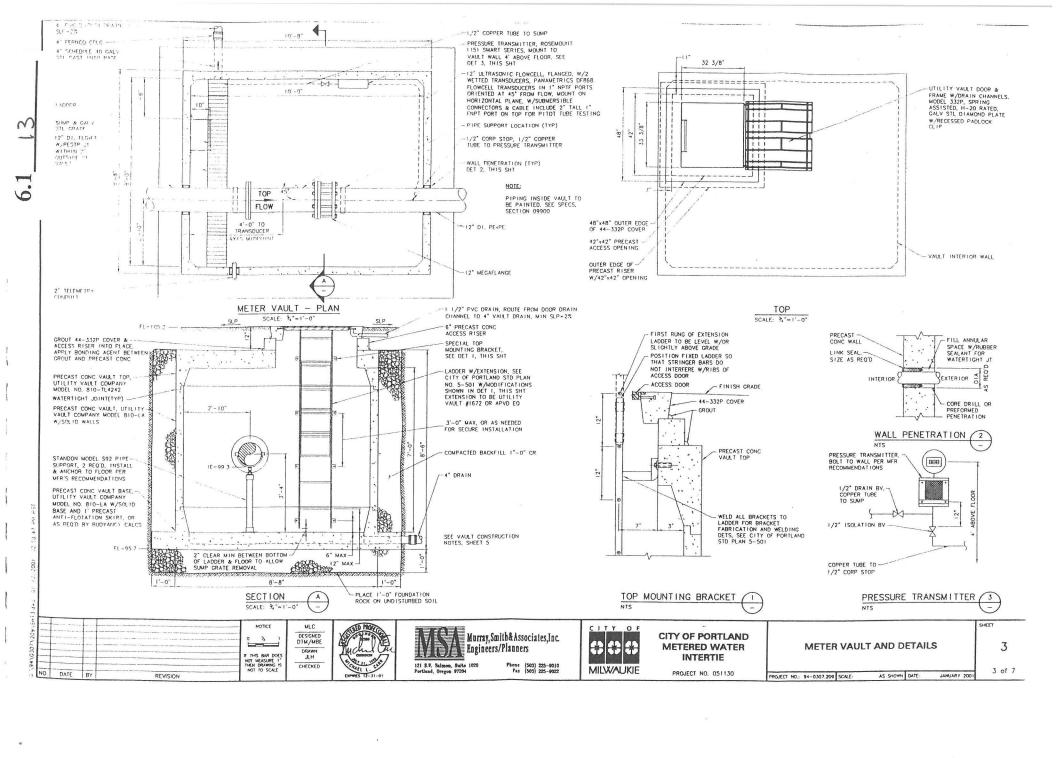
CITY OF PORTLAND METERED WATER INTERTIE

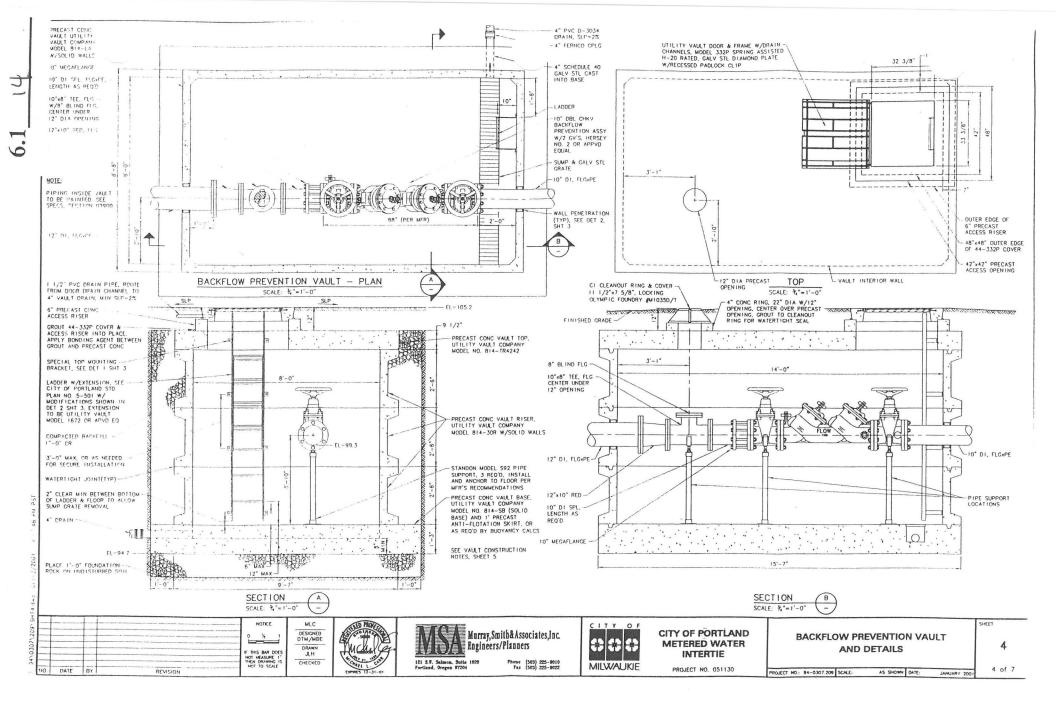
PROJECT NO. 051130

SITE PLAN AND GENERAL CONSTRUCTION NOTES SHEET 2

PROJECT NO.: 94-0307.209 SCALE: AS SHOWN DATE: JANUARY 2001

2 of 7





OLYMPIC FOUNDRY #M10350/T

4" CONC RING 22" DIA W/12"

NOTE:

PIPING INSIDE VAULT TO BE PAINTED. SEE SPECS, SECTION 09900

- WATERTIGHT JOINT(TYP)

STANDON MODEL S92 PIPE

SUPPORT, 2 REQ'D, INSTALL & ANCHOR TO FLOOR PER

MFR'S RECOMMENDATIONS

PRECAST CONC VAULT BASE.

UTILITY VAULT COMPANY MODEL NO. 810-LA W/SOLID

BASE AND I' PRECAST ANTI-FLOTATION SKIRT, OR

COMPACTED BACKETT

"-0" CRUSHED ROCK

SEE VAULT CONSTRUCTION

SHEET

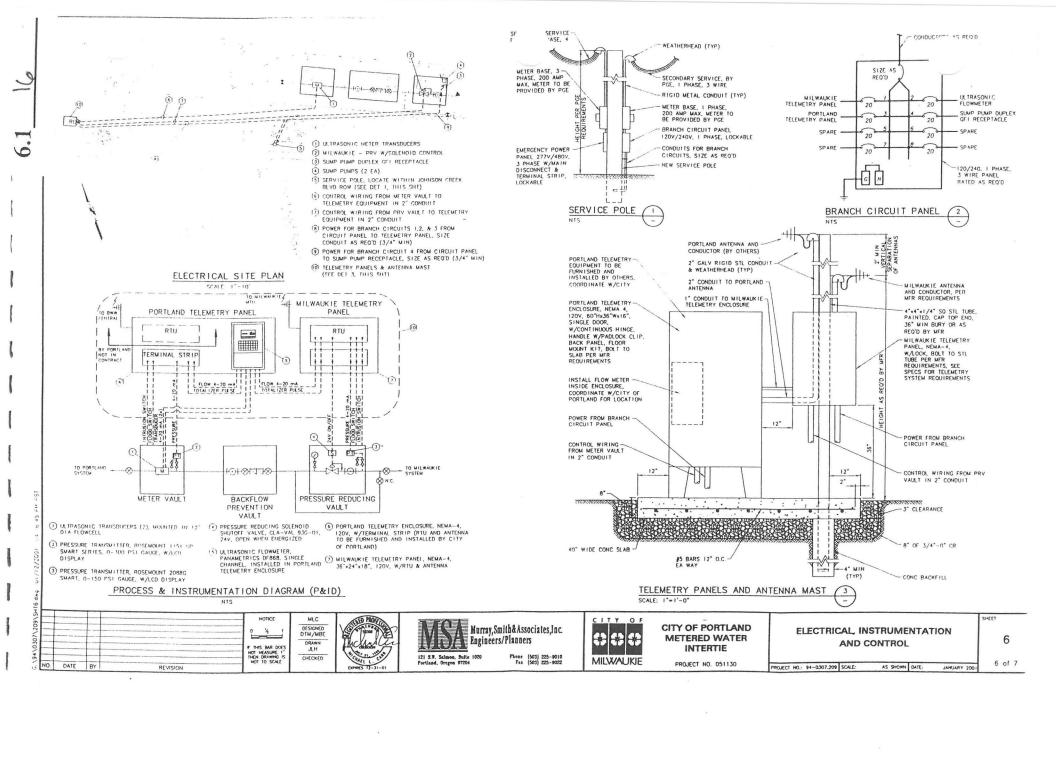
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5 of 7

NOTE, THIS SHEET

JANUARY 200

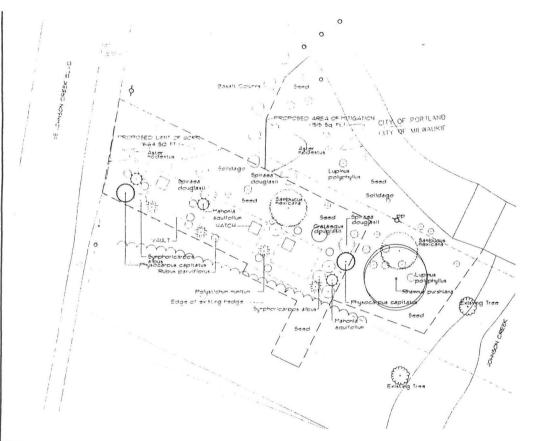
AS REO'D BY BUOYANCY CALCS



SEGNOWATER SORE,DOE AC BIKE PATH



SCALE: 1/8" = 1'=0"



STEPHENT !	SERVINE CERNARIETY	COPPEN NAME	w ES
	TREES		
1	Crataegus daugiasii (i existing)	Douglas Hawthorn	5-6 teel
1	Rhamnus purshlana	Coscara	9-6 feet
2	Sambucus mexicana (I existing)	Blue Elderberry	2 gollon
	9440,095		
5	Mahania aquifolium (5 existing)	Oregon Grope	I gallon
2	Physiocorpus capitatus (2 existing)	Mnebark	1 gatton
11	Rubus parviflorus (8 existing)	Thimbleberry	1 gallon
4	Spiraea douglosii (4 existing)	Douglas Sprea	1 gollon
8	Symphricarpos albus (5 existing)	Snawberry	1 gallon
	PERENIALS		
16	Aster madestus	Great Northern Aster	1 gallon
15	Lupinus polyphyllus	Large-leaved Lupre	1 gallon
4	Polystichum munitum (4 existing)	Western Sword Fern	1 gollon
3	Solidago canadensis	Conadian Goldaned	I gallon

Existing Plant material to be stockpilled and used if possible Plant material that cannot be saved shall be replaced one for one Seed: Protine PDX Plus. 2 lbs/1000 sq. ft.

PLANTING NOTES

Final rough grades will be established by the General Contractor, line finish grades by the Landscape Contractor. Top of mulch at all planning beds to be if below top of curbs or adjacent paving.

Plant_majerial.: All plant material shall be nursery grown under climatic conditions similar to or hardier than those at the site. All plants shall be of normal habit of growth, healthy, vigorous, and free of disease,

<u>Ioosol</u>: Backfil for planning holes to be 2/3 lopsol, 1/3 texhural soil amendment. Strub beds to have 6' of lopsoil and 2' of texhural soil amendment. Sum areas to have minimum 4' lopsol. Any imported lopsoil used is to be ferrile, intable, and free of noxious weeds and debtos. Cextural soil amendments may be well rotted menure or commercial.

Mulch; Minimum 3" medium grind, well-rotted bank mulch or commercial

Parling. Slones, mortar, rubbish, and any material harmful to plant life are all to be removed from all planting areas.

All planting areas to be raided smooth prior to planting. Lawn areas to be raised smooth and rolled prior to planting.

Sod areas to be waited prior to placement of sod.

All planting holes are to be twice the diameter of the plant root ball or system. Sods and bottom of holes are to be berifen su, system is soft and bottom to the second to be prior to the system in the second planting the second to waiter plants in.

Apply fertiler when the planting hole is 34 hours planting the planting level of planting belied by the planting planting the second planting belied to waiter plants in.

First Ped parting even or peans a value of a grown in nursery.
 Indiscape Archicol shall inspect all plantings and give written approval before owner will accept the planting (from the General Contractor) as being complete.

Maintenance: Begin maintenance immediately after each shrub and tree is planted Maintain and waiter plants in accordance with City of Portland Specifications Section 20705E Establishment period to extend through two growing seasons

Custance: Custance at plant material after final acceptance to deathor of hold promip season. The catabathment period shall extend to October 31, 2002. The establishment period shall extend to October 31, 2002. Replace plant materials not surviving or in pore condition; except only loss or damage due to treezing, vandalism, or acts and neglects on the part of others.

PROVIDE POSITIVE DRAINAGE FROM BASE OF AZALEAS I RHODODEDRONS

SCARIFY ROOTBALL ON ALL SIDES

SHRUB FLANTING DETAIL

CISTER CO 138 Oretchen Vadnais & OREGON W 6/16/12

Gretchen Vadnais landscape architects, 1.1.c.

1405 ne broadway, suite 200 portland, oregon 97232-1404 tel: 503/288-9338 fax: 503/288-9343

_					
		+		NOTICE	GV
		T-I		0 1/4 1	DESIGNED
				IF THIS BAR DOES NOT MEASURE 1"	DRAWN GV
10.	DATE	BY	POWEION	THEN DRAWING IS	CHECKED



A Murray, Smith & Associates, Inc. Engineers/Planners

121 S.W. Salmon, Suite 1020 Portland, Oregon 97204

Phone (503) 225-9010 Fex (503) 225-9022



CITY OF MILWAUKEE **EMERGENCY** CONNECTION

LANDSCAPING PLAN AND DETAILS

7

SHEET

AS SHOWN DATE: JANUARY 03, 2001 PROJECT NO .: 94-0307.209 SCALE:

7 of 7

A. DESCRIBE PROPOSAL

The City of Milwaukie and the City of Portland had an intergovernmental agreement (IGA) for Portland to supply emergency water to Milwaukie. In 1986 the City of Milwaukie took over the Wichita Water District and thus inherited a connection with the City of Portland, since that was where Wichita received their water supply. In 1988, five of Milwaukie's wells were found to be contaminated by trichloroethylene (TCE). At that time the City closed down those wells and contracted with Portland for some of the needed water supply that Milwaukie's good wells could not supply until aeration towers were constructed to remove the contamination from those five wells.

That old intertie with the City of Portland was located in a vault in the northbound traffic lane of Johnson Creek Blvd. at the Springwater Corridor. This was an unsafe location and caused traffic back up when access was need to the vault. The old intertie was also only a one-way connection, meaning Milwaukie could receive water from Portland because of the higher pressure in Portland system. The new intertie will allow Portland to bring in portable a pump to pump water from Milwaukie to Portland's system in an emergency. A new IGA has been signed between Milwaukie and Portland to allow this to happen.

The work consists of installing one new precast vault with and ultrasonic flow meter; one new precast vault with a 10-inch double check valve backflow preventer assembly; one new precast vault with a 10-inch pressure-reducing valve; approximately 90 feet of 6-inch, 10-inch and 12-inch diameter ductile iron piping and appurtenances; one 10-inch diameter tapped connection to an existing 12-inch diameter waterline; approximately 110 feet of 2-inch and 4-inch diameter PVC drain piping; electrical service; telemetry equipment and associated programming; and landscaping.

All vaults will be buried underground with just an access lid at ground level and visible. The size of each vault is on the attached plans (pages 3, 4, &5 of 7).

The vaults will be on the east side of Johnson Creek Blvd. on the south side of the Springwater Corridor. The telemetry is located on the west side of Johnson Creek Blvd. on the south side of the Springwater Corridor in two separate panels, one for Portland and one for Milwaukie (details on page 6 of 7).

Although the plans have a landscape plan, the City of Portland Parks Bureau has indicated they intend to do the landscaping themselves.

B. APPROVAL CRITERIA

Comprehensive Plan Goals and Policies:

Under the PUBLIC FACILITIES AND SERVICES ELEMENT in chapter 5 the Goal Statement is: To plan, develop and maintain a timely, orderly and efficient arrangement of public facilities and services to serve urban development.

For the "Water Services", contracting with the City of Portland for our emergency water supply during the contamination of five of our wells was a key element of maintaining adequate water supply for the City of Milwaukie residents and businesses.

Under OBJECTIVE #4 – WATER SERVICE, the goal is "To develop and maintain water services and cooperate with other agencies to provide and adequate and efficient provision of water services. Policy #1 says, "The City will ... also insure a reliable supply through the development and maintenance of alternate water sources for use during emergencies or extremely high demand."

This project does exactly what Policy #1 states, in addition to providing Portland with an emergency supply.

Zoning Ordinance Sections:

- Subsection 321.4 Authority to grant or deny a community service use
 - A. An application for a community service use may be allowed if:
 - 1. The requirements of the underlying zone are met.

The underlying zone is "M". There are no buildings being proposed on the property. Therefore the yard setback requirements and height requirements do not apply. There is no regular occupancy of the property, so the parking requirements do not apply. However, there is a parking lot on the west side of Johnson Creek Blvd. for the trailhead that personnel can use when checking the meter, backflow preventer, and pressure reducer.

The entire site will be landscaped, except for the vault lids. The City of Portland Parks Bureau will do the re-landscaping based on their Master Plan for the Springwater Corridor done in 1992.

There will be no curb cuts for site access, because actual vehicular access will only be needed when equipment will be needed to lift something out of a vault.

This is not a transition area. No residential zone exists within 120 feet of this site.

2. In response to Section 321.10.A, all utilities, streets, or other improvements necessary for this public facility are in place, including curb and sidewalk.

This site is not adjacent to a residential zone, so B, C, and E do not apply.

In response to D, the vaults will be buried, so this section does not apply.

In response to F, lighting is not being installed on the site.

In response to G, the hours of operation are continual, however, the level of operation is extremely minor. This is an emergency intertie, and even if Milwaukie were receiving water from Portland, there would be no noise associated with that operation because their pressure is much higher than ours and it would be moving through the lines by gravity flow. If Portland were to need water, however, they would need to bring in a portable pump to pump the water into their system. There would be some noise associated with that operation, but this is a manufacturing zone not adjacent to a residential zone, so the associated noise level would not disturb residents. Portland may never need water from Milwaukie, but this connection would allow for an emergency situation.

EXHIBIT 5 2 PAGES



PLANNING DEPARTMENT 6101 SE JOHNSON CREEK BLVD. MILWAUKIE, CREGON 97206

PHONE: (503) 786-7650 FAX: (503) 774-8236

Neighborhood Land Use Referral

RECEIVED

MAR 0 1 2001

CITY OF MILWAUKIE PLANNING DEPARTMENT

TO:

Lewelling NDA Land Use Committee and NDA Chair(s)

FROM: Kenneth Kent, Associate Planner

CC:

J Herrigel – NDA Staff Liaison

The City of Milwaukie has received a land use application for a project in your neighborhood. This is your Land Use Committee's first opportunity to review the application. Please inform me in writing of concerns and/or recommendations identified by the Committee that you think should be addressed in the review. To be included in the staff report, your written comments must be received by the date listed below, and must reference the application by file number.

A complete copy of this referral is being sent to all members of the Land Use Committee, the NDA Chair(s), and the NDA Staff Liaison.

Listed on the reverse side of this sheet are the most relevant sections of the Comprehensive Plan and Ordinances that apply to this application. You are encouraged to review those policies and standards. The application will be permitted according to whether or not it meets the criteria found in the Plan and Ordinances. Your comments, concerns, and recommendations should also relate to the criteria in the Plan and Ordinances. If you do not already have a copy of the Comprehensive Plan or Ordinances to reference, you may acquire a copy of the applicable sections at the Planning Department, 6101 SE Johnson Creek Blvd., Milwaukie OR 97206. You may wish to call me ahead of time so they can be ready when you arrive.

If you have questions about the application, the process, or the criteria, please call me at (503) 786-7653. Thank you!

Date routed: Tentative Planning Commission hearing Comment 3/2/01	siditebx##
Applicanti Giston Milwantie 20-day.com File#(s)#GPA-0:-01** 20-day.com 10-20-01	ागु(संकास) इंद्र

MEMORANDUM

RECEIVED

TO:

COMMUNITY DEVELOPMENT

MAR 0 5 2001

FROM:

Paul Roeger JIHA Civil Engineer

CITY OF MILWAUKIE PLANNING DEPARTMENT

RE:

CSO-01-01

Springwater Corridor and Johnson Creek Blvd.

DATE:

March 5, 2001

This is a Public Works Water Department project. The following information is being included to supplement what has already been provided.

The City of Portland Parks Bureau owns the Springwater Corridor and has given the City of Milwaukie and the City of Portland Water Bureau an easement to install the metered intertie. The vaults are located as far from Johnson Creek as possible and the elevation of the access lid is above the 100-year flood plain. Otherwise the vaults are watertight and there is a sump pump in each one to pump any water that does somehow get into the vaults to the curb.

This is only intended as a 2.0-mgd capacity emergency source of water supply during peak demand periods. The City of Milwaukie currently has another 2.0-mgd capacity emergency supply connection with Clackamas River Water, from which we take a constant supply of 0.5-mgd. Milwaukie does not intend to take a constant supply from Portland. This intertie will allow Portland to purchase an emergency supply of water from Milwaukie, also.

The telemetry will allow both Cities to monitor the intertie without actually visiting the site. When it is necessary to visit the site, parking is available in the trailhead lot on the west side of Johnson Creek Blvd.

Jay Saatkamp, Water Operations Supervisor, and myself will attend the Planning Commission meeting to make a presentation and answer any questions.



Johnson Creek Watershed Council PO Box 82584 Portland, OR 97282 (503) 239-3932 (503) 239-3946 fax info@jcwc.org March 12, 2001

Alice Rouyer Planning Director Community Development 6101 S.E. Johnson Creek Blvd. Milwaukie, OR 97206

Ms. Rouyer,

I would like to submit comments on a planning issue that will be heard on Tuesday March 13th. The issue of concern is a proposed project that will link drinking water and sewage lines of the City of Portland and the City of Milwaukie near the intersection of Johnson Creek Boulevard, Harney Street, the Springwater Trail and Johnson Creek. The proposed plan includes the siting and installation of concrete vaults near the banks of Johnson Creek. Major construction in the sensitive riparian corridor presents a concern for the health of the creek as well as for the precedent that it sets.

You may be aware that the City of Portland has been working to improve riparian condition in this area through numerous activities including removal of invasive species and planting of appropriate native vegetation to provide fish and wildlife habitat and shading for the creek. If the concrete structures are sited in the riparian area, this will not only jeopardize the work done to improve the area but will prevent further efforts to restore the area as planting would not be successful above these structures.

The riparian area in the City of Portland is protected through zoning restrictions imposed by the environmental zone (E-zone). Although the City of Milwaukie does not currently have regulations in place to protect sensitive riparian areas, the City should be wary of the precedent that could be set by allowing projects to be implemented in riparian areas when reasonable alternatives are be available.

The Johnson Creek Watershed Council urges the Planning Department to investigate alternatives that will not have detrimental impacts to Johnson Creek and its sensitive riparian areas, such as siting the concrete vaults under the existing roadway, or in the one of the existing nearby parking lots so as to minimize the detrimental impact on Johnson Creek.

Thank you for your attention to this matter, we look forward to your response.

Sincerely.

Kim M. Hatfield, Council Coordinator

RECEIVED

MAR 1 2 2001

CITY OF MILWAUKIE PLANNING DEPARTMENT