

**MILWAUKIE CITY COUNCIL
WORK SESSION
MAY 14, 2001**

The work session came to order at 5:30 p.m. in the City Hall Conference Room.

City Council present: Mayor Bernard and Councilors King, Lancaster, and Marshall.

Staff present: City Manager Pro Tem Swanson, Assistant City Manager Bennett, Planning Director Rouyer, Associate Planner Gessner, and Associate Engineer Barnett.

Information Sharing

Swanson reviewed plans for the upcoming Council retreat on May 19 and 20.

Open Public Forum

No participants.

Transportation System Plan Implementation Update

Gessner updated the Council on the Transportation System Plan (TSP) implementation and sought direction on 6 issues.

1. *Balancing projects creating little traffic with neighborhood desire for traffic impact studies.*

Staff developed a threshold scoring method and ran several actual Milwaukie projects through the model. The reasons for triggering a study can vary. For example, studies can be triggered by conditional use (CU) and community service overlay (CSO) applications as well as development applications in areas with associated traffic plans and projects. In the downtown area, the trigger would be trip generation. The traffic engineering consultant recommends a 200 trip threshold for study.

Councilor Marshall urged developing a method for dealing with cumulative neighborhood impacts caused by development.

Council directed staff to continue its current course on this issue.

2. *Is the proposed mitigation approach acceptable?*

Staff is investigating several options. The City currently uses its public facilities ordinance to require needed improvements to adequately serve the project. The Council may wish to target mitigation funds to specific projects when a direct relationship is identified. Developers could be required to pay a proportionate amount into a fund earmarked for development impacts as well

as improving existing conditions. Finally, the City may wish to reward incentive programs and facility improvements which encourage employee use of mass transit or alternate modes of transportation.

There was consensus these were good options and to proceed with developing more.

3. *Should the City accept developer agreements rather than requiring improvements at development?*

The Planning Commission does not feel developer agreements meet improvement needs, and, at this time, most agreements are related to residential development. The Council may wish to consider options other than developer agreements and, instead, require improvements at the time of development.

Barnett added developer agreements have been done over a fairly long period of time, so standards and requirements vary.

Councilor Newman was concerned with patchwork improvements and liked the idea of putting money into a fund for the comprehensive development of a designated street.

Councilor Marshall suggested developers might willingly install their own sidewalks if they thought it would cost less than putting money into a future improvement fund. He asked if there was any way to collect on the existing developer agreements, and staff responded there is no way to do it efficiently. Some of the agreements have been satisfied, while others have not. The group generally discussed saving funds for larger projects in specific areas.

4. *Increasing the notification area for administrative decisions.*

The group agreed the notification area needs to expand and suggested increasing fees to cover additional administrative costs.

5. *Should the number of curb cuts be restricted or pedestrian friendly designs be adopted?*

The Council agreed staff should pursue pedestrian-friendly curb cut designs.

6. *What are the appropriate levels of service (LOS) for Milwaukie intersections?*

Gessner reported staff continues to work on this issue because of associated legal concerns. At this point, staff recommends adopting LOS D to prevent degraded intersections. The Metro LOS standard is applied to regional

facilities, such as Lake Road, for long-range planning purposes and relates to sections of road between intersections. LOS E and F may not result in failing intersections. **Rouyer** suggested adopting levels of service appropriate to Milwaukie. **Bennett** cautioned against setting volume and capacity standards that would result in the need to add more vehicle lanes.

The Council advised staff to continue working in the current direction.

McLoughlin Boulevard Project Update

Barnett provided information on the McLoughlin Boulevard Improvement Project and adopted downtown plan. Proposed improvements are enhancing pedestrian access, mitigating through-traffic impacts, planting street trees, installing a landscaped median, and making the riverfront more accessible. The project team is made up of representatives from the City of Milwaukie, Oregon Department of Transportation (ODOT), and DKS Associates, a transportation consulting firm.

Metro's Transportation Improvement Plan (MTIP) and the State Transportation Improvement Plan (STIP) provide \$1.9 million, and the City secured an ODOT Transportation and Growth Management (TGM) grant in the amount of \$50,000. Initial contacts have been made with affected property owners, and the City recently hosted an open house for interested parties. The most significant constraint identified by the project team is funding.

The key project goals at this point are determining the feasibility of a pedestrian underpass between Jefferson and Monroe Streets, establishing the operational feasibility of a three-signal system between Harrison and Washington Streets, and developing a master concept for the boulevard treatment within the \$2.2 million budget. **Barnett** described the street cross section.

Bennett said funds are allocated for 2003, and these improvements will facilitate future funding.

The group discussed the feasibility of concentrating the improvements over a 2 block area or on the west side only.

Urban Forestry Ad Hoc Committee Charge Statement

Rouyer reviewed the charge statement approved by Council on February 5, 2001.

Mayor Bernard suggested adding education programming that includes a list of recommended trees for planting, safety tips for spacing and root trimming, and tree planting promotions. He discussed 2002 budget requests related to tree planting.

Councilor King recommended the Committee develop a way to track tree planting activities and regularly analyze the tree canopy.

Councilor Marshall and **Mayor Bernard** will discuss the applications.

Accessory Retail/Service Uses in Business Industrial Zone

Rouyer reported several International Way business owners wish to open small accessory retail outlets. The BI zone does not currently allow this activity. She sought direction on adding a provision allowing limited retail outlet-type stores. The concern is to avoid "commercial creep" which takes away industrial land and related jobs.

The group discussed the percentage of allowable off-site manufacturing, enforcement issues, traffic impacts related to retail, and language to the effect retail must be accessory to manufacturing.

The Council directed staff to continue with the amendment and be mindful of protecting manufacturing in the industrial areas.

Johnson Creek Boulevard Improvement Project Update

Bennett and **Brett Kesterson**, City of Portland, reviewed the history of the Johnson Creek Boulevard project that began in 1989 with a Metro-led South Corridor Study of east/west traffic. During the past few years, the Tacoma overpass and I-205 interchange have made significant impacts.

Bennett explained the 2 intergovernmental agreements (IGA) recommended for signature. The agreement with the Oregon Department of Transportation (ODOT) is a follow up to the June 2000 IGA and gives access to \$1.076 million for the project. The second agreement requires Clackamas County to assist in resolving right-of-way issues, provide \$80,000 in-kind services to compensate Milwaukie for the match, and, upon satisfactory completion of the project, turn road jurisdiction over to the City. About 60% of the project is in the City of Milwaukie.

Bennett outlined what she understood to be the 6 major neighborhood issues:

1. 40-foot v. 44 foot roadway design.
2. Are 2 bike lanes required? Could there be just one?
3. Can the curves be smoothed?
4. Can the trees be saved?
5. Plat and survey discrepancies.
6. Indemnification clause language in the County agreement.

Kesterson discussed the planned improvements which include travel lanes, bike lanes, and curb and sidewalk. The total project width is 44 feet. Only one sidewalk will be constructed, but there will be an allowance for the second sidewalk in the future.

Councilor Marshall understood there would be no federal funding if there were bike lanes on one side only

Kesterson said that is correct. The reason for this is the desire to develop a usable system which encourages that mode of transportation. Johnson Creek Boulevard has a special attraction because of its connection with the Springwater Corridor.

Kesterson said such things as fencing and landscaping would not be impacted until the second sidewalk is constructed. He discussed design limitations related to the environmental zone on the north side and feasibility of giving unused property back to the owners.

Councilor King referred to 4 trees in Portland section of the project and asked if the sidewalk could go around them.

Kesterson said building the sidewalk around the trees would impact the environmental zone, so the only solution is to remove the trees and compensate the owner. There are trees at the other end of the project which are above the curb and will not be impacted.

Councilor Marshall asked how many blocks of improvements are actually in Milwaukie and what drives Milwaukie to want road jurisdiction.

Bennett responded 6 blocks are in the Milwaukie city limits. At this time, Clackamas County does not spend any money on Johnson Creek Boulevard. Potholes are not being filled, and there are problems at the intersections. Once this project is completed, the road will be in good condition and not need any cuts for 8 to 10 years. In the long-term, Milwaukie will have financial responsibility for maintenance, but, if the City is not willing to take jurisdiction, the County will not make the \$80,000 in-kind service match.

Kesterson explained this is a 20-year road design which encourages use of mass transit and alternate transportation modes. Cities can generally work more effectively with neighborhoods and meet community goals when they take over jurisdiction of county roads.

Bennett added the intent is to downgrade the street designation making Johnson Creek Boulevard eligible for traffic calming. Portland has not designated it as an emergency route. Clackamas County would like to make Johnson Creek Boulevard a 5-lane road in the industrial area.

Bernard said people are reporting cracks in their home and asked if reconstructing the road would reduce the problem.

Kesterson said an adequate road base would make a big difference. He outlined the acquisition process ODOT will undertake in about 6 months. He discussed the curve near Brookside Drive which is currently designed for 25 mph. He discussed the discrepancies between the 1917 plat of the north side of Johnson Creek Boulevard and the one done for the south side in 1924.

Bennett said plat issues will be resolved during the ODOT acquisition process. The intent of the City is to vacate excess right-of-way when the project is complete.

Linda Hatlelid asked if federal funds would be available if only one sidewalk is constructed.

Kesterson said space can be reserved, but a sidewalk does not have to be built at this time.

Rebecca Lillie asked why the 1914 map was not being discussed, and **Kesterson** said he was not aware of the 1914 map. She understands from Clackamas County that the Surveyor's Office accepts plats based on meeting certain regulatory requirements, but it does not validate their accuracy.

Councilor Newman understood this Council cannot re-plat land, and **Kesterson** said that was correct. **Councilor Newman** further understood the neighbors can seek legal counsel and that the road is now under county jurisdiction.

Councilor Marshall asked when the project began, and **Kesterson** answered it started in 1984. **Bennett** will research completion dates for the I-205 interchange and Tacoma overpass. **Kesterson** added this is a lengthy project. Both neighbors and project staff have come and gone over the years, so people forget what has taken place.

Bennett said the City Attorney reviewed the indemnification language in the County agreement, and it is standard.

L. Hatlelid discussed offsetting the road and bringing it into the right-of-way to comply with the environmental zone.

Councilor Lancaster understood the plats were submitted to Clackamas County, so the City is not responsible in that area.

Bennett said the recommendation will be to vacate the unused right-of-way.

Adjournment

It was moved by Councilor Newman seconded by Councilor King to adjourn the work session. Motion passed unanimously.

Mayor Bernard adjourned the meeting at 8:15 p.m.

Pat DuVal, Recorder