



MILWAUKIE

Dogwood City of the West

To: Interested Parties

From: Li Alligood, Assistant Planner

Date: January 13, 2010, for January 26, 2010, Public Hearing

Subject: **File:** ZC-09-01, TFR-09-04
Applicant: Tim Riley, Clunas Funding Group, Inc.
Owner(s): Clunas Funding Group, Inc.
Address: Undeveloped lot at the northwest corner of Bowman St and Brae St
Legal Description (Map & Taxlot): 22E06BC03100
NDA: Lake Road

At the January 12, 2010, public hearing of the Milwaukie Planning Commission, new information regarding the above application was provided by the applicant and staff. To allow for public comment only on the new information, the commissioners voted to allow the public comment period on the above application to remain open for a period of 7 days after the hearing.

Two additional pieces of information were submitted at the January 12, 2010, hearing:

- **Supplemental Information from Applicant:** The applicant submitted a supplemental narrative, which provides a visual comparison of homes that could be built in the R-7 and the R-10 zones, using homes from the Pennywood Subdivision to the north and the Kellogg Acres subdivision to the south as comparisons to the subject site. This information was included in the Planning Commission meeting packet for the January 12 meeting.
- **Background Information about the Site:** In response to a Planning Commissioner request, staff provided information about an August 20, 2002, meeting of the Oak Lodge Water District. At that meeting, JoAnn Herrigel, the Community Services Director, made a formal inquiry to the Oak Lodge Water District (who owned the property at the time) on behalf of the Lake Road NDA about conveying the site to the City for the creation of a park. Adjacent property owners submitted comments and spoke against the proposal at the meeting. The general preference was for the property to continue as it was (i.e. unimproved and privately owned).

The additional information can be found at the following locations:

Interested Persons Memo—Bowman and Brae zone change
Page 2 of 2

- Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd (open weekdays 8:00 a.m. to 5:00 p.m.)
- Ledding Library, 10660 SE 21st St (call 503-786-7580 for current hours)
- City Hall, 10722 SE Main St (open weekdays 8:00 a.m. to 5:00 p.m.)
- City website, www.cityofmilwaukie.org/committees/plancomm.html#agendas

You are invited to submit comments regarding the new information, in writing, by **5:00 PM on Tuesday, January 19**. Comments must address ONLY the new information submitted at the January 12, 2010, hearing. The Planning Commission will make a recommendation on the application at the January 26 meeting.

Please submit **written comments** by mail, e-mail, or in person to:

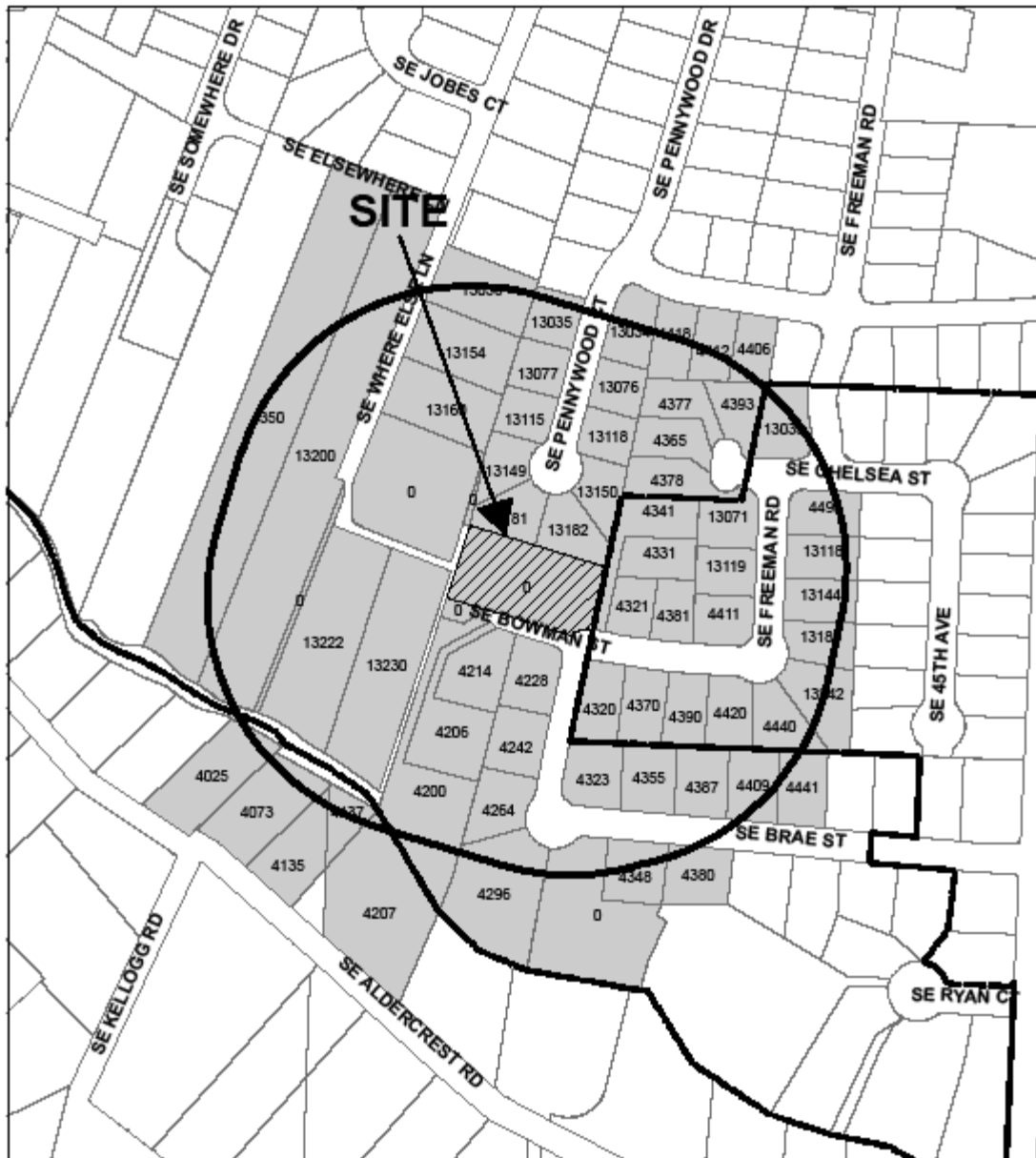
Li Alligood, Assistant Planner
6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
alligoodl@ci.milwaukie.or.us

Feel free to contact me at (503) 786-7627 or the e-mail address above with any questions about the application or public comment process.

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7

“Neighborhood Appropriateness”

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7



Site Map
SE Bowman and SE Brae
(22E06BC03100)
File #ZC-09-01, TFR-09-04



0 75 150 300 450 600 Feet

Legend

400-foot buffer

ZC-09-01 Site

City Limit

City of Milwaukie Tax Lots

Clackamas County Tax Lots

City of Milwaukie Notices

Clackamas County Notices

Site Map with Addresses

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7



Aerial View of Surrounding Neighborhoods

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7



Most Likely Construction with R7 Zoning
(similar to 13115-13035 SE Pennywood Ct)

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7



Most Likely Construction with R10 Zoning
(similar to 4228-4242 SE Brae St)

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7



R7



R10

Most Likely Construction R7 vs. R10 Zoning
(Visual impact comparison)

ZC-09-01 and TFR-09-04
SE Bowman/SE Brae Zoning Change to R7

Is R7 zoning of the subject site appropriate for the neighborhood?

- The subject site is adjacent to three residential neighborhoods (Pennywood, Bowman Terrace and Kellogg Crest).
- With an R7 zoning classification, the most likely construction on the site would be very similar to that of the Pennywood neighborhood.
- The construction would be of better quality and larger, in terms of square footage, than that of the Bowman Terrace neighborhood.
- The construction would be of similar quality and square footage to the homes in Kellogg Crest closest to the site.
- The same public area improvements will be required whether one, two or three homes are built on the site.
- The applicant believes the density of the construction would not be significantly different, in terms of visual impact, to what would most likely be built with an R10 zoning classification.
- **The applicant believes R7 zoning of the subject site is appropriate for the neighborhood(s).**



OAK LODGE WATER DISTRICT

Oak Lodge Water District
Regular Meeting Agenda
14496 SE River Road, Milwaukie
August 20, 2002
(A light dinner will be served)

5:30 p.m. Work Session

(5:30 – 6:45) Water Rights Permit Extension Rules Update – Dan Bradley

7 p.m.

General Board Meeting (or immediately following Work Session)

Members of the public are welcome to testify for a maximum of three minutes on each agenda item.

- 1) Call to Order
- 2) (5 min) Public Comment
- 3) (5 min) Approval of Minutes
- 4) (20 min) Where Else Lane Property Use
- 5) (5 min) View Acres Painting Contract Award
- 6) (15 min) Aldercrest Engineering Proposal
- 7) (10 min) Regional Water Providers Consortium
- 8) (15 min) Field Program Presentation
- 9) (15 min) Business from the Manager
 - a) Monthly Financial Report
 - b) Clackamas Water Providers
 - c) NCCWC Issues
 - d) Other Business
- 10) (15 min) Business from the Board
- 11) (5 min) Correspondence

if
Late →
(849-4131)

(CRBC representative, Sanitary Survey, IGA session date, Caryn Filton follow at next regular meeting)

9 p.m. Adjourn

For special assistance due to disability, please call the Oak Lodge Water District 48 hours prior to the meeting date at 503-654-7765.

Aug. 16, 02

For Board Meeting of: August 20, 2002
Agenda Item: Number 4

To: Chair Knapp and OLWD Board Members

From: Katherine Willis, General Manager

Where Else Lane Property

Issue

To address the Lake Road Neighborhood Association's proposal to use district property at Where Else Lane as a park.

Recommendation

It is recommended the Board direct staff to work with City of Milwaukie staff to outline possible use levels for district property at Where Else Lane.

Background

The District owns $\frac{3}{4}$ of an acre on Where Else Lane. The property was historically used for a pump station to pump water from the Portland system into Oak Lodge Water District. This pump station is no longer in service.

Facts and Findings

The Lake Road Neighborhood Association has requested the district consider allowing development of this area as a park. The association chair has proposed that the City of Milwaukie enter into an agreement with the district to allow this development.

Staff has informally discussed this proposal with citizens for and against park development, and with representatives of the City of Milwaukie.

Further exploration of issues would address the potential for usage as follows:

- 1) Maintain property as is – No structures for community use are currently on the property.
- 2) Higher use – Add picnic tables and benches.
- 3) Highest use – Installation of playground equipment.

The property is shown in the attached aerial photograph.

Pump Station - no longer used
Mowed

Used as a Park informally

20 yr CIP - has linkage to reconnect to PDx
Not likely that we would do this

- Don't do anything that can't be undone

kw - Issue is how do people in neighs want to see it used

- Liability - if kids get hurt

- Lines run along western edge

- Only small chunk of public road.

- NDA → grants from city - park benches

- vehemently opposed to formalizing

- close to Creek - kids wander down

- No parking for lot

- End of deadend road - changes character of what we bought.

- Neighborhood child killed on their lot - sued.

- Rather have two houses than a park

- This year District took over maintenance

- Mother wrote letter

- 150' buffer from Creek (fences not allowed)

District Admin Bldg

Oak Lodge Water Board
Oak Grove Oregon
August, 7, 2002

The Milwaukie Pilot recently indicated that your pumping station land that borders 45th and Brae and my acre on Where Else Lane is being considered for a future park governed by the city of Milwaukie. For the past ten years plus the neighborhood families have made use all year as a playfield for the children and families. There is no open land for the children in the three large housing developments to play other than that field.

Until my husband, Jim Downs' death two years ago he kept the field mowed year round for the neighborhood families to enjoy. The field is now very well maintained by Oak Lodge water department. My primary concern is for the liability for the surrounding areas because of Kellogg Creek in our back yards. Until now there has never been a child or family destructive to the surrounding homes or properties because they live among us and respect their personal neighborhood.

My second concern is upkeep knowing the shortage of funds the city has to work with. Would Oak Lodge Water District continue to expend the monies for upkeep or would the park look like the Nature Conservancy that borders my property under the Milwaukie Marketplace?

We have given right of way for your main trunk line to follow my property line and were told that the pumping station would be activated at anytime, I believed you, has this been changed? Please notify me because I would appreciate your input.

Sincerely yours,



Alice M. Downs
13222 SE Where Else Lane
Milwaukie, OR. 97222

PLEASE SIGN IN

Date:

8-20-02

Meeting Event:

OLWD Reg Board Mtg

Indicate if you intend to speak on agenda item(s).

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Print Name	Address / City / Zip	Phone	Speaking Yes No	Write Item(s) Addressing (MAXIMUM 3 ITEMS)
Margaret Carlson	OLWD			
Katherine Willis	OLWD			
DAN BRADLEY	DR. WATSON VILL, CANAL			
Roy Smith	OLWD			
Paul Savas	OLWD			
Paul Savas	OLWD			
Barbara Kemper	OLWD			
Scott Forrester	OLWD			
Dave Phillips	OLWD			
Melanie Downs-Phillips	OLWD			
JoAnn Herrigel	OLWD			
DEBBY PATEN	OLWD			
Jim Knapp	OLWD			
Paul Newman	OLWD			